

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7670 SENATE RESOURCES

Seldovia Village Tribe

P.O. Drawer L

Seldovia, Alaska 99663

(907) 234-7625 Fax: 234-7637

December 2, 1991

To the North Pacific Fishery Management Council,

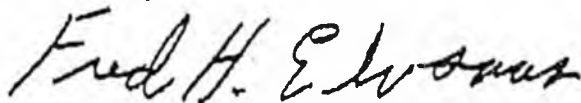
The Seldovia Village Tribe is opposed to the IFQ plan as presented.

This plan if adopted will devastate Villages like Seldovia. The Natives of Seldovia are at an economic disadvantage for being able to participate in the Halibut and Sable Fisheries.

The Fishery is so costly to enter, The Native people have not been able to get into it on a par with 'Outside' boats.

Seldovia Village Tribe needs to be designated and participate in the Community Development quota.

There is no valid reason to limit C.D.Q's to only Western Alaska and prohibit Natives along the Central Gulf of Alaska from participating and growing in this vital fishery.



Fred H. Elvsaas President
Seldovia Village Tribe



Seward Chamber of Commerce

P.O. BOX 749 • SEWARD, ALASKA 99664
PHONE: (907) 224-8051

December 5, 1991

Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Dear Mr. Lauber:

May this letter serve as our formal request to delay final implementation of the IFQ until more information has been gathered as to its economic impact on the communities of our state.

I speak on behalf of all of the Chambers of Commerce whose communities may be impacted in an adverse way through this decision and implementation. As you are no doubt aware, from all of the resolutions which have been passed and forwarded on to you, there is grave concern as to the potential negative impact on our fishery and its coastal communities. These concerns are being voiced by our federal congressional delegation, our state legislative representatives and our communities at large.

It would seem that an issue of such potential economic impact on an entire state would be meticulously studied before implementation.

On a more political note, we believe that this issue is so controversial that it could become a liability to President Bush and other politicians during an election year. As emotionally charged and "populist" oriented an issue as this could be manipulated to the disadvantage of the administration, which must pass on the recommendations of the NPFMC.

Because of the importance of this issue and the substantial amount of time spent by Council to develop it, we urge you and other Council members to proceed cautiously, and take serious note of the potential negative impact on our state and its fishery resource before recommending this action to the Administration.

Sincerely,

Wayne D. Carpenter
Executive Director
Seward Chamber of Commerce

WDC:fh

CC: Hon. Ted Stevens
Hon. Frank Murkowski
Hon. Don Young

Sponsored by: Trade Board

CITY OF SEWARD, ALASKA
RESOLUTION NO. 91-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SEWARD, ALASKA, URGING THE NORTH PACIFIC FISHERY
MANAGEMENT COUNCIL TO STUDY THE POTENTIAL IMPACTS
ON LOCAL COMMUNITIES PRIOR TO ESTABLISHING AN
INDIVIDUAL FISHERY QUOTA (IFQ) SYSTEM

WHEREAS, the North Pacific Fishery Management Council (NPFMC) is considering the implementation of an Individual Fishery Quota (IFQ) system in Alaska; and

WHEREAS, the NPFMC has not assessed the potential economic impacts such a system would have on the state of Alaska or on local communities which rely on the fishing industry as a major local employer; and

WHEREAS, it is in the public interest to require such a study prior to the implementation of the IFQ system;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, that:

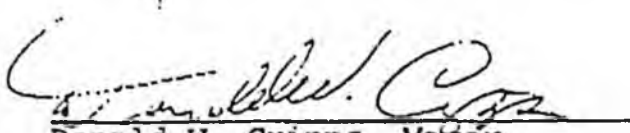
Section 1. The North Pacific Fishery Management Council is hereby urged to conduct a study of the economic impacts of the proposed IFQ system on Alaska and local communities prior to its implementation.

Section 2. A copy of this resolution shall be forwarded to Governor Hickel, Senators Stevens and Murkowski, Representative Young and the North Pacific Fishery Management Council.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the City Council of the city of Seward, Alaska, this 25th day of November, 1991.

THE CITY OF SEWARD, ALASKA


Donald W. Cripps, Mayor

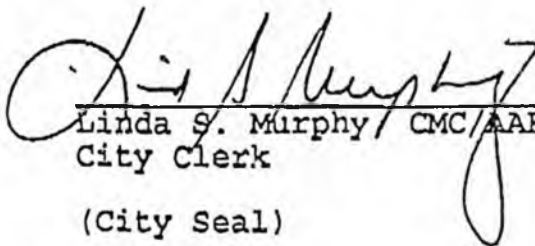
CITY OF SEWARD, ALASKA
RESOLUTION NO. 91-144

AYES: Burgess, Crane, Cripps, Dunham, Krasnansky, Swartz, White
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:

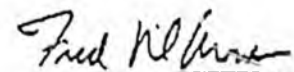
APPROVED AS TO FORM:

Perkins Coie, Attorneys for the
city of Seward, Alaska



Linda S. Murphy CMC/AAB
City Clerk

(City Seal)



Fred B. Arvidson
City Attorney



THE 1 GREATER 1 SITKA
chamber
OF COMMERCE
Box 638 · Sitka, Alaska 99835
(907) 747-8604

January 15, 1992

Secretary of Commerce Robert Mosbacher
15th & Constitution Avenue, NW
Washington, D.C. 20230

Dear Secretary of Commerce Mosbacher;

As a representative of the Greater Sitka Chamber of Commerce I would like to address the topic of the individual fishing quota system as proposed by the North Pacific Fisheries Management Council.

The Individual Fishing Quota System as proposed by the council has the potential to deny Sitka residents the opportunity to be diverse and could possibly cause financial hardship and create an economic impact in Sitka, Southeast Alaska, and other Alaskan communities.

The Greater Sitka Chamber of Commerce asks that an economic impact analysis of the program on the municipality of Sitka and other communities of Alaska be completed and that no action or approval of the plan be taken by the North Pacific Fisheries Management Council until at which time the results of the study are returned and can be analyzed by the affected communities for their consideration and comment.

Thank you for your consideration in this matter. I await your reply.

Sincerely,

Edward Malewski
President

EM/sh

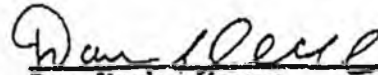
cc: Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
North Pacific Fisheries Management Council

SPONSOR: Hallgren/Fager

RESOLUTION NO. 91-487

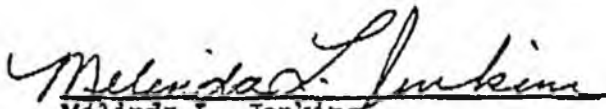
BE IT RESOLVED THAT THE CITY AND BOROUGH OF SITKA REQUESTS THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL AND ALL OTHER AUTHORITIES NOT TO APPROVE THE INDIVIDUAL FISHING QUOTA PROGRAM FOR THE SABLEFISH AND HALIBUT FISHERIES UNTIL AN ECONOMIC AND SOCIAL IMPACT ANALYSIS OF THE PROGRAM ON THE COASTAL COMMUNITIES OF ALASKA IS COMPLETED AND SHARED WITH THE AFFECTED COMMUNITIES FOR THEIR CONSIDERATION AND AFTER PUBLIC HEARINGS ON THE SPECIFIC INDIVIDUAL FISHING QUOTAS PROPOSED ARE HELD IN AFFECTED COASTAL COMMUNITIES

PASSED, APPROVED AND ADOPTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA THIS 29th DAY OF NOVEMBER, 1991.



Dan Keck, Mayor

ATTEST:



Melinda L. Jenkins
Municipal Clerk



Southwest Alaska Municipal Conference

Putting Resources to Work For People

3300 Arctic Blvd., Suite 203 • Anchorage, Alaska 99503 • (907) 562-7380 • FAX (907) 562-0438

RESOLUTION 91-1

SOUTHWEST ALASKA MUNICIPAL CONFERENCE

INDIVIDUAL FISHERY QUOTA RESOLUTION

WHEREAS, a number of traditional management proposals have been submitted to the North Pacific Fishery Management Council which would potentially eliminate the problems which an Individual Fishery Quota (IFQ) would address; and

WHEREAS, the staff of the North Pacific Fishery Management Council nor the Council have reviewed these management proposals; and

WHEREAS, there is no urgency for Individual Fishery Quotas to be implemented without adequately using the administrative process to review all proposals prior to selection and implementation of one management proposal; and

WHEREAS, the Council's role and responsibility is to analyze all proposals on a given issue before implementing major changes to a fishery; and

WHEREAS, analysis and implementation of traditional management proposals to address the problem have not even been reviewed prior to the proposed implementation of an IFQ system; and

WHEREAS, an IFQ system is going to take years to implement and, meanwhile, the fisheries need extensive traditional management changes for short-term improved management;

NOW, THEREFORE, BE IT RESOLVED, that the membership of the Southwest Alaska Municipal Conference urges the North Pacific Fishery Management Council to analyze and implement traditional management methods prior to any further discussion of an Individual Fishery Quota system.

PASSED AND APPROVED THIS NINTH DAY OF SEPTEMBER, 1991

Marideth Sandler, Executive Director

Chow/Taylor, President

Requested By: Councilperson Madsen

Ayes: 5Nays: 1CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 91-43

A RESOLUTION OF THE CITY OF UNALASKA OPPOSING THE INDIVIDUAL
TRANSFERABLE QUOTA SHARES SYSTEM FOR MANAGING THE SABLEFISH
AND HALIBUT FISHERIES WITHIN THE JURISDICTION OF THE NORTH
PACIFIC FISHERIES MANAGEMENT COUNCIL

WHEREAS: The North Pacific Fisheries Management Council need to propose a "Preferred" plan which can be specifically reviewed and critiqued by all Industry participants; and

WHEREAS: Any drastic Management change demands the preparation of a Socio-Economic Impact Analysis. Detailed to realistically show the effects of such a management system upon the fisherman and the coastal communities which will be impacted; and

WHEREAS: The conservation concerns within these specific longline fisheries will not be addressed nor solved by this system of management; and

WHEREAS: The Funding source, the enforcement costs and plans are as of yet unknown. This critical area must be addressed and specified; and

WHEREAS: The Quota Shares System has demonstrated the adverse impacts upon the small to mid-sized vessels which participate within such systems; and

WHEREAS: The small to mid-size vessels of our coastal communities may well lose their access to their resource, and as our State's economy is not nearly as diverse as that of other State's those, losing their access to the resource, may force them to seek opportunity outside of their Home State; and

WHEREAS: There is no mechanism to realistically prevent Foreign interest domination of the Quota Shares; and

WHEREAS: A comprehensive plan is necessary to avoid the additional pressure which will be put upon those fisheries outside of the Quota system by those fisherman not receiving sufficient shares to compete; thus complicating and compounding the problems within these other fisheries; and

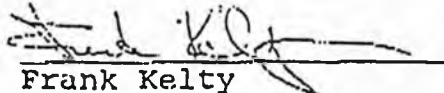
WHEREAS: The additional pressures will adversely affect the safety of the participants within these other fisheries; nor is there any guarantee that Quota Shares will increase the Safety of the participants within the fisheries which assume the Quota System;

and

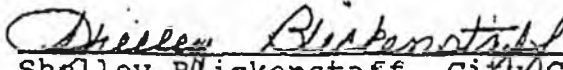
WHEREAS: The North Pacific Fisheries Management Council has identified over 20 management tools which are within the traditional system which have not been sufficiently analyzed or assessed for effectiveness.

NOW THEREFORE BE IT RESOLVED THAT: The City Council of the City of Unalaska, Alaska, opposes the INDIVIDUAL TRANSFERABLE QUOTA SHARES SYSTEM (ITQ) for the management of the Sablefish and Halibut Fisheries.

PASSED AND APPROVED THIS 20th DAY OF June, 1991 BY THE CITY COUNCIL OF THE CITY OF UNALASKA, ALASKA.


Frank Kelty
Mayor

ATTEST:


Shelley Blichenstaff, City Clerk

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION NO. 91-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNALASKA URGING THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL AND ALL OTHER AUTHORITIES TO RESCIND ITS VOTE TO IMPLEMENT THE IFQ PROGRAM TO APPROVE THE INDIVIDUAL TRANSFERABLE QUOTA SHARE PROGRAM FOR THE SABLEFISH AND HALIBUT FISHERIES UNTIL AN ECONOMIC IMPACT ANALYSIS OF THE PROGRAM ON THE CITY OF UNALASKA AND OTHER COMMUNITIES OF ALASKA IS COMPLETED AND SHARED WITH THE AFFECTED COMMUNITIES FOR THEIR CONSIDERATION AND COMMENT.

WHEREAS, a number of traditional management proposals have been submitted to the North Pacific Fisheries Management Council which would potentially eliminate the problems that an Individual Fishery Quota (IFQ) would address; and

WHEREAS, the North Pacific Fisheries Management Council's role and responsibility is to analyze all proposals on a given issue before implementing major changes to a fishery; and

WHEREAS, analysis and implementation of traditional management proposals to address the problems have not even been reviewed prior to the proposed implementation of an IFQ System; and

WHEREAS, an IFQ System is going to take years to implement while the fisheries need extensive traditional management changes not short-term improved management; and

WHEREAS, the ability to participate in multiple fisheries and adapt to changing economic and resource conditions are vital characteristics of the Alaska fishing industry; and

WHEREAS, IFQ Systems under consideration provide much of the resource to be allocated to non-resident users, excluding disproportionate numbers of Alaska fishermen, and preclude participation by the growing Alaska longline fishing fleet; and

WHEREAS, IFQ Systems will deny the opportunity for residents of the City of Unalaska and other Alaskan communities to fully diversify and maximize their fisheries creating financial hardships and creating economic impacts; and

WHEREAS, IFQ Systems could accommodate offshore processors which will minimize the raw fish tax to Alaskan communities and the State of Alaska; and

WHEREAS, The City of Unalaska adopted Resolution No. 91-43 on June 20, 1991 opposing the IFQ system for managing the sablefish and halibut fisheries within the jurisdiction of the North Pacific Fisheries Management Council, a copy of which is attached.

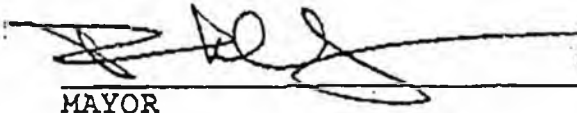
CITY OF UNALASKA
RESOLUTION NO. 91-112
PAGE TWO

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNALASKA that the Alaska State Legislature and the Governor intercede on behalf of Alaska fishermen to prevent any negative economic impact or hardship on them and affected Alaska communities as a result of the IFQ system.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNALASKA that the North Pacific Fishery Management Council rescind its vote TO IMPLEMENT THE IFQ PROGRAM, and carefully scrutinize this proposal including its impact on Alaska fishermen and communities, and implement traditional management methods prior to any further discussion on an IFQ System.

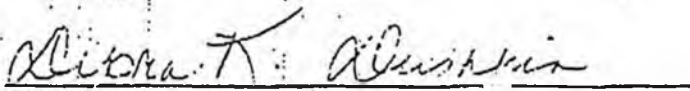
BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNALASKA that copies of this resolution be sent to Governor Walter J. Hickel, the North Pacific Fishery Management Council, District 26 Representative George Jacko, District 26 Senator Fred Zharoff, U.S. Senators Stevens and Murkowski, and U.S. Representative Young.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF UNALASKA THIS 12 DAY OF December, 1991.



MAYOR

ATTEST:


CLERK

CITY OF VALDEZ, ALASKA

RESOLUTION NO. 91-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, SUPPORTING OPEN ACCESS IN THE SABLEFISH AND OTHER FISHERIES IN THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

WHEREAS, the North Pacific Fishery Management Council is developing detailed options for implementing a sablefish individual fishing quota (IFQ) system, and is also considering a moratorium on entry for all fisheries under Council jurisdiction; and

WHEREAS, the ability to participate in multiple fisheries and adapt to changing economic and resource conditions are vital characteristics of the Alaska fishing industry; and

WHEREAS, individual fishing quotas may deny the opportunity for residents of coastal communities to fully diversify and maximize their fisheries; and

WHEREAS, individual fishing quota programs under consideration provide for much of the resource to be allocated to non-resident users, excluding disproportionate numbers of Alaska fishermen and preclude participation by the growing Alaska longline fishing fleet; and

WHEREAS, the trend will be to process groundfish offshore which will minimize the raw fish tax to coastal communities and the state; and

WHEREAS, limited access programs restrict the free enterprise system by not allowing commercial fishermen to maximize their potential in the fishery; and

WHEREAS, limited access does not address several more fundamental management problems.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Valdez, Alaska, respectfully requests the Governor to take whatever action is necessary to protect the rights of Alaska fishermen and to vigorously oppose any effort to implement limited entry in the sablefish and other fisheries in Alaska.

BE IT FURTHER RESOLVED that the North Pacific Fishery Management Council is respectfully requested to abandon their initiative to impose a moratorium on all fisheries under Council jurisdiction.

BE IT FURTHER RESOLVED that the North Pacific Fishery Council is respectfully requested to not impose a sablefish IFQ system.

CITY OF VALDEZ, ALASKA
RESOLUTION NO. 9160

BE IT FURTHER RESOLVED that the North Pacific Fishery Council is requested to continue the open access (status quo) management of the sablefish and other fisheries under Council jurisdiction.

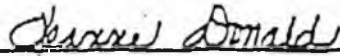
AND, BE IT FURTHER RESOLVED that if the Council recommends the adoption of limited access in the groundfisheries, the Secretary of Commerce is respectfully requested to reject their recommendation.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this 1st day of July, 1991.

CITY OF VALDEZ, ALASKA


Lynn Chrystal, Mayor

ATTEST:


Jeanne Donald, CMC, City Clerk

CITY OF WHITTIER, ALASKA
RESOLUTION 264-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA SUPPORTING TRADITIONAL MANAGEMENT METHODS IN SABLE FISH, HALIBUT AND OTHER FISHERIES, AND URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO REVIEW, ANALYZE AND IMPLEMENT TRADITIONAL MANAGEMENT METHODS.

WHEREAS, The North Pacific Fishery Management Council is developing detailed options for implementing a sable fish and halibut individual fishing quota (IFQ) system and is preparing plan amendments which would impose a moratorium on entry into the ground fish, crab and halibut fisheries; and

WHEREAS, There have been a number of traditional management proposals submitted to the north pacific fishery management council which would potentially eliminate those problems addressed by an IFQ system.

WHEREAS, the NPFM Council under the proposed IFQ system is moving to reduce delivery ports of sable fish and halibut, and eventually all ground fish and crab fisheries, to ten primary designated ports, thereby severely impacting small rural Alaskan coastal communities; and

WHEREAS, the ability to participate in multiple fisheries to fully diversify and adapt to changing economic and resource conditions are vital characteristics of the Alaskan fishing industry.

WHEREAS, IFQ programs under consideration provide for much of the resource to be allocated to non-resident users, excluding disproportionate numbers of Alaskan fisherman and preclude participation by the growing Alaska longline fishing fleet.

NOW, THEREFORE, THE WHITTIER CITY COUNCIL RESOLVES; THAT it urges the NPFMC to implement traditional methods of management in the sable fish, halibut and other fisheries; and

BE IT FURTHER RESOLVED; that in the event the proposed management plan is passed we respectfully request the U.S. Secretary of Commerce, Robert Masbacher to oppose the IFQ system.

PASSED AND APPROVED by the Whittier City Council this 13th day of November, 1991.

ATTEST:

Tina Lorrekovich
Tina Lorrekovich, City Clerk

Robert Masbacher
Robert Masbacher, Mayor
VICE MAYOR, WALTER

01. 10. 92

06:04PM

Benjamin's Store

PO1

Wrangell Cooperative Association

BOX 868 - WRANGELL, ALASKA 99929

To Whom it may concern:

Our Tribal I.R. A. council, The Wrangell Cooperative Association is against I. F. Q. , system as it now stands. It would price our fishermen out of the fisheries. Only good for established fisherman Making it possible for them to be millionaires overnight...

This was decided at a legally held meeting on Jan. 5, 1992 with 6 eyes and 0 naves.

Sincerely,

Wrangell Subsistence Advisory

Board Chairman,

John P. Feller Jr.

If there is need for further questions please call us at 907-874-3829

P.S. our enrollment is approximately
450 members.

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NEWS



INCOME STATEMENT

First quarter in billions	1990	1989
Revenue	\$8,892	\$8,659
Net earnings	668	594
In dollars		
Per share	.62	.55

The Associated Press

AT&T stock price, profits take a dive

New York Daily News

NEW YORK — AT&T stock, a longtime favorite of small investors, took a beating on Wall Street Wednesday after the phone company announced its second-quarter earnings would be lower than a year ago.

AT&T's announcement was made before the market's opening bell. The stock opened down \$3.50 before rebounding to close at \$39.125 for a loss Wednesday of \$2.125. AT&T is the nation's most widely held stock, with more than 2.5 million shareholders. About 40 percent of the shares are held by individuals.

AT&T said about half the shortfall was due to lower-than-expected domestic sales of computer and telephone equipment and half was caused by high startup costs for its new Universal credit card. However, the communications giant said it still was on track for a year of record profits.

"There's been nothing quite like this before," AT&T spokesman Dick Gray said of the company's announcement.

When writing office memos, remember: less is more

Memos. According to some, the only good memo is a dead one. According to others, effective memos produce quick results. If

you're a memo writer and would like to increase your effectiveness, measure your memos against these guidelines:

• Short memos are read. Long ones are filed in piles on the

reader will delay taking action until discussing the memo with you. Despite good intentions, this may take weeks.

• Make your memos easily read by using active verbs rather than passive language. Active language says, "Let's do this." Passive language says that someone has done something to someone. Which would you rather read, "Our mid-level managers believe that..." or "There is a feeling among your managers that..."

• A quick way to shorten memos is to find the subject



"I think manufacturing is doing better and I think Europe is the reason," Hunt said.

At the same time, Hunt noted that the Index's consumer-based indicators were more mixed, with consumer expectations falling and new orders for consumer goods posting a small gain.

David Berson, chief economist with the Federal National Association, said the Index continues the pattern of "alternating increases and decreases. As long as we continue with that sort of a pattern, it indicates a pattern of continued slow growth."

MAY 89 144.2 145.1 146.2

Frederick Sturm, senior economist for Fuji Securities, noted that the May leading index level is only above its previous high set in January 1989. Over the past year, the leading index is nearly unchanged, he said.

"What it does is confirm the status quo," Sturm said, with the economy continuing to expand at a restrained pace.

Council wants limited entry for Pacific black cod fishery

By HAL BERNTON
 Daily News reporter

The North Pacific Fishery Management Council is struggling to limit entry to the black cod fishery and establish a quota system that would assign each boat operator a share of the catch. The plan, if adapted by the federal government, could serve as a blueprint for a new era of Pacific cod, pollock and other bottom-fish management in the 200-mile zone off Alaska.

"The general feeling of the council is that we need to pursue a system to address many of the bad aspects of the current system," said Don

Collinsworth, the council's chairman.

The council, meeting this week in Anchorage, conducted a lengthy review of the limited-entry plan, fleshing out details with a series of amendments. Collinsworth said Wednesday afternoon he hoped to put the plan to a vote by this morning.

The new system would dole out share quotas to those fishermen already catching black cod. Share quotas would be awarded on the basis of past catches — the greater the

Please see Page D-2, CDD

money by concentrating on the teen-age market" is clear.

"Soon" is simpler than "in the near future." "Now" is stronger than "at this point in time." "Because" makes more sense than "due to the fact that."

If you've been smothering words with "ment," "ize," and "lilly" endings, see if you can find shorter words.

• If you can, illustrate your memo. Pictures, graphs and cartoons draw reader interest and convey information concisely.

COD: Pacific fishery council proposes limited entry quota system

Continued from Page D-1

catches, the greater the quota. Fishermen would eventually be free to buy and sell share quotas that offered access to the public fishery resource. As of Wednesday afternoon, the plan contained no proposals to tax quota sales to help finance the federal costs of managing the harvest.

Collinsworth said the council needed to determine if such a tax were legal, and if so, whether it was appropriate. "We've not made a decision," he said.

The bottom fish industry is managed by the federal government, acting under the authority of the 1976 Magnuson Fishery and Conservation Management Act that gave U.S. fishermen first claim to all sea life within 200 miles of the nation's coasts. Currently, there is no limit to the number of boats that can participate in fisheries. Harvest quotas are set by the government and can be scooped up on a first-come, first-serve basis.

In recent years, the U.S. fleets off Alaska have rapidly expanded, with more than enough capacity to catch annual quotas. Seasons grow ever shorter, and management problems become more and more complex.

The council, which consists of 11 voting members appointed largely from the seafood industry, has considered limited entry for years. But the concept has always been controversial, as reflected in public testimony at this week's council meeting.

Dean Adams, a 10-year veteran of the Alaska fisheries, compared the black cod fisheries to a crowded interstate freeway. "We've reached rush-hour capacity," said Adams on Tuesday, arguing in favor of a limited entry quota system.

Shortly after Adams testified, two Kodiak-based crewmen spoke out against limited entry. "I'd have to get a loan to buy shares," said Mark Adam. "And I bet the first person who will offer me a loan will be a conner. And then I'll be in

monopoly happening." Other fishermen say that the fleets will soon shrink due to bankruptcies and that it's too late for the council to step in and try to protect the industry. "Let the weak fail and the strong survive. The prime goal of the Magnuson Act is protection of the species," said Dave Ilaville, a Kodiak trawl boat operator. "As long as that is accomplished, to hell with the fleet."

But fishermen are no lon-

ger the only ones asking for a voice in management of the harvests. Major U.S. fish buyers are becoming increasingly concerned about management policies and shortened seasons that make it much more difficult to assure a continuous supply of fish, said Ron Cegner, senior vice president of Jerico, which operates a chain of 1,500 Long John Silver seafood restaurants.

Cegner said his company buys 8 million pounds of Alaska cod annually and 2 million pounds of pollock. The company would buy a lot more if it could be convinced of a steady supply. "No one seems to be concerned about our needs," Cegner said.

He is also concerned about an upcoming closure of the Bering Sea bot-

tom-trawl cod fishery due to a high accidental catch of halibut, a species that cod fishermen are prohibited from retaining. Federal officials expect the closure to take effect by the end of the month or shortly thereafter. That would prevent fishermen from taking more than 80,000 metric tons of cod left in the annual harvest quota.

Cegner said there is a worldwide shortage of cod, and Long John Silver hoped

to have a year-round supply from Alaska. But any move to exit the cod season will be fought by hook-and-line fishermen who have traditionally claimed the halibut. They are backed by the International Pacific Halibut Commission, a halibut regulatory group. That commission wants the cod fishery's down as soon as it is to 5,333 metric tons of halibut the seasonal quota set by federal government.

and Long John Silver hoped



JULY MACINTOSH Computer Training Course Schedule

Course	Dates	Time	Price
Intro to Mac	Sat July 7	9:00-12:00	\$75
	Tues July 17	9:00-12:00	\$75
Intermediate Mac	Sat July 7	1:00-4:00	\$95
	Tues July 17	1:00-4:00	\$95
Intro to Word 4.0	Tues July 19	9:00-4:00	\$185
	Wed July 23	9:00-4:00	\$185
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Kodiak Daily Mirror

-C3--3-FEB 15 92
Senator Fred Zharoff
Box V
Juneau, AK 99811

VOL. 52 NO. 010

WEDNESDAY, JANUARY 15, 1992

KODIAK, ALASKA

20 P

Kozak calls governor's request for a delay of IFQ plan 'smoke and mirrors'

By SUZANNE HANCOCK
Staff Writer

Some local fishing industry representatives think the governor's actions are too little, too late regarding Individual Fishing Quotas.

"It's an insult to our intelligence," said Linda Kozak, Kodiak Longline Vessel Owner's Association executive director.

Kozak said when discussing the issue last week with legislative liaison Paul Fuhs, the lan-

guage included rescinding the December action of the North Pacific Fishery Management Council.

Kozak said the read of industry people at the ongoing Portland meeting of the NPFMC is that the governor's request for delay in sending the fishing quota proposal to the Commerce Secretary is "smoke and mirrors."

Governor Walter J. Hickel requested a delay in sending the council's action on IFQs to the

Secretary until April.

The delay would be so that the results of a study on the probable impacts on Alaskan fishermen and communities could be analyzed.

The study is being done by the National Marine Fisheries Service, and will be finished by April.

Jeff Stephan, manager of United Fishermen's Marketing Association, Inc., wrote to Richard Lauber, NPFMC chairman, asking to council take action to withhold the submission of the sablefish and halibut fixed gear IFQ management plan for either National Environmental Policy Act review of Secretarial Review until after the April meeting.

"We hope the council can treat this issue properly at this meeting and correct the aberration of the public process," Stephan said.

UFMA also requests the council take action at this meeting to direct the development and preparation of a Social Impact Analysis, a Cost-Benefit Analysis and an Economic Impact Analysis prior to the April meet-

ing. "We request that the Council take action at the April, 1992, Council meeting to reconsider their December, 1991, action regarding the Sablefish and Halibut Fixed Gear IFQ Management Plan," Stephan said.

"And that they either reaffirm or rescind such action based on the review and consideration by the public and the Council of in-depth analyses of Social Impact, Cost-Benefit and Economic Impact."

Stephan said his organization does not believe that the plan package can be considered "complete" for submission for either NEPA or Secretarial Review until the above-suggested analyses are completed, reviewed by the public and council, and considered by the council.

The letter had more suggestions for the council and concluded by saying the council did not properly weigh and consider an analysis of a combined sablefish and halibut fixed gear IFQ management plan prior to its December action regarding the plan.

Fishermen turn down \$1.95 for Tanners

The United Fishermen's Marketing Association voted Tuesday to not accept a Tanner crab price offer of \$1.95 per pound.


UFMA is asking \$2.25 per pound for Tanner crab that are delivered during the 1992 Tanner crab season.

The Association met again today at Fishermen's Hall at 11 a.m. UFMA may have voted on any other price offer delivered to the UFMA office before or during the meeting.

Since a price settlement has not been achieved at this time, fishermen have voluntarily agreed to remain in port. They have agreed to leave all Tanner crab pots unbaited and in the legal storage areas only. Fishermen have agreed not to place any baited gear on the grounds until 24 hours after a price settlement is reached.

OPT

Anchorage Daily News



Gerald E. Orr, Publisher
Howard Weaver, Editor
Michael Carey, Editorial Page Editor
Patrick Dougherty, Managing Editor

Katherine Fanning, Editor and Publisher 1971 to 1980
Lawrence Fanning, Editor and Publisher 1967 to 1971
Founded in 1946 by Norman C. Brown



Fish politics

Conflict of interest the rule of the game

The North Pacific Fishery Management Council's latest meeting was a good example of how the council is riddled with conflicts of interest.

The council endorsed a controversial limited-entry plan for two fisheries — a move that directly affected several members' pocketbooks. Three members represent interests that stood to get a share of the pie under the limited-entry plans. The board chairman is the lobbyist for a group that opposed the move — and he voted his client's position.

On issue after issue, conflicts of interest turn up at the council. The following examples were reported earlier this year by the Seattle Times:

• Tight pollock catch limits set by the council cost the firm of one Seattle-based member, Walter Pereyra, a shot at millions of dollars in revenue. Pereyra is trying to get the limits raised.

• Member Larry Cotter was working for interests in the crab industry around the time he reversed his stand on an issue to support crab fishermen's position.

• Member Oscar Dyson, part-owner of an on-shore plant in Alaska, voted his own self-interest on one of council's most controversial moves. He supported the decision to allocate a fixed share of the catch to on-shore plants. Chairman Rick Lauber, a paid representative of shore-based plants, has a similar conflict on the same issue.

Federal conflict-of-interest rules do not apply to the council. Supposedly this is because the council only "advises" the U.S. Secretary of Commerce, who makes the final decision. In practice, the secretary almost always rubber-stamps the council "recommendation."

Only four of the council's 11 members represent public agencies. The other seven are free to mix their personal business with council business.

As Mr. Pereyra, the Seattle fishing boat owner, told the Seattle Times:

"I shouldn't even BE on the council making these kinds of decisions that I have a conflict on — absolutely I think that's true of every member of the council. It should be in the hands of the professional managers."

As with all other council issues, the conflict-of-interest question has a political undertow. Mr. Pereyra and other Lower 48 interests haven't done very well under the current council setup. Eliminating conflicts of interest at the Alaska dominated council might boost the odds they'll win more often.

But regardless of who wins and loses under the current setup, the council structure is ethically bankrupt. We don't let Exxon, Arco and BP run the state Department of Environmental Conservation. We don't put people from phone and electric companies in charge of the state public utilities commission. We shouldn't turn federal fisheries over to fishermen whose decisions directly affect their personal fortunes.

These days

MOSCOW — Traveling by train from the Lithuanian city of Kaunas to Moscow recently, my companions — all Lithuanians — insisted on giving me their phone numbers: "Call us, we'll bring you some food next time we go to Moscow. Poor Moscovites..."

It wasn't always that way. Two years ago we Moscovites were proud residents of the motherland's capital, indignant over the crowds of shoppers from the provinces. Today, those "provinces" have just chosen the Byelorussian city of Minsk as the administrative center of their new commonwealth. Moscow has a bad name.

As an editor of a prestigious weekly I earn 1,000 rubles a month — considerably higher than the minimum wage of 342 rubles but far less than the 3,000 rubles a family of three like mine needs to lead a civilized life. My wife — a researcher in an academic institute — earns 300 rubles, close to \$ a month by the official exchange rate. With no money left in the state budget we're not counting on her salary next year.

'We feel like

I usually don't pay much attention to anonymous letters, but I got one the other day that was a cry from the heart. It came with a Des Moines, Iowa, postmark, unsigned and written on lined yellow paper in a crude hand, with spelling mistakes. I cleaned up the spelling and punctuation a little, for clarity's sake. The rest is as it received me.

Dear Mr. Kaas:
What we the people need is good paying jobs. Then the company will take care of itself. We'll pay the taxes, but the gov. pay the interest. How many TVs are made in the USA? How about VCR? Is there one U.S. car made

1/16/92

BUSINESS

ANCHORAGE DAILY NEWS

SECTION D

ICE



Associated Press reports key point, or nt. Yield

Fisheries troubled, U.S. says

NOAA paints grim picture, but Alaska's marine stocks healthiest

By DAVID WHITNEY
Daily News reporter

WASHINGTON — A report on marine life in the nation's coastal waters paints a grim picture of diminishing stocks of fish and marine mammals and of huge wastes by the commercial fishing industry.

The report by the National Oceanic and Atmospheric Administration said 65 species of the most commercially marketable fish and seafoods are being harvested in such volumes they may not be able to sustain their populations.

Among those considered "ov-

erutilized" are Pacific Coast salmon, North Pacific albacore tuna, Pacific razor clams and bay scallops, Pacific striped bass, Atlantic salmon and cod, Northeast lobsters and scallops, North Atlantic swordfish and various Atlantic and Gulf of Mexico shrimp.

The report also said thousands of tons of edible fish are wasted annually, because fishermen throw them away to fill their nets with more valuable seafood or because federal policies discourage fishermen from accidentally catching them while targeting others.

The federal fisheries off the Alaska coast by far are the best managed and healthiest, the report said.

NOAA called the document a "report card" on how well the nation is handling the fisheries.

But the agency also views it as a call to action.

Under a 1976 law, the federal government is supposed to regulate the \$4.4 billion annual commercial fishery so as to conserve stocks for long-term, sustainable harvests.

NOAA spokesman Reed Bontwright said that too often actual management decisions have

been left to regional advisory councils typically made up of those in the fishing business. The result has been overfishing, he said.

In a preface to the report, NOAA's assistant administrator for fisheries, William W. Fox Jr., said he is determined to change course.

He called for major initiatives that include reducing overfishing and stepping in to maintain still-healthy stocks.

The only area where no stocks were in danger of being over-

FOR JOBLESS, IT'S A COLD WORLD

Book

Please see Page C-4, FISHERIES

and Credit



Kodiak Daily Mi

-C3--3-FEB 15 92
Senator Fred Zharoff
Box V
Juneau, AK 99811

VOL. 52 NO. 012

FRIDAY, JANUARY 17, 1992

KODIAK, ALASKA

Increases in halibut quota considered for '92 season

By MARK BUCKLEY
Staff Writer

1992 Halibut season proposals are out and the International Pacific Halibut Commission (IPHC) staff will propose an increase in the area 3A catch limit.

"The Commission will have its annual meeting on the 27th of January," said IPHC senior biologist, Bob Trumble. "That's when we propose any regulatory changes necessary. We also project the quota and lay out for discussion purposes a set of options for the seasons."

"The staff does not feel strongly about which of these options is best, as long as they meet general conservation requirements."

"We present the options to a Fishermen's Conference Board and they come to a consensus on how the season should go. The Board then advises the Commission," Trumble said.

The regulatory proposals summary for 1992 reports that halibut stocks continued to decline in 1991 and are well below the peak in the mid-1980s. However, proposed catch limits for 1992 are higher than for 1991 because of "new information on stock biomass and bycatch mortality," according to draft IPHC regulatory proposals.

The total 1992 catch limit for areas 2A through 4E is 63.65 million pounds. Last year the limit was 55.35 million pounds. The higher number this year represents an increase of 15 percent over 1991.

Proposals for areas 3A and 3B, the waters most Kodiak-based fishermen target, call for a slight overall increase.

The proposed area 3A catch limit will rise from 26.6 to 29.9 million pounds, an increase of 12 percent. The 3B catch limit is

proposed to drop from 8.8 million pounds to 5.9 million pounds, a decrease of 33 percent for the area.

The total for 3A and 3B could rise from a limit of 35.4 million pounds in 1991 to a proposed 35.8 million pounds in 1992.

Although the IPHC staff does not consider dates of fishing periods to be of sufficient biological concern, fishermen look at timing carefully.

This year, the staff forecasts the entire 3A and 3B catch may be taken in two 24-hour periods. Therefore, the IPHC staff proposes, only one fishing period should be scheduled for May or June to avoid fishing later in the year.

The three dates proposed for the first opener are May 11, May 25 or June 8. Staff proposes a second opener for Sept. 7. If a mop-up opener is allowed, that's proposed for October 5.

cision until the April meeting of the North Pacific Fishery Management Council (NPFMC).

"He's not asking the council to change their action at this point, he's just asking them wait," said Hickel's Deputy Press Secretary John Manley this morning.

Today Hickel sent a letter to Rick Lauber, chairman of the NPFMC. Lauber is attending a council meeting in Portland, Oregon.

Earlier this week, Hickel has been accused of dealing in "smoke and mirrors" by Kodiak fishing industry representative Linda Kozak. Kozak was dissatisfied with the wording of the governor's previous request to the council that asked them to delay sending the IFQ resolution to the Secretary of Commerce for her final approval.

Kozak and other industry representatives were urging the governor to ask the council to rescind its decision until after it had time to analyze a socioeconomic study on the impact of the IFQ plan. This study will be available to the council before its

FORUM

New quotas will ruin Alaska's fishing industry

By RONALD J. KUCZEK

Dec. 8, 1991, will be remembered as another day of infamy, at least in Alaska. This is the day the iron hand of federalism choked the life from most Alaska fishermen.

The perpetrator was the North Pacific Fisheries Management Council, which struck Alaska at 6:04 p.m. on this Sunday evening. The full damage done is not clear yet, but by all indications, it will be considerable.

Why? Because Alaska fishermen believe the council's action will radically change the management method for fishing halibut and black cod (sablefish) in adjacent Alaska waters.

This council was authorized by the Magnuson Fishery Conservation and Management Acts. It's one of eight councils established in sections across the country to manage fishing in exclusive economic zone waters. These councils are unique in that they are exempt from any conflict of interest laws. So the members may vote what is good for them rather than what is best for the public interest.

centered in the Ballard sec-

On Dec. 8 the council passed a plan that effectively makes the halibut and sablefish fisheries private by putting them into a program called the Individual Fisherman's Quota (IFQ) plan.

The council says this plan has virtue because it will bring order to these fisheries. The National Marine Fisheries Service likes it because it will be easier to enforce.

The question that must be asked, however, is if the plan is so good then why is there total outrage expressed over it from Alaska fishermen ranging from Sitka to Unalaska? Why have 19 coastal communities and organizations, including the Alaska Municipal League and the State Chamber of Commerce passed resolutions asking this council to comprehensively study the social-economic impact and know what the impact will be on these communities before implementing such a plan? Why have all Alaska fish processors condemned this plan?



This plan is designed to bring order to these fisheries by decreasing the number of participants through the issue of IFQ shares. The environmental impact statement that accompanies the plan shows that eventually the fishing fleet for halibut will be reduced from 4,000-plus vessels to as few as 288 to 376 vessels. This is a 93 percent decrease.

What the plan does not say, however, is that many Alaska fishermen will be eliminated by the IFQ plan by design, and this action will have a tremendous impact on these fishermen who own the vast majority of the small vessels in this fleet.

At the other end of the scale, the plan shows that the top 4.7 percent of vessel owners qualified will receive the greater amount of the IFQ quota shares. And although the EIS does not state it directly, but strongly indicates it, the vast majority of these vessel owners are

tor of Seattle.

Finally, the plan, in its infinite wisdom, makes these people instant millionaires or multimillionaires by virtue of making these quota shares have value that can be sold. Any entity can own these shares including corporations or partnerships, as long as these groups meet the qualifications.

To bring order to these fisheries the plan generates the intentional breakup of the family-based, small-boat, Alaska fishing industry at a significant loss of Alaska jobs, and intentionally creates dynasties centered outside Alaska, who will become power brokers and control halibut and sablefish fisheries forever more.

No wonder Alaskans are angry. Alaska fishermen are being ejected from our fisheries. The only people who apparently do not understand, or who are unwilling to understand the impact of this plan, are the council members.

The EIS, a product of the council staff, is supposed to address the social-economic impact. In Section 5.2.3, however, the survey infor-

mation used in this study was insufficient to assess the economic importance of the halibut fishery to Alaska communities.

This documentation does indicate that coastal communities in Alaska will be impacted. But, any specifics are unknown at this time, while Seattle may well benefit from this allocation scheme.

One would think that before introducing such a radical change in the management method for these fisheries, the social-economic impact would have been studied comprehensively. This is not the case. It is for this reason the many communities went to their legislative bodies to pass resolutions insisting on determining the impact before such a program is put into place.

Finally, Alaska fish processors are opposed to the IFQ plan because they know that once this plan has been fully implemented, most halibut and sablefish caught in Alaska waters will go directly to Seattle and points south or west for processing.

Incredibly, in the face of almost total opposition in Alaska, the council passed this plan and is intending to move forward to its implementation as soon as possible. At this point, the fate of the halibut and sablefish fisheries for Alaskans rests with the governor.

The council will meet on Jan. 15 in Portland. Alaska's best chance to reverse this vote is for the governor to step forward and accept his responsibility for Alaska and its second strongest contributor to the Alaska economy. He must direct the Alaska delegation to rescind its vote and to initiate a comprehensive study to determine the impact this plan will have on Alaska and its citizens.

The key is the governor. If he fails to act now, history will show that it was he, and he alone, who was responsible for re-installing fish traps back in Alaska. They are called IFQs.

□ Ronald J. Kuczek has been a commercial halibut and salmon fisherman since 1978.

Homophobia should be OK

In reference to an editorial on Dec. 21, "Gay Rights: Time to talk about prejudice"



mund Burke has said that "bad laws are the worst sort of tyranny." And Wendell Phillips, American orator and abolitionist, cautioned that "the best use of good laws is in

Doelger said the film's research-putting in punches against some-ers came to the conclusion that the one else on camera, then going into

at it will be contentious,

OPINION

Anchorage Daily News

Gerald E. Grilly
Publisher

HOWARD WEAVER
EDITOR

WINNER PULITZER PRIZE 1980
FOR BEST GENERAL INVESTIGATIVE REPORT
FOR THE ALASKA
FISH COUNCIL OF PUBLIC SERVICE

Michael Carey, Editorial Page Editor
Patrick Dougherty, Managing Editor



Go slow. . .

And then stop limited-entry plan

Last week brought renewed hope that a misguided program in Alaska's federal fisheries may be stopped. The North Pacific Fishery Management Council agreed to take more public testimony in April on its proposed limited-entry plan.

The plan is a rank giveaway of public resources. A select class of fishermen would get a perpetually guaranteed share of the catch in two key fisheries — shares they're free to sell or lease — all without having to pay a cent for taking private ownership of a public resource.

Earlier in the month, Gov. Hickel surprised friends and foes of the plan alike. He asked the fish council to delay the plan until a federal study of its economic impact comes out in March. He left some people wondering whether he'd changed his mind about the scheme, which his fish czar, Clem Tillion, strongly supported. Mr. Tillion suggested that waiting for the study to come out will help quiet some of the plan's vocal opponents.

Whatever the study may show, this limited-entry scheme is fundamentally bad policy. It's true that too many boats are chasing too few fish, causing ever shorter and dangerously frenzied fishing seasons. It's true that today's come-one, come-all system makes it harder for all participants to make a decent profit.

But if limited entry is the answer, it can be done in ways that are more fair to the people who own the resource in question, American taxpayers. Limited entry does not require the federal government to give the fish to a small class of fishermen forever at no

ing as moderator, hit him icians put out."

Peace turns weapon

THE RIGOLETS, La. — As old forts go, this is a handsome one, wearing its mossy green moat like a dull necklace.

Fort Pike protects the Rigolets, a slim passage between the Gulf of Mexico and Lake Pontchartrain that leads to New Orleans.

I should affix a sticker to the bumper of my punished Ford: I Brake for Old Forts. Any and all. It is the classic irony that fascinates me; there are few places as peaceful as old military sites. This one is a sleepy bulwark by the blue.

It's a good thing Fort Pike has beauty to commend it; like many defenses, it became obsolete almost before it was finished.

Not a single cannon was fired in battle from the red brick base of Fort Pike. Which means this was a pretty peaceful spot even during "active" duty.

For many of those active years the fort reigned over the wet landscape as it does now — with a single person in charge, someone perfunctory to rattle about and count the cannon.

employee sits snug ins office while a compan prowls the ground: gray and white feline a collar as proof it b now and then curling an arched casement in of contentment.

The state provides formation pamphlet says Fort Pike dates t but Fort Petite Coqui small wooden fort, wa before that. During th of 1812 Andrew Ja messaged its comm "Defend your fort to t extreme, and in cas should not be able t out, spike your guns. up the fort and evacua

Easy for him to say That was typical mi overkill and proved un sary, but the British to New Orleans and bustling cities convinc United States it neede at pivotal points alon shore.

That's when the mor stantial Fort Pike was along with many oth the same genre, today bling testaments wall-manning

SJR

38

(File 3)



Alaska State Legislature

Please enter into the record my testimony to the _____

committee on SENATE RES. 38, dated 1/27/91
bill/subject committee name

I AM OPPOSED TO THE IFQ
PLAN AS PRESENTED BY THE
NORTH PACIFIC MANAGEMENT COUNCIL.
THE IMPACT ON THE COASTAL
COMMUNITIES OF ALASKA HAS NOT
BEEN ADEQUATELY ASSESSED.

Signed: [Signature]
Testifier

P/O SEQUOIA

Representing (Optional)

BOX 6384 SITKA AK.

Address

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the _____ committee name

committee on SENATE RES 38 dated 1-27-91
bill/subject

I support FURTHER STUDY OF SOCIALECONOMIC AFFECTS OF IFQs. I want to see small communities remain as designated ports in language of IFQs. I oppose IFQs as proposed by N.P.M.C. I'm in favor of the block proposal designed by Howard Kendall, SITKA. I encourage you to do away with dangerous 24 hr. openings ASAP - I also want to see in this plan total banning of factory trawlers.

Signed: Claire Cohen
Testifier

Representing (Optional)

EV Squoria
Address

P.O. 6384 - Sitka, At.

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Resources
committee name Committee
 committee on SR 38 , dated 1/27/92
bill/subject

Testimony on S.R. 38
~~are~~ attached

Signed: Jo Ann W. Huff
Testifier

FIN Rocky B
Representing (Optional)

1507 Edgewood Dr, Sitka, AK 99835
Address

(907) 747-5175
Phone No.

NEIL AND JOANN HUFF
1507 Edgcumbe Drive
Sitka, AK 99835
(907) 747-5175

January 23, 1992

To: Senate Resources Committee

RE: SJR 38

My husband has been a halibut and blackcod longline fisherman since 1976. We have lived in Alaska since 1984.

I am opposed to SJR 38. I ask you to not support a resolution which could potentially throw out alot of hard work and progress which has been made toward obtaining management over two out-of-control fisheries.

My comments today are not going to be an attempt to win your support for IFQ's. The issue is a a very complicated and emotional one. I do not expect the Senate to have grasped all the facts or understood the special interest groups involved in the short time this resolution has been presented.

I ask you to review the comments of Sheri Mayo and Eric Jordan of Sitka made during testimony on HJR 61 last week.

S. Mayo pointed out the House of Representatives (nor the Senate) should not be voting for or against IFQ's at this time. The North Pacific Management Fisheries Council has been working toward a solution since at least 1984. They, themselves, are delaying sending the proposal to NMFS until at least April. This action and the length of time the issue has been discussed should indicate to you how complicated this issue is. The resolution before you is based on emotions and does not allow for alternative solutions.

Eric Jordan, who is not necessarily in favor of the IFQ proposal as it now stands, understands the potential damage this resolution could cause.

He has suggested the following:

In lieu of passing this resolution, modify or create a new resolution to work toward a management solution:

- 1) Conduct public workshops on the IFQ plan
- 2) Have the state contract their own analysis (I would recommend doing an economic impact study determining the impact with the IFQ plan and remaining status quo).
- 3) Set up a task force. Have the task force work with NPMFC and NMFS.

Isn't it better to try to work toward a constructive solution than to tear down years of work and offer no solution in its place? Please vote no to Resolution SJR 38 and come up with a more responsive and responsible resolution to this complicated issue.

Sincerely,

JoAnn W. Huff

Lloyd Jones
PO Box 9572
Ketchikan, Ak. 99901

Subject IFQ = Instant Federal Quickclaim

Dear Watchdog

I want to thank those of you who responded to my previous letter. I know you're busy, never the less your attention, and quick response, speaks volumes to me. Nothing seems to unite and solidify all factions of our state as the intrusion of the federal government into our lives.

We are a member of a coalition of states. The last coast in the world with a common property resource of this type.(Fisheries). It is a healthy resource, we must have been doing something right, as status quo has worked, and perhaps change is needed, but not at the expense of constitutional freedoms, or those of our future generations. Changes should be proposed by our fishing industry, not imposed by our governments, and they should be of a nature that will evolve from our current system, retaining those elements that have been the foundation of a successful industry. Perhaps for Canada it is too late, but we should learn from her mistakes and try not to repeat them.

The loss of Home Rule of a States natural resource to a federal entity,(Federalism) deprives the State of not only the potential income, but also eventually weakens its bargaining position untill it must beg for handouts from that entity to sustain its economy. It in effect becomes a welfare state, while the entity becomes stronger in this relationship. Federalism presently removes twice as much money from Alaska as it returns.!!! That too much.!!

We have been told our oil will run out in 10 years, and our no.1 source of income will be gone. If we do not stop IFQ, our no. 2 source of income will be gone. (owned by the fed.) This is the only resource left not impacted by Federalism. The Fed. has managed to close every avenue which might lead to economic independence, not only in Alaska, but in every state of the union. Alaska must retain control of this resource, lest it to become history as many others have under Federalism.

Today's fisherman are the stewards of this resource, not the owners. It is their duty and obligation to hand over a healthy resource industry, not to the highest bidder, but to the next generation of fisherman. That is a guarantee of our constitution, one which all watchdogs must guard!

Jerry Scholts


PO Box 15331
Fritz Creek, Alaska 99603 Ph. 235 7098



Alaska State Legislature

Please enter into the record my testimony to the House Resources
 committee name
 committee on HJR 61, dated Jan. 22 1992
 bill/subject

I David A. Coleman support bill HJR 61, opposing individual fisheries quotas (IFQs) for sablefish, halibut and any other Alaskan fishery.

I oppose the IFQ management plan because:

- IFQs would privatize a natural resource.
- Would result in a net loss in jobs in many coastal communities.
- Would reward cheating, especially in the halibut fishery in regards to quota awarded for past participation.
- The IFQ plan holds no hope for young or new Alaskans to access the fisheries at an entry level.
- The IFQ plan will prove very costly and is deemed unenforceable.

Signed: David A. Coleman (David A. Coleman F/Ulanos)
 Testifier

a member of the: ATA, U.F.A., S.P.C.

Representing (Optional)

PO Box 6082 Sitka AK. 99835

Address

747 5113

Phone No.

**KODIAK LONGLINE
VESSEL OWNERS' ASSOCIATION**



326 CENTER AVENUE, P.O. BOX 135
KODIAK, ALASKA 99615
(907) 486-3781 FAX (907) 486-2470

HALIBUT • SABLEFISH • PACIFIC COD • CRAB

January 24, 1992

Senator Lloyd Jones
Chair, Senate Resources Committee
ALASKA STATE LEGISLATURE
Juneau, Alaska 99811

RE: Senate Joint Resolution #38

Dear Senator Jones,

We would like to express our support for SJR 38. This resolution is very important for the coastal communities and fishermen of Alaska.

The individual fishing quota (IFQ) program has been considered and debated for years. The North Pacific Fishery Management Council recently approved a preferred plan for the sablefish and halibut fisheries. This plan is not the pure "market driven" concept originally debated and analyzed. This plan has a tremendous number of bells and whistles which are designed to address the concerns of the coastal communities and small boat fleet in Alaska. The plan is complex and confusing. Many of the supporters of the plan don't understand the long-term impacts which will result.

It is important to understand that the North Pacific Council is simply an advisory body to the Secretary of Commerce. Nothing is set in stone. The Secretary of Commerce does have line-item veto power in which many of the proposed "safeguards" may be removed. The facts are that the National Marine Fisheries Service is very skeptical of the proposed program. The many restrictions were analyzed as having negative impacts on the participants. The factory trawlers are trying any way that they can to have an IFQ system where they can purchase halibut and/or sablefish as bycatch for their bottom trawl fisheries. The factory trawl lobby in Washington D.C. is very intensive as we all know. Even many Alaskan corporate owners don't like the corporate restrictions which have been proposed. It will clearly change the way these vessel owners do business. They will also lobby heavily for changes.

Even under the best case scenario, over the longterm there may only be 100 vessels fishing for sablefish and 200 for halibut. In 1990, there were 475 vessels which fished for sablefish and halibut out of Kodiak. These vessels delivered product to this community which resulted in nearly 40 million dollars being spent locally. Which of those vessels and crew will be out of work in the future? If the small boat fleet thinks they can compete for product, they are sadly mistaken. In a worst case scenario (which is highly

January 24, 1992
Page Two

likely), the vessel classes will be removed, the ownership caps will be raised or eliminated, and factory trawlers will buy our halibut for their bycatch. The Council generated analysis points to this type of situation as "best economic efficiency".

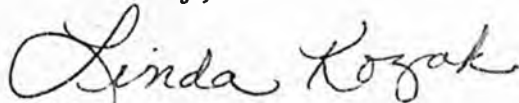
Frankly, we are certain that if the IFQ plan is implemented, it is only a matter of time before drastic changes are made and the coastal communities are severely impacted, with thousands of Alaskan fishermen are out of work.

We have been begging for the Council to request that a social impact analysis be conducted. It is so important to see what the longterm impacts are likely to be under this program and it is beyond comprehension that the State of Alaska isn't demanding that this type of study be done.

IFQs are definitely bad business for Alaska. Those people who will benefit initially may support the plan now, but they will regret their actions in the future if this plan is implemented.

We agree that problems exist in the fishery and we agree that action needs to be taken. It is ironic that for years we have been asking for changes in the management of the sablefish and halibut resource, but nothing was done. Now that the managers have "rigged" the system to fail, they say that this is the only answer. We aren't buying that story and hope that you won't either.

Sincerely,



Linda Kozak
Executive Director

cc: Honorable Walter Hickel
Honorable Ted Stevens
Honorable Frank Murkowski
Honorable Don Young
Honorable Fred Zharoff



Alaska State Legislature

House & Senate

Please enter into the record my testimony to the Resources
committee on Resolutions 61 + 38 dated 1-22-92
committee name
Individual fish Quotas
bill/subject

I'm speaking on behalf of A.R.R.M. and A.K.S.A. (see below)
A.R.R.M. led a successful petition letter drive
which resulted in the submission of over 800 signatures
and opinions to the June and Sept. Council meetings.
We testified in June, Sept. and Dec. as well, opposing
IFQ'S.

The IFQ debate has unleashed an awesome display
of public wrath. It has been described by Senator
Murkowski in a recent letter to Rick Lauber, chairman
of the NPFMC, as a "phenomenon." A phenomenon
which has resulted in an extraordinary volume of
correspondence to his office from Alaskans. Undoubtedly,
The NPFMC, members of the legislature, and Governor
Wickel, have experienced this as well. The point must
be clear by now, that Alaskans, and not only those
that earn their living on the ocean, but City Councils,
Chambers of Commerce, businesses, and families, are
concerned about their futures under an IFQ mgmt.
plan.

The IFQ plan simply does not address the

→ cont'd.

Signed: Lacey Berns
Testifier

Area K Seiners / Alaskans for Responsible Resource Mgt.
Representing (Optional)

Box 26 Kodiak Ak. 99615
Address

486 5091
Phone No.

of December 2nd and 3rd 1972

Concentration of the resource. Instead, it addresses the pocketbooks of special interests. It is an allocative scheme which will unfairly curtail property rights, giving a small percentage of historical users ~~the~~ ~~the~~ permanent needs to wealth. ~~It is~~ ~~not~~ ~~to~~ ~~be~~ ~~regarded~~ ~~as~~

In its custom, it has proven to be an inevitably inept. Its size, insensitivity, and complicated framework will doom it to failure. We believe a plan which does not have the support of the industry, or the coastal communities will prove to be cumbersome and impossible to enforce in the mammoth waters of the Bering Sea and Gulf of Alaska. We believe it will be disastrous for coastal communities, which thrive on collapse in relationship to their local fishing fleets' health and ability to diversify.

We support the development of a sensible and simple plan which utilizes traditional mgmt. tools. Gear & trap limits, etc. are more palatable than an imposition, risky, & awkward quota plan.

Close all, we support a plan which addresses the resource. Is are the halibut & blackcod stocks in trouble?

The IPTC recently proposed raising the '92 T.A.C. (total allow. catch) by 9 million lbs. (over)

In opposing IFQ's, we are responsible for being part of the solution. We encourage the formation of a public advisory group, outside of the Council process, consisting of reps from the newly-formed statewide COALITION. These concerned individuals need to be an integral part of any future mgmt plans.

We urge the passing of HJR 61 + SJR 38

Thank you

CITY OF KODIAK
RESOLUTION NUMBER 01-92

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK SUPPORTING CONTINUED OPEN ACCESS IN THE GROUND FISH FISHERIES IN THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA AND URGING THE ADOPTION OF SJR 38 AND HJR 61

WHEREAS, Senator Zharoff has sponsored Senate Joint Resolution 38 and Representative Davidson has sponsored House Joint Resolution 61 opposing individual fishing quota management systems for the Alaskan halibut and sablefish fisheries and other Alaskan fisheries; and

WHEREAS, the North Pacific Fishery Management Council is developing detailed options for limited access in the sablefish longline fishery; and

WHEREAS, groundfish, including sablefish and halibut, is important to the diversified economy of the coastal communities of Alaska and the ability to participate in multiple fisheries and adapt to changing economic and resource conditions is a vital characteristic of the Alaska fishing fleet; and

WHEREAS, individual fishing quotas may deny the opportunity for residents of coastal communities to fully diversify and maximize their fisheries; and

WHEREAS, the individual fishing quota program under consideration provides for much of the resource to be allocated to nonresident users, excluding disproportionate numbers of Alaska fishermen and precluding participation by the growing Alaska longline fishing fleet; and

WHEREAS, limited access will prohibit maximum utilization of a natural resource by depriving crew members, processors, and other support groups of full participation; and

WHEREAS, the trend will be to process groundfish offshore which will minimize the raw fish tax to coastal communities and the state; and

WHEREAS, limited access programs restrict the free enterprise system by not allowing commercial fishermen to maximize their potential in the fishery; and

WHEREAS, limited access represents a quick-and-easy, but ineffective, solution to more fundamental management problems;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the Governor is respectfully requested to take whatever action is necessary to protect the rights of Alaska fishermen and to vigorously oppose any effort to implement limited entry in the groundfish fisheries in Alaska.

BE IT FURTHER RESOLVED that the North Pacific Fishery Management Council is respectfully requested to abandon all efforts to study, plan, encourage, or recommend implementation of limited access in the groundfish fisheries in Alaska.

AND, BE IT FURTHER RESOLVED BY THE Council of the City of Kodiak, Alaska, that the Alaska State Legislature complete its deliberations and adopt Senate Joint Resolution 38 and House Joint Resolution 61.

AND, BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the Honorable Barbara Franklin, Secretary of the U.S. Department of Commerce; the Honorable John A. Knauss, Administrator, National Oceanic and Atmospheric Administration; the Honorable Richard G. Darman, Director of the Office of Management and Budget; the Honorable Richard Lauber, Chair of the North Pacific Fishery Management Council; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; Governor Hickel and all members of the Alaska State Legislature.

PASSED AND APPROVED this 23rd day of January, 1992.

CITY OF KODIAK


MAYOR

ATTEST:

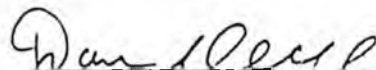

CITY CLERK

SPONSOR: Hallgren/Fager

RESOLUTION NO. 91-487

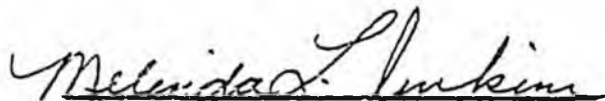
BE IT RESOLVED THAT THE CITY AND BOROUGH OF SITKA REQUESTS THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL AND ALL OTHER AUTHORITIES NOT TO APPROVE THE INDIVIDUAL FISHING QUOTA PROGRAM FOR THE SABLEFISH AND HALIBUT FISHERIES UNTIL AN ECONOMIC AND SOCIAL IMPACT ANALYSIS OF THE PROGRAM ON THE COASTAL COMMUNITIES OF ALASKA IS COMPLETED AND SHARED WITH THE AFFECTED COMMUNITIES FOR THEIR CONSIDERATION AND AFTER PUBLIC HEARINGS ON THE SPECIFIC INDIVIDUAL FISHING QUOTAS PROPOSED ARE HELD IN AFFECTED COASTAL COMMUNITIES

PASSED, APPROVED AND ADOPTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA THIS 29th DAY OF NOVEMBER, 1991.



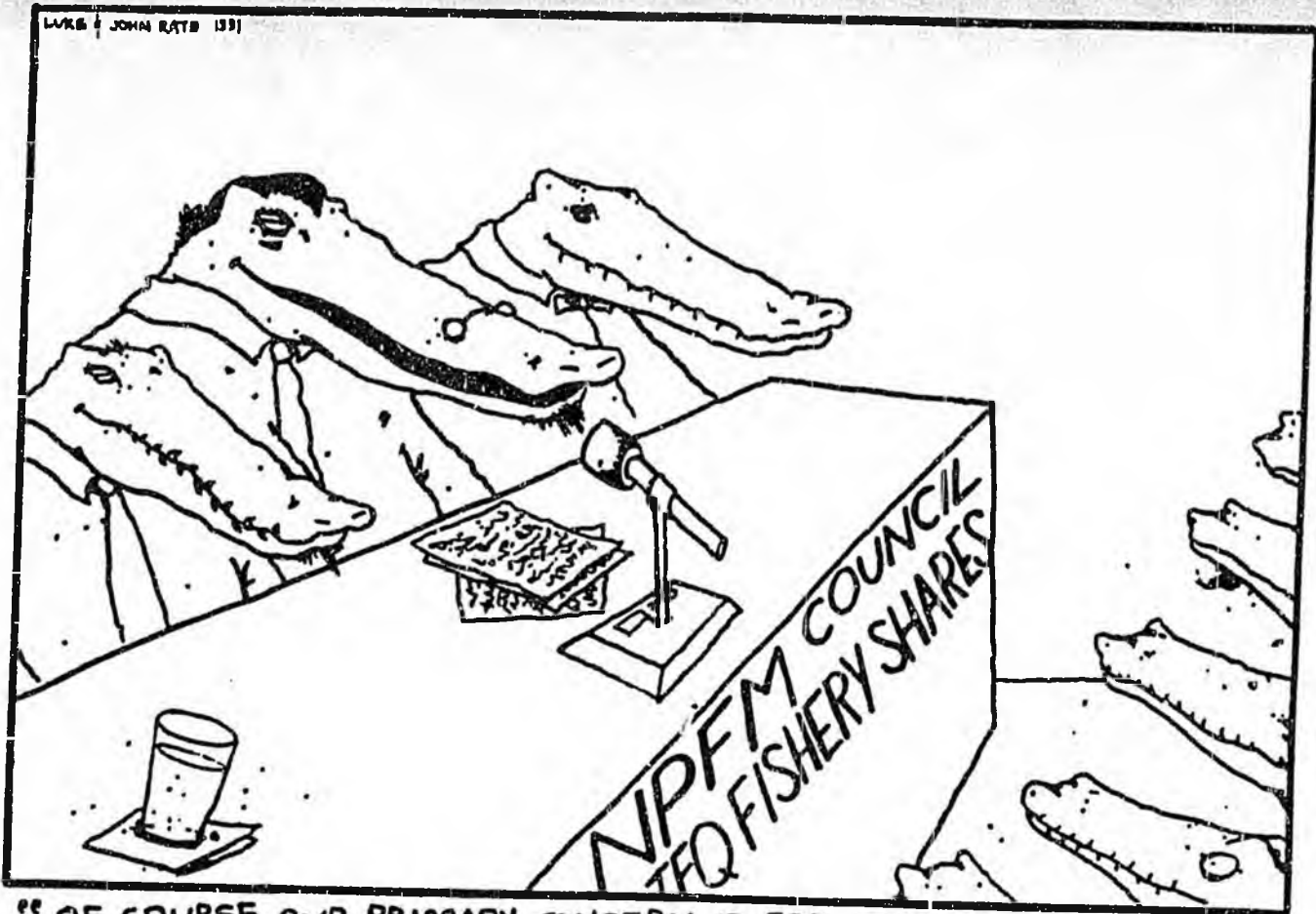
Dan Keck, Mayor

ATTEST:



Melinda L. Jenkins
Municipal Clerk

Testimony submitted by
Matt Donahoe of Sitka



"OF COURSE, OUR PRIMARY CONCERN IS FOR THE RESOURCE."



THE GREATER SITKA
chamber
OF COMMERCE
Box 638 · Sitka, Alaska 99835
(907) 747-8604

January 15, 1992

Secretary of Commerce Robert Mosbacher
15th & Constitution Avenue, NW
Washington, D.C. 20230

Dear Secretary of Commerce Mosbacher;

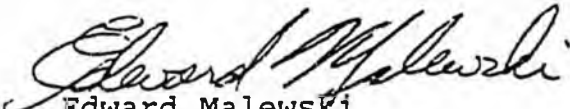
As a representative of the Greater Sitka Chamber of Commerce I would like to address the topic of the individual fishing quota system as proposed by the North Pacific Fisheries Management Council.

The Individual Fishing Quota System as proposed by the council has the potential to deny Sitka residents the opportunity to be diverse and could possibly cause financial hardship and create an economic impact in Sitka, Southeast Alaska, and other Alaskan communities.

The Greater Sitka Chamber of Commerce asks that an economic impact analysis of the program on the municipality of Sitka and other communities of Alaska be completed and that no action or approval of the plan be taken by the North Pacific Fisheries Management Council until at which time the results of the study are returned and can be analyzed by the affected communities for their consideration and comment.

Thank you for your consideration in this matter. I await your reply.

Sincerely,


Edward Malewski
President

EM/sh

cc: Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
North Pacific Fisheries Management Council

Excerpts From:

Alaska's Constitution A Citizen's Guide

GORDON S. HARRISON

Agreed upon by the delegates in Constitutional Convention assembled at the University of Alaska, this fifth day of February, in the year of our Lord one thousand nine hundred and fifty-six, and of the Independence of the United States the one hundred and eightieth.

Wm A. Egan
PRESIDENT OF THE CONVENTION

<i>Richard C. Gray</i>	<i>Douglas Gray</i>	<i>Steve McCutcheon</i>	
<i>George J. Aune</i>	<i>Shamus C. Hannes</i>	<i>Samuel K. Taylor</i>	<i>Nick C. Rivers</i>
<i>Frank Barr</i>	<i>John D. McNeil</i>	<i>Wm A. Egan</i>	<i>John H. Roseman</i>
<i>John C. Brunell</i>	<i>Malcolm R. Hansen</i>	<i>John A. McLean</i>	<i>W.D. Smith</i>
<i>Delmer B. Buckley</i>	<i>Hub H. Hildner</i>	<i>Wm A. Egan</i>	<i>B. D. Stewart</i>
<i>John B. Coghill</i>	<i>Carl H. Hummel</i>	<i>John T. Murphy</i>	<i>George Lundberg</i>
<i>E. B. Cook</i>	<i>James J. Hudson</i>	<i>Lucie K. Havel</i>	<i>George M. Anderson</i>
<i>James Oleason</i>	<i>Walter J. Johnson</i>	<i>James Pollock</i>	<i>Harold G. Taylor</i>
<i>John W. Cross</i>	<i>Yule F. Johnson</i>	<i>Thomas Skordale</i>	<i>H. J. - in text</i>
<i>Edward V. Davis</i>	<i>Thomas H. Davis</i>	<i>Frank S. Johnson</i>	<i>W. H. Johnson</i>
<i>James P. Dwyer</i>	<i>Walter W. Dwyer</i>	<i>John Paulson</i>	<i>Thomas H. White</i>
<i>Thomas C. Egan</i>	<i>W. W. Egan</i>	<i>Peter J. Rasmussen</i>	<i>Adam B. Whisenand</i>
<i>John F. Fisher</i>	<i>E. J. Lee</i>	<i>Jack H. Hill</i>	
<i>Victor F. Fisher</i>	<i>Raymond A. Loring</i>	<i>Rachel P. Rasmussen</i>	

ATTEST

Thomas B. Stewart
SECRETARY OF THE CONVENTION

ORDINANCE NO. 1

VALIDATION OF CONSTITUTION

SECTION 1. The Constitution for the State of Alaska agreed upon by the delegates to the Alaska Constitutional Convention on February 5, 1956, shall be submitted to the voters of Alaska for ratification or rejection at the territorial primary election to be held on April 24, 1956. The election shall be conducted according to existing laws regarding special elections so far as applicable.

SECTION 2. Each elector who offers to vote upon the referendum shall be given a ballot by the voter registration clerk and he shall mark the ballot so that registration in the primary election and hence each of the propositions offered by the Alaska Constitutional Convention shall be set forth separately, but on the same ballot form. The form promulgated shall be as follows:

Shall the Constitution for the State of Alaska agreed upon and agreed upon by the Alaska Constitutional Convention be adopted?
Yes No

\$2.00

- *Management of state resources will recognize multiple uses whenever possible.*

Article VIII requires that state land be managed in a way that allows more than one use of an area if other uses are compatible (for example, recreation and timber harvesting).

- *The methods of acquiring mineral rights and water rights traditionally used in Alaska and the other western states shall be preserved by the new state government to the extent allowed by Congress.*

The constitution continues the distinction between locatable and leasable minerals found in federal mining laws. It continues the traditional right to appropriate locatable minerals and water on a "first-come-first-served" basis.

- *No private property right may be created in any fishery.*

Whereas it would be theoretically possible (and perhaps economically efficient) for the state to lease the exclusive rights to all salmon in a bay or inlet just as it leases the exclusive rights to oil under certain tracts of land, the constitution prohibits this practice.

Section 1. Statement of Policy

It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

This is a strong statement that the policy of the state is to encourage the development of its land and resources. The qualifying phrase "consistent with the public interest" is subject to broad and changing interpretation, in much the same way that the phrase "except for a public purpose" in Article IX, Section 6 may be interpreted differently at different times. However, the words "public interest" are important because they make clear that the goal of resource development should not be pursued blindly. The early history of resource utilization in Alaska was marked by flagrant exploitation that depleted the resource and made no lasting contribution to the development of the territory.

Section 2. General Authority

The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, includ-

ing land and waters, for the maximum benefit of its people.

This section is a broad grant of legislative authority to implement the policy of Section 1. Note that here, however, conservation is also added as an objective of resource management. To the authors of this section, conservation was understood in its traditional sense of "wise use." Today, the term conservation also encompasses wilderness preservation and resource protection for recreational and scientific uses.

Section 3. Common Use

Wherever occurring in the natural state, fish, wildlife, and waters are reserved to the people for common use.

The purpose of this "common use" provision is to prevent the state from granting individuals or groups private rights to wild animals, fish, and water. This commentary on the section was provided by the natural resource committee of the constitutional convention:

Game fish, wildlife, fisheries and water are recognized as belonging to the state so long as in a natural state. These resources are subject to a private right only when they have been acquired or utilized as provided by law. For example, a private person has no right to buy and sell wild animals in their natural state, but once an animal is taken in compliance with law, it becomes the property of the taker, subject to use or disposition within the law. This provision does not apply to the domestication of fur-bearing animals, or other animals subject to intensive culture or to fish in private ponds.

Court decisions and opinions of the attorney general have held that this section is compatible with various resource allocations (otherwise justifiable and legal under Article I, Section 1 of the constitution) that give preference to certain user groups. Examples of such allocations are subsistence laws that give preference to rural residents and regulatory measures that control access to fish stocks by commercial, sport, and subsistence fishermen. Prior to the 1972 amendment of Section 15 of this article, this "common use" section was interpreted to bar the state from restricting the number of commercial fishermen who can participate in a fishery (see Article VIII, Section 15).

Section 13. Water Rights

All surface and subsurface waters reserved to the people for common use, except mineral and medicinal waters, are subject to appropriation. Priority of appropriation shall give prior right. Except for public water supply, an appropriation of water shall be limited to stated purposes and subject to preferences among beneficial uses, concurrent or otherwise, as prescribed by law, and to the general reservation of fish and wildlife.

This section continues the traditional right to use water on a "first-come-first-served" basis. This method differs from an early method of acquiring water rights used historically on the East Coast. Known as the "riparian method," it allocated water rights to owners of the stream bank. In Alaska and the other western states, however, water rights were traditionally acquired by actual use of the water. Under this constitutional provision, which is further developed in state statute and regulation, a prior user of water has preference to it, but his rights may be withdrawn or limited as necessary to protect public interests.

Section 14. Access to Navigable Waters

Free access to the navigable or public waters of the State, as defined by the legislature, shall not be denied any citizen of the United States or resident of the State, except that the legislature may by general law regulate and limit such access for other beneficial uses or public purposes.

Citizens have the right to use publicly owned lakes and streams. The state may not deny this use except by a general law that protects a public interest. For example, the state may keep people away from a lake that supplies drinking water to a town, or build a dam on a river, but it may not prevent the public from fishing in a public lake because it wants to protect the interest of nearby private fishing lodges. Disposals of state-owned land along navigable waters must reserve a public access easement.

Section 15. No Exclusive Right of Fishery

No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State.

The second sentence of this section was added in 1972 by amendment. In the mid 1960s, Alaska's major salmon fisheries were in bad shape: too few fish, too many fishermen, and low prices.

Restricting entry into the fisheries was proposed as a major reform. In 1968 a limited-entry law was passed (186 SLA 68), but it was invalidated by the courts as a violation of Sections 3 and 15 of Article VIII (a three-judge federal court found the law unconstitutional, but the U.S. Supreme Court vacated the decision on abstention grounds; then the issue was litigated in state superior court, which found the law to violate Sections 3 and 15 of Article VIII and Section 1 of Article I).

Recognizing that a limited entry system would require constitutional authorization, the legislature placed the amendment before the voters in 1972. A limited-entry law was enacted soon thereafter, creating the Commercial Fisheries Entry Commission (A.S. 16.43). The constitutionality of the law has been upheld by the state supreme court (*Ostrosky v. State* 667 P.2d 1181; 1983), and an initiative to repeal the law was rejected by a wide margin of the voters in 1976.

An issue raised by this section that predates the limited-entry issue was whether the leasing of tidelands for the purpose of set netting creates an exclusive right of fishery. An opinion of the attorney general on the matter in 1963 held that "while Section 15 of Article VIII prohibits the state from granting exclusive fishing rights through legislation or regulation, it does not preclude the state from granting property interests which, by their nature, lead to exclusivity of use for fishing. The fact that the motivating force behind the creation of the property interest is a desire to promote fishing is of no consequence . . ."

In 1981 the state supreme court upheld regulations of the board of fisheries that established priorities of use between commercial and recreational fishermen in Cook Inlet, against a challenge that they violated the exclusive right of fishery provisions of this section (*Kenai Peninsula Fishermen's Co-op Association v. State*, 628 P.2d 897; 1981).

Section 16. Protection of Rights

No person shall be involuntarily divested of his right to the use of waters, his interests in lands, or improvements affecting either, except for a superior beneficial use or public purpose and then only with just compensation and by operation of law.

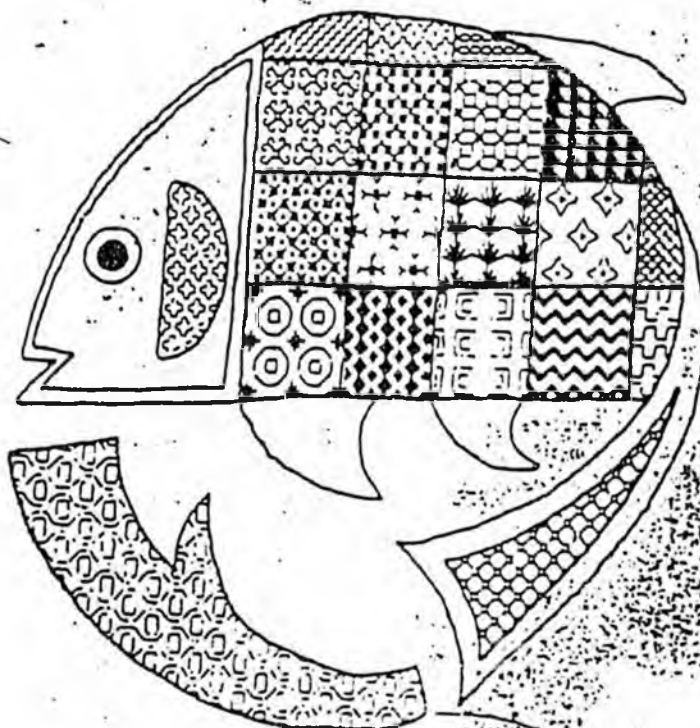
This section further reinforces the right of public access to state-owned resources by declaring strict conditions under which this right may be infringed or revoked. Only a superior public purpose established in law may intervene, and a fair payment must be made if a specific existing right is extinguished.

Exerpts from:



Magnuson Fishery Conservation and Management Act

As Amended Through November 28, 1990



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service

97-453, 99-659, 101-627

(b) DISCRETIONARY PROVISIONS.--Any fishery management plan which is prepared by any Council, or by the Secretary, with respect to any fishery, may--

(1) require a permit to be obtained from, and fees to be paid to, the Secretary, with respect to--

(A) any fishing vessel of the United States fishing, or wishing to fish, in the exclusive economic zone or for anadromous species or Continental Shelf fishery resources beyond such zone;

(B) the operator of any such vessel; or

(C) any United States fish processor who first receives fish that are subject to the plan;

(2) designate zones where, and periods when, fishing shall be limited, or shall not be permitted, or shall be permitted only by specified types of fishing vessels or with specified types and quantities of fishing gear;

(3) establish specified limitations on the catch of fish (based on area, species, size, number, weight, sex, incidental catch, total biomass, or other factors), which are necessary and appropriate for the conservation and management of the fishery;

(4) prohibit, limit, condition, or require the use of specified types and quantities of fishing gear, fishing vessels, or equipment for such vessels, including devices which may be required to facilitate enforcement of the provisions of this Act;

(5) incorporate (consistent with the national standards, the other provisions of this Act, and any other applicable law) the relevant fishery conservation and management measures of the coastal States nearest to the fishery;

(6) establish a system for limiting access to the fishery in order to achieve optimum yield if, in developing such system, the Council and the Secretary take into account--

(A) present participation in the fishery,

(B) the social, economic, and dependence on, the fishery,

(C) the economics of the fishery,

(D) the types of vessels used in the fishery to engage in other fisheries,

(E) the cultural and social aspects relevant to the fishery, and

(F) any other relevant considerations;

(7) require fish processors who first receive fish that are subject to the plan to submit data (other than economic data) which are necessary for the conservation and management of the fishery;

(8) require that observers be carried on board a vessel of the United States engaged in fishing for species that are subject to the plan, for the purpose of collecting data necessary for the conservation and management of the fishery; except that such a vessel shall not be required to carry an observer on board if the facilities of the vessel for the quartering of an observer, or for carrying out observer functions, are so inadequate or unsafe that the health or safety of the observer or the safe operation of the vessel would be jeopardized;

16 U.S.C. 1853

(9) assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region; and

(10) prescribe such other measures, requirements, or conditions and restrictions as are determined to be necessary and appropriate for the conservation and management of the fishery.

97-453

(c) **PROPOSED REGULATIONS.**--The proposed regulations which the Council deems necessary or appropriate for purposes of carrying out a plan or amendment to a plan shall be submitted to the Secretary simultaneously with the plan or amendment for action by the Secretary under sections 304 and 305.

99-659, 101-627

(d) **CONFIDENTIALITY OF STATISTICS.**--Any statistic submitted to the Secretary by any person in compliance with any requirement under subsections (a) and (b) shall be confidential and shall not be disclosed; except--

- (1) to Federal employees and Council employees who are responsible for management plan development and monitoring;
- (2) to State employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person; or
- (3) when required by court order.

The Secretary shall, by regulation, prescribe such procedures as may be necessary to preserve such confidentiality, except that the Secretary may release or make public any such statistics in any aggregate or summary form which does not directly or indirectly disclose the identity or business of any person who submits such statistics. Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary, or with the approval of the Secretary, the Council, of any statistic submitted in compliance with a requirement under subsection (a) or (b).

97-453

(e) **DATA COLLECTION PROGRAMS.**--If a Council determines that additional information and data (other than information and data that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) would be beneficial for the purposes of--

- (1) determining whether a fishery management plan is needed for a fishery; or
- (2) preparing a fishery management plan;

the Council may request that the Secretary implement a data collection program for the fishery which would provide the types of information and data (other than information and data that would disclose proprietary or confidential commercial or financial information regarding fishing operations or fish processing operations) specified by the Council. The Secretary shall approve such a data collection program if he determines that the need is justified, and shall promulgate regulations to implement the program within 60 days after such determination is made. If the Secretary determines that the need for a data collection program is not justified, he shall inform the Council of the reasons for such determination in writing. The determinations of the Secretary under this subsection regarding a Council request shall be made within a reasonable period of time after he receives that request.

101-627

(f) RESTRICTION ON USE OF CERTAIN DATA.--The Secretary shall promulgate regulations to restrict the use, in civil enforcement or criminal proceedings under this Act, the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), or the Endangered Species Act (16 U.S.C. 1531 et seq.), of information collected by voluntary fishery data collectors, including sea samplers, while aboard any vessel for conservation and management purposes if the presence of such a fishery data collector aboard is not required by any of such Acts or regulations thereunder.

SEC. 304. ACTION BY THE SECRETARY

16 U.S.C. 1854

97-453, 99-659

(a) ACTION BY THE SECRETARY AFTER RECEIPT OF PLAN.--

(1) After the Secretary receives a fishery management plan, or amendment to a plan, which was prepared by a Council, the Secretary shall--

(A) immediately make a preliminary evaluation of the management plan or amendment for purposes of deciding if it is consistent with the national standards and sufficient in scope and substance to warrant review under this subsection and--

(i) if that decision is affirmative, implement subparagraphs (B), (C), and (D) with respect to the plan or amendment, or

(ii) if that decision is negative--

(I) disapprove the plan or amendment, and

(II) notify the Council, in writing, of the disapproval and of those matters specified in subsection (b)(2)(A), (B) and (C) as they relate to the plan or amendment;

(B) immediately commence a review of the management plan or amendment to determine whether it is consistent with the national standards, the other provisions of this Act, and any other applicable law;

(C) immediately publish in the Federal Register a notice stating that the plan or amendment is available and that written data, views, or comments of interested persons on the plan or amendment may be submitted to the Secretary during the 60-day period beginning on the receipt date; and

(D) by the 15th day after the receipt date--

(i) make such changes in the proposed regulations submitted for the plan or amendment under section 303(c) as may be necessary for the implementation of the plan, and

(ii) publish such proposed regulations, including any changes made thereto under clause (i), in the Federal Register together with an explanation of those changes which are substantive.

(2) In undertaking the review required under paragraph (1)(B), the Secretary shall--

(A) take into account the data, views, and comments received from interested persons;

(B) consult with the Secretary of State with respect to foreign fishing; and

(C) consult with the Secretary of the department in which the Coast Guard is operating with respect to enforcement at sea and to fishery access adjustments referred to in section 303(a)(6).

(3) (A) The Secretary shall take action under this section on any fishery management plan or amendment to a plan which the Council characterizes as being a final plan or amendment.

(B) For purposes of this section, the term "receipt date" means the 5th day after the day on which a Council transmits to the Secretary a fishery management plan, or an amendment to a plan, that it characterizes as a final plan or amendment.

97-453, 99-659

(b) REVIEW BY THE SECRETARY.--

(1) A plan or amendment shall take effect and be implemented in accordance with section 305(a) if--

(A) the Secretary does not notify the Council in writing of--

(i) his disapproval under subsection (a)(1)(A)(ii), or

(ii) his disapproval, or partial disapproval, under paragraph (2), of the plan or amendment before the close of the 95th day after the receipt date; or

(B) at any time subsequent to the 60th day after the receipt date and before such 95th day, the Secretary notifies the Council in writing that he does not intend to disapprove, or partially disapprove, the plan or amendment.

(2) If after review under subsection (a) the Secretary determines that the plan or amendment is not consistent with the criteria set forth in paragraph (1)(B) of that subsection, the Secretary shall notify the Council in writing of his disapproval or partial disapproval of the plan or amendment. Such notice shall specify--

(A) the applicable law with which the plan or amendment is inconsistent;

(B) the nature of such inconsistencies; and

(C) recommendations concerning the actions that could be taken by the Council to conform such plan or amendment to the requirements of applicable law.

(3) (A) If the Secretary disapproves a proposed plan or amendment under subsection (a)(1)(A)(ii), or disapproves, or partially disapproves, a proposed plan or amendment under paragraph (2), the Council may submit a revised plan or amendment, accompanied by appropriately revised proposed regulations, to the Secretary.

(B) After the Secretary receives a revised plan or amendment under subparagraph (A) or (C)(ii), the Secretary shall immediately--

(i) commence a review of the plan or amendment to determine whether it complies with the criteria set forth in subsection (a)(1)(B);

(ii) publish in the Federal Register a notice stating that the revised plan or amendment is available and that written data, views, or comments of interested persons on the plan or amendment may be submitted to the Secretary during the 30-day period beginning on the date (hereinafter in this paragraph referred to as the "revised receipt date") the plan or amendment was submitted to the Secretary under subparagraph (A) or (C)(ii); and

(iii) review the revised proposed regulations, if any, submitted by the Council and make such changes to them as may be necessary for the implementation of the plan, and thereafter publish such revised proposed regulations (as so changed) in the Federal Register together with an explanation of each of such changes that is substantive.

(C) (i) Before the close of the 60th day after the revised receipt date, the Secretary, after taking into account any data, views, or comments received under subparagraph (B)(ii), shall complete the review required under subparagraph (B)(i) and determine whether the plan or amendment complies with the criteria set forth in subsection (a)(1)(B). If the Secretary determines that a plan or amendment is not in compliance with such criteria, he shall immediately notify the Council of his disapproval of the plan or amendment.

(ii) After notifying a Council of disapproval under clause (i), the Secretary shall promptly provide to the Council a written statement of the reasons on which the disapproval was based and advise the Council that it may submit a further revised plan or amendment, together with appropriately revised proposed regulations, for review and determination under this paragraph.

(D) A revised plan or amendment shall take effect and be implemented in accordance with section 305(a) if the Secretary does not notify the Council, in writing, by the close of the 60th day after the revised receipt date of his disapproval of the plan or amendment.

97-453, 99-659

(c) PREPARATION BY THE SECRETARY.--

(1) The Secretary may prepare a fishery management plan, with respect to any fishery, or any amendment to any such plan, in accordance with the national standards, the other provisions of this Act, and any other applicable law, if--

(A) the appropriate Council fails to develop and submit to the Secretary, after a reasonable period of time, a fishery management plan for such fishery, or any necessary amendment to such a plan, if such fishery requires conservation and management; or

(B) the Secretary disapproves or partially disapproves any such plan or amendment, or disapproves a revised plan or amendment, and the Council involved fails to submit a revised or further revised plan or amendment, as the case may be.

In preparing any such plan or amendment, the Secretary shall consult with the Secretary of State with respect to foreign fishing and with the Secretary of the department in which the Coast Guard is operating with respect to enforcement at sea. The Secretary shall also prepare such proposed regulations as he deems necessary or appropriate to carry out each plan or amendment prepared by him under this paragraph.

(2) (A) Whenever, under paragraph (1), the Secretary prepares a fishery management plan or amendment, the Secretary shall immediately--

(i) submit such plan or amendment, and proposed regulations to implement such plan or amendment, to the appropriate Council for consideration and comment;

(ii) publish in the Federal Register a notice stating that the plan or amendment is available and that written data, views, or comments of interested persons on the plan or amendment may be submitted to the Secretary during the 60-day period beginning on the date the plan or amendment was submitted under clause (i); and

(iii) by the 15th day after the date of submission under clause (i), submit for publication in the Federal Register the proposed regulations to implement the plan or amendment.

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(B) The appropriate Council must submit its comments and recommendations, if any, regarding the plan or amendment to the Secretary before the close of the 60-day period referred to in subparagraph (A)(ii). After the close of such 60-day period, the Secretary, after taking into account any such comments and recommendations, as well as any views, data, or comments submitted under subparagraph (A)(ii), may implement such plan or amendment under section 305(a).

(3) Notwithstanding paragraph (1), the Secretary may not include in any fishery management plan, or any amendment to any such plan, prepared by him, a provision establishing a limited access system described in section 303(b)(6), unless such system is first approved by a majority of the voting members, present and voting, of each appropriate Council.

97-453

(d) ESTABLISHMENT OF FEES.--The Secretary shall by regulation establish the level of any fees which are authorized to be charged pursuant to section 303(b)(1). The Secretary may enter into a cooperative agreement with the States concerned under which the States administer the permit system and the agreement may provide that all or part of the fees collected under the system shall accrue to the States. The level of fees charged under this subsection shall not exceed the administrative costs incurred in issuing the permits.

99-659, 101-627

(e) FISHERIES RESEARCH.--

(1) Within one year after the date of enactment of the Fishery Conservation Amendments of 1990, and at least every three years thereafter, the Secretary shall develop and publish in the Federal Register a strategic plan for fisheries research for the five years immediately following such publication. The plan shall--

(A) identify and describe a comprehensive program with a limited number of priority objectives for research in each of the areas specified in paragraph (2);

(B) indicate the goals and timetables for the program described in subparagraph (A); and

(C) provide a role for affected commercial fishermen in such research, including involvement in field testing.

(2) The areas of research referred to in paragraph (1) are as follows:

(A) Research to support fishery conservation and management, including research on the economics of fisheries and biological research concerning the interdependence of fisheries or stocks of fish, the impact of pollution on fish populations, the impact of wetland and estuarine degradation, and other matters bearing upon the abundance and availability of fish.

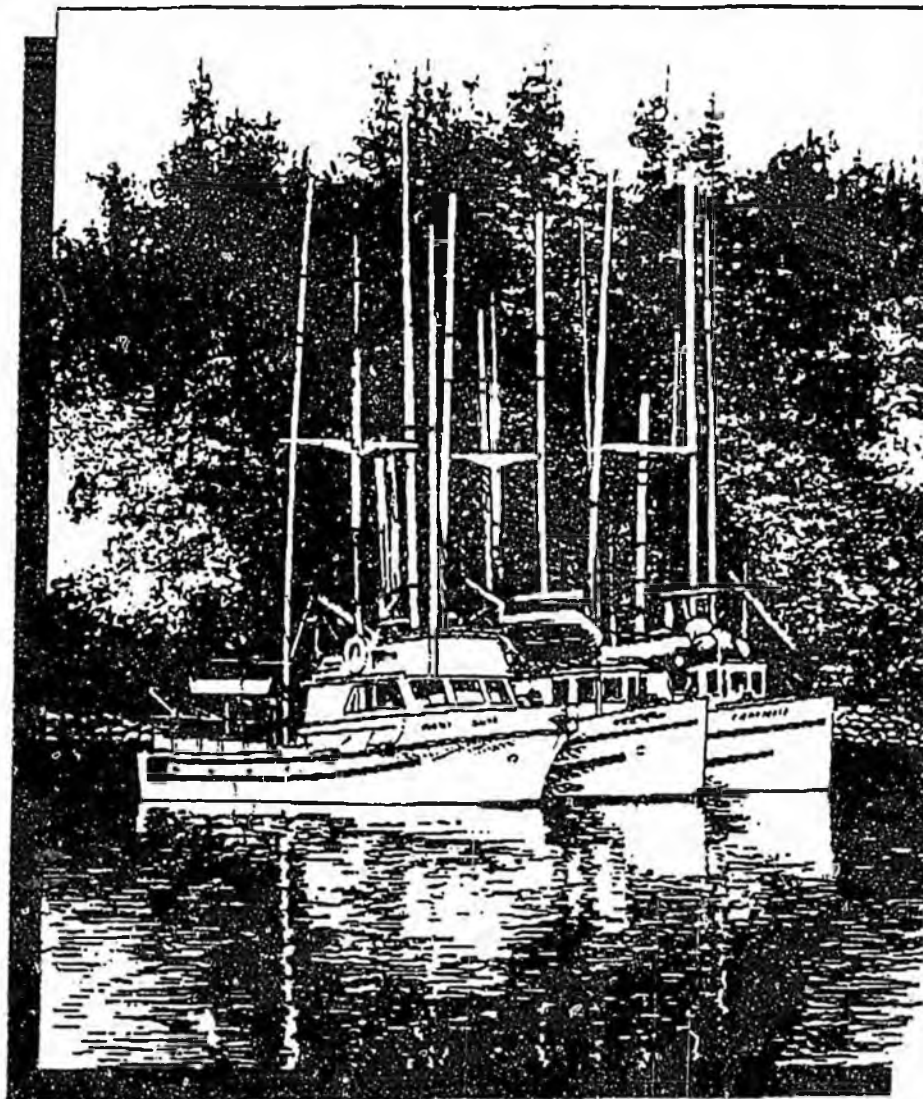
(B) Conservation engineering research, including the study of fish behavior and the development and testing of new gear technology and fishing techniques to minimize the harvest of nontarget species and promote efficient harvest of target species.

(C) Information management research, including the development of a fishery information base and an information management system that will permit the full use of data in the support of effective fishery conservation and management.

November 1991

A Commission of Inquiry into Licensing and Related Policies of the Department of Fisheries and Oceans

*Don Cruickshank
Commissioner*



The Fisherman's Report

Chapter 3

THE IQ TEST

What Are Individual Quotas?

Individual quotas, resource allocations, enterprise allocations or individual entitlements — all meaning the same thing — give to an individual the right to harvest a definite quantity of fish, expressed either as a fixed amount or as a percentage of the total allowable catch. Privatization of the resource in this manner removes the right of public access to a common property, converting common property to private property. Currently, individual quotas are in place for the management of six Pacific fisheries:

- spawn-on-kelp
- abalone
- herring food and bait
- geoduck
- sablefish (black cod)
- halibut

The initials "IQ" stand for individual quota; "TVQ" for individual vessel quota; and "ITQ" for individual transferable quota.

Spawn-On-Kelp: This has been a quota fishery since 1975. The licences are issued to a person or a Native band, are non-transferable and area specific. The vessel is designated; there is a licence holder on-site requirement; and all 38 quotas are equal.

Abalone: A quota fishery since 1979. The licences were personal, non-transferable, and not area specific. The vessel was designated. The absence of an owner-operator provision permitted leasing and stacking. There were 26 equal quotas. The abalone fishery is described in the past tense since it was closed indefinitely on October 30, 1990, to all user groups: commercial, Native and recreational.

Herring Food and Bait: A quota fishery since 1985. Licences are personal and non-transferable; the vessel is designated. Issuance is by a lottery-type arrangement.

Geoduck: A quota fishery since 1989. Licences are assigned to a vessel and are transferable and area specific. There is no owner-operator provision. All 55 quotas are equal.

Sablefish (Black Cod): A quota fishery since 1990. The licences are assigned to a vessel, are transferable and not area specific. There is no owner-operator provision. The 48 quotas are variable or not equal.

Halibut: 1991 was its first year as a quota fishery. Licences are assigned to a vessel, are non-transferable and not area specific. There is no owner-operator provision, and the 435 quotas are variable or not equal.

The Issues

The issue of IQs, IVQs and ITQs is one of the hottest topics in the British Columbia fishing industry today. It evokes the question of common property ownership versus privatization of the resource, and no other debate in the industry raises as much emotional or philosophical intensity.

The proponents of quotas herald the security of tenure as an advantage. The opponents counter that the system is flawed by its exclusivity and irreversibility favouring the quota recipients. Inflaming the quota debate is the opinion expressed or implied by some DFO personnel that many industry representatives are reactionary, and that the resistance to quotas is nostalgic deference to an obsolete system. Meanwhile, DFO staff are accused of seizing on quotas as the panacea of licensing policy.

The method by which quotas were introduced is also a controversial point, since the policy is widely seen as being imposed on the industry, even though it is billed as response to the demands of the majority of fishermen.

The Commission of Inquiry's research suggests there is some justice to this concern. On March 2, 1982, on the advice of Pacific Region staff and in response to the preliminary report of the Commission on Pacific Fisheries Policy, the Honourable Romeo Leblanc established a committee of five halibut licence holders to develop a proposal for the implementation of a halibut vessel quota system. This committee, chaired by a DFO employee, was not asked to determine the advantages or disadvantages of quotas, but merely to set the terms for their implementation. The report was signed only by the Chairman and was submitted to the Minister on April 27, after eight separate meetings between April 2 and April 23, 1982.

The recommendations of this report were rejected by Mr. Leblanc, after the industry voiced considerable opposition. With the appointment of the next Minister of Fisheries and Oceans, Pierre De Bane, the proposal resurfaced and again industry opposition quashed it. Nonetheless, several years later and several ministers later, halibut quotas are in place, "at the request of halibut fishermen."

The Department's handling of licensing and fleet rationalization issues has created an element of mistrust and bitterness among fishermen. The message was clear during this Commission's hearings that they are fed up with fighting off the Department's incessant attempts to impose licensing theories that have been repeatedly rejected by the industry.

Pros and Cons

Vision 2000 details the benefits as follows:

Individual Quota (EA) licensing, perhaps operating in conjunction with area licensing, provides a direct means of controlling catch within the target set, and potentially frees managers from a complex regulatory regime (restricting vessels, gear and fishing time) which is the hallmark of a system where total catch is controlled simply by the number of licences issued. However, the outstanding advantage of this approach is that it eliminates the basic cause of overcapacity in the fishing industry. Rather than encouraging fishermen to competitively and defensively increase their fishing power, it encourages them to adapt their vessels and fishing practices to take their licensed catch as a quality product at the lowest cost.

There are other favourable reasons for quota licensing:

- individual quotas offer the opportunity to harvest species when market demand and prices are the highest;
- once the competitive nature of a fishery is removed, fishermen need not travel nor fish in unsuitable weather conditions;
- fishermen have a better opportunity to become involved in marketing the catch;
- the accumulation or stacking of quotas can result in a reduction in fleet size.

Industry Reaction

The Commission of Inquiry found industry to be generally opposed to quotas. Where a group already held a quota, the reaction was less critical, but concerns were still voiced. These statements have been excerpted from written briefs submitted to the Commission of Inquiry:

Fisheries Council of British Columbia: "The IQ system that has been introduced into a number of British Columbia fisheries over the past years is roundly condemned by this organization on two major counts.

"First, the policies have been introduced without the establishment of any clear guidelines for change. In effect, the old limited licensing system has been eroded. Whether you liked the system that began in 1969 or not, at least the rules were fairly clear after two decades of use. Now, fisheries for various species are taking place with the objective of providing some catch history and, therefore, insurance in case the rules of the game change again.

"Second, the process of change has been slanted towards those who wanted to see change, whether for academic or personal business reasons. The example of the manner in which DFO conducted the advisory process for the Halibut IQ system was a fraud from start to finish . . . a pretense of democracy in the name of open consultation."

Fishing Vessel Owners Association of British Columbia: "The past two years have seen a dramatic change in the thrust of fishery management in British Columbia. The fundamental principle of free access to a common property resource by all licence holders is being rapidly transformed into privatization of the resource through a headlong rush by DFO for the institution of Individual Transferrable Quotas (ITQs) to existing licence holders. In 1989 geoduck licence holders voted overwhelmingly for a quota system, and in 1990 sablefish licence holders also opted for ITQs. Finally, late in 1990, DFO sponsored a series of meetings with halibut fishermen to explore the possibility of a halibut quota fishery, and a quota system is now in place in this fishery as well, in theory on a two year trial basis.

"Philosophically, most fishermen are opposed to quota fisheries. The free competition for an individual's share of the harvest is a long standing tradition of our fisheries, and one of its attractions for many. With traditional fisheries, good fishermen are rewarded with good catches while bad fishermen are forced to either accept sub par earnings or to look elsewhere for a living.

"It seems that for as long as there have been commercial fisheries there have been 'too many boats chasing too few fish,' and ITQs are a way to have a fishery rationalize itself, at no cost to the government for buy back programs. Of course, the concentration of licences doesn't reduce overcapitalization — in fact ITQs increase overcapitalization — since licences tend to increase in value. The key point of course is that under ITQs, the fleet tends to be reduced *at no cost to government*. . . .

"The strongest and most often heard criticism of quota fisheries is the strong incentive they create for cheating, and the difficulty of enforcement of quota limits. DFO's response to this problem has been to devise complex and costly monitoring and enforcement systems for the geoduck, sablefish and halibut fisheries, with the costs to be borne by the licence holders. . . .

"There is overwhelming support for having licences revoked as a penalty for cheating. However, in the past when DFO has tried to enforce stiff penalties on fishermen, the courts have considered the loss of a licence as 'cruel and unusual punishment' that removes an individual's ability to earn a dishonest living. . . .

"With quota fisheries, there is an obvious incentive to high grade the catch in order to market only the higher valued fish. The recent (March, 1991) wholesale value of sablefish in Japan varied from about \$5.11 for over seven lb. fish to \$4.94 for four-five lb. fish. It is difficult to guess whether this price differential will encourage high grading, but one thing is certain: the proposed monitoring program contains no provision for monitoring high grading. This can only be accomplished by placing observers aboard a few vessels and comparing the size composition of the observed vessels' catches with the overall landings of the fleet.

"Without an observer program, the only evidence of high grading, a potentially serious problem, will be hearsay and dockside gossip.

"DFO sees ITQs as a costless (to DFO) way to 'rationalize' fleet size, particularly in the halibut fishery, which is faced with declining stocks. Of course, a smaller fleet means less employment, especially for crewmen, and this loss of employment is a legitimate concern of these fishermen and the organizations that represent them.

"Another often heard criticism of ITQs is the potential they create for the concentration of licences in the hands of a few individuals or companies. Licence concentration, and the high cost of ITQ licences . . . will make it extremely difficult if not impossible for young new fishermen to enter the fishery. . . .

"The issues of monitoring, enforcement and licence concentration need to be seriously addressed and reviewed at the end of the two year trial periods. We believe that conservation and the maintenance of opportunities for future generations of fishermen ought to take precedence over administrative convenience for DFO and over fuzzy economic rhetoric about the 'tragedy of the commons.'"

Deep Seas Trawlers Association of B.C. (DSTA): "Initial information available to DSTA suggests that this type of management approach would be adverse to our industry and to Canada's fisheries. DSTA will continue to keep an open mind on the issue, however. We will insist on two prerequisites for serious consideration of such a proposal. First, we would need to have complete access to all information being considered by DFO. In particular, this would include results and analysis from the 'test' geoduck and sablefish programs currently being conducted by DFO; and a broader DFO assessment of Individual Quota programs in Canada (and possibly abroad) which DSTA understands has been completed, but not publicly released. Second, and following release of this information, we would need at least two years to jointly dialogue with and consider such an option with DFO."

Heiltsuk Tribal Council: "We are extremely concerned that the process may result in a privately owned fisheries resource. This would greatly increase third party interests which would then have to be dealt with on an individual basis during the settlement of the Heiltsuk sea claim. The result would be an even more costly and complicated

settlement process. It simply does not make sense to consider such a change in fisheries resource management prior to the settlement of land claims. . . . maintain that Native claims must be dealt with first."

Prince Rupert Fishing Vessel Owners' Association: "Our organization is against some portions of *Vision 2000*, in particular ITQs, IQs and IVQs.

"Any licence changes that affect or impact on the commercial sector should have to be passed by CFIC.

"If there is need for any licensing changes, let the fishermen ask for it and let them do the implementation."

Sunshine Coast Labour Council: "The commercial fishing has remained viable for over one hundred years as a common property resource. The present licensing system insures that all commercial fishermen have equal access, while individual transferable quotas do not grant the same equality."

United Fishermen and Allied Workers' Union: Halibut Fishermen's Brief: "As of May 1, 1991, the halibut longline fishery will be regulated by a so-called experimental Individual Vessel Quota (IVQ) fishery. We as halibut fishermen remain concerned that IVQs and Individual Transferrable Quotas (ITQs) will spell disaster for most of us as fishermen and for the halibut as a commercially fishable stock. . . .

"DFO officials state that ITQs will; 'increase landed values,' 'make halibut fisheries more manageable,' 'reduce overfishing' and 'reduce costs of enforcement.' There has been no attempt by the DFO to support these contentions with research and in fact, where independent research has been conducted, DFO positions have been proved erroneous.

"Suffice it to say that authoritative sources of information about ITQs and their working history exist. They should be studied carefully by all concerned before introducing a problematic ITQ/IVQ system on west coast fisheries.

"In conclusion, as a minimum demand, we insist that nothing be done by the DFO to allow IVQs to become irreversible. The DFO has stated that the current IQ system is on a trial basis for two years and we insist that they be held to their word. The IQ system must be kept easy to change to another should the fishing industry as a whole so decide."

United Fishermen and Allied Workers' Union: Principal Brief: "It is difficult to assess where the initiative originates for privatizing Pacific fisheries resources. Peter Pearce touted ITQs but we suspect he was merely mirroring the policy initiatives of the DFO. The fisheries committee of the Canadian Senate, the Economic Council of Canada, the office of the Auditor-General and other authorities have advocated ITQs presumably as an economic measure but as a conservation and management system as well. . . .

"Various purposes are said to be served by ITQs, namely:

- conservation and management
- reduce management costs
- save the resource
- fleet reduction

"The justification most commonly given for the use of ITQs is the common property resource argument. Fishermen will deplete fisheries resources in an open fishery and make increasingly burdensome investments to compete for their share of the fish. Resource rent is therefore dissipated by overcapitalization. Some suggest that a resource must be privately owned for it to be cared for properly. No one has an interest in caring for a publicly owned resource and the 'tragedy of the commons' theory is repeated over and over again.

"As justification for ITQs, the foregoing might be believable if Pacific fisheries resources were seriously threatened by over exploitation. Such is not the case.

"In the Black Cod fishery, we see not only limited entry but ITQs as well. Holders of black cod licences and quotas will plead this is the best possible invention save and except for the wheel. Other vessel owners are critical of the programme simply because they don't own black cod quotas which are a licence to print money. There is a 5,000 ton annual quota in the black cod or sablefish fishery. There are 48 licence holders who on average would hold a quota of 200 thousand pounds. Estimations are that these quotas would sell for six-seven dollars a pound making each gift of a quota worth \$1.2 and \$1.4 million dollars.

"Like the New Zealand system, these quotas can be leased and the going rate is 50 per cent of the catch. In fact they can be and are sub-leased with the second broker taking 30 per cent of the catch leaving a mere 20 per cent for the people doing the work. We have reports that the licence/quota owner charges the fishing venture the equivalent of the lease rate which is a common practice, too, in the roe herring gillnet fishery. In other words, if the going rate to lease quotas is say \$1.50 per pound, the quota owner pockets that money as his rent before sharing the remainder with his crew. DFO planners must clearly be held in high esteem by this generation of licence quota owners who enjoy instant riches at the expense of another generation. Once again resource rent is extracted for personal gain rather than accruing to the owners of the resource, namely the people of Canada, or to the general benefit of the industry."

Pacific Black Cod Fishermen's Association (This association, understandably, is very supportive of the quota management of the black cod fishery, but it lists some weaknesses):

"Recommendations for Change

"(a) The foreign ownership question

"Our members are concerned that foreign interests will someday begin to purchase black cod licences. To prevent such a development, we wish to see the following changes in licensing requirements:

"That owners of Category K Sablefish licences be required, upon payment of their annual fee, to sign an affidavit in which they state that their licence is not owned or controlled, either wholly or in part, by foreign interests.

"(b) Ownership and quota concentration

"We recommend that the Department of Fisheries and Oceans develop a forum to work with this association to deal effectively with the questions of non-fisherman ownership, processor ownership, and maximum individual ownership.

"(c) Creating smaller quotas

"We recommend that a process be put in place to develop the concept of the permanent transfer of smaller blocks of quota."

Economists' Comments

Resource economists, even while usually supporting quotas, voice certain reservations.

Sol Sinclair, *A Licensing and Fee System for the Coastal Fisheries of British Columbia*, 1978: "The enforcement of the quota system can present problems. It will require very close supervision to ensure compliance with each individual's quota.

"A freely transferable individual quota can force quota prices to levels that may eliminate inefficient, part time, or lower income fishermen. Thus it can adversely affect small-scale operators in isolated fishing communities that are very dependent on fishing."

Moloney and Pearse, 1979: "Quantitative rights would be most easily adapted to fisheries that do not call for frequent, intraseasonal management intervention in the form of changes to the allowable catch."

Willen, 1980: "It is certain that such a system applied in a fishery which needs 'fine tuning' like the B.C. roe herring fishery would require a fair degree of complexity."

Fraser, 1980: "The more variable the resource stock, the more significant are the ensuing problems and the less practical are individual vessel quotas as a management technique."

Clark, 1980: "There are doubtlessly some fisheries for which allocated fishermen's or vessel quotas would be unsuitable. For example, in cases where annual recruitment is highly variable and unpredictable, there would be no basis upon which to fix annual quota levels."

Enforcement

With a quota system, the potential for high grading (the practice of keeping only the higher-valued fish and dumping all low-valued fish at sea) and "quota busting" (exceeding quotas) is certainly felt to be high, but there is no mechanism available to gauge its extent and impact on the resource accurately. It is also too early to judge the effectiveness of the complex procedure now in place, at shore locations, to monitor individual quotas.

But there is evidence that a fundamental enforcement problem faces DFO.

Enforcement of quota fisheries is based on the right of DFO to monitor and enforce these fisheries by conditions attached to the licences. But it is a right subject to legal challenge. Recently, the British Columbia Court of Appeal upheld a decision of the County Court of Prince Rupert contesting DFO's enforcement right in two cases. Challenged was the Department's right to regulate fisheries and impose restrictions as a condition of licence.

Even without court challenges, the DFO takes 16 months, on average, to develop and promulgate a regulation. It has taken as long as five years. If our present fisheries regulations cannot provide the necessary controls to monitor and enforce quota fisheries, and this situation prevails for even 16 months, the effect on the industry and on the resource will be disastrous.

Critics cite the abalone fishery as an example of failure to enforce quotas, and suggest that the Department may not have felt it had the legal grounding to do so.

Impact on Employment

The issue in this area is that quota systems may put crew and vessel owners out of work, reduce wage levels and deny opportunity to entry-level fishermen. The halibut fishery is cited as an example. Speaker after speaker at the public hearings echoed the words of this fisherman: "I have fished halibut for years, and I don't have a job this spring because of the halibut quota. To fish halibut now you either have to own a quota, or work for nothing."

The Commission of Inquiry's research found that the people on board halibut boats shared in 75 to 80 per cent of the value of the catch. It was a labour-intensive fishery, and the crew shares reflected that reality. These crew members, many of them professional halibut fishermen, had "busted their butts" to catch the fish that counted as the historic portion of the vessel quota, but they received no recompense for their pre-quota efforts under the advisory process conducted by DFO. As quoted above, the Fisheries Council of British Columbia described the manner in which DFO conducted this advisory process for the halibut IQ system as fraudulent.

After the introduction of quotas and the elimination of the need for a fast, high-volume catch, vessel owners (also the quota holders) found it more profitable if crew members were also eliminated. Vessel owners now take turns fishing their quotas, one boat after the other, with their fellow quota holders taking the places of men who had served them well for years. Some quota holders do still take crews, but the share of the halibut catch accruing to the boat now runs at 40 to 50 per cent — reducing the crew's historic share to 50 to 60 per cent of a catch whose size they can no longer increase by skill and effort. The halibut quota system has effectively destroyed the livelihood of all these fishermen and made their professional skills instantly redundant.

For entry-level fishermen, if almost all halibut fishermen are vessel owners and quota holders, there is no training ground for the next generation. Entry-level fishermen cannot afford to purchase quotas and, without crew positions, they have no means of acquiring either the necessary money or the experience.

The sablefish or black cod fishery is also cited. Two crew members of a black cod boat offered the following experience of quotas in practice.

While preparing for the start of the 1990 season, the vessel owner announced that there would be a change in the crew share arrangement. Instead of sharing in the value of the catch, the crew would be paid by the pound, which made them feel they had been reduced to employees instead of co-entrepreneurs sharing the risk of the venture. They were offered five cents per pound of black cod sold and had no choice but to accept. On returning to the vessel in 1991, they found the pay offered was now three cents per pound — on fish that had been selling for up to \$5.65 per pound. In spite of many years' work in the black cod fishery, they chose to attempt to find on-shore jobs instead.

Quotas Abroad

Vision 2000 states that quota licensing is now "state of the art" in Iceland, Australia and New Zealand. The Commission of Inquiry's research found that New Zealand participants in the system gave mixed opinions.

Robin Hapi, General Manager and Chief Executive Officer of the Maori Fisheries Commission, in Wellington, was generally pleased with the quota regime in the inshore fishery. The quota process is being used to transfer fishing rights to the Maori people, although only 15 per cent of the fisheries have been addressed so far. Initially, these rights are being transferred to the control of the Commission; the allocation to individuals will proceed at some later date.

Mr. Ray Dobson, General Manager of the New Zealand Fishing Industry Board, an organization representing the interests of the New Zealand fishing industry, is a self-proclaimed advocate of ITQs, believing that quotas are the solution for New Zealand fisheries. He cites increased efficiency, increased flexibility and the advantages of market forces dictating fishing times.

His major concern was the high cost of the initial installation of ITQs and suggested that, to be successful, quotas must be preceded by increased research in order to develop a high level of input for the establishment of the total allowable catches. He pointed out that, particularly for inshore fisheries, owner-operator provisions were vital. He said the enforcement of quota objectives was a problem — it appears high grading in the rock lobster fishery is rampant — but he claimed New Zealand fishermen are adjusting, recognizing that it is in their own best interest to fish legally.

Mr. Brian Piner, with 30 years experience as a fisherman, 15 of them as a vessel owner/skipper, is a resident in Greymouth on the west coast of the South Island. Strongly opposed to quotas, he warns that British Columbia fishermen should resist any system

similar to that imposed on the New Zealand industry. He said that British Columbia industry fears of corporate control were realized in New Zealand: four major companies control the majority of quotas for both the inshore and deep water resources. These companies allocate a quota to a fisherman for a lease fee. Real prices New Zealand fishermen receive for their catch are lower than pre-quota ones, as companies attempt to service debts incurred in the purchase of quotas. In Greymouth, a small coastal community, he said there are about 50 fishing boats, but only four or five of these now have their own fishing quotas. The rest lease the right to fish from company-held quota licences, and they must accept the prices offered or forgo the quota.

Ken Shirley, former Minister of Fisheries for New Zealand, was quoted in the newspaper *Grey Star* as saying, "with hindsight the government should never have introduced permanent fishing quotas." It proved impossible to get official confirmation of this statement from the Ministry of Agriculture and Fisheries for New Zealand.

Legality

Quotas raise a jurisdictional question that may cripple the entire proposal: Is it constitutionally legal for the Government of Canada to regulate any fishery, once access has been transferred from common property access to individual entitlement? Such privatized rights as individual quotas could be beyond the necessary legislative competence of the federal government since, as private property in the legal sense, IQs would be subject to the authority of provincial law relating to property and civil rights.

In 1985, the Faculty of Law at Dalhousie University analyzed this issue. Its report, *Individual Entitlements in The Tidal Fisheries: Some Legal Problems* by Bruce H. Wildsmith, Professor of Law, K.J. Spears, LL.B, and W.G. Wharton, LL.B, was prepared under contract for DFO.

The report defines the historic role of the federal government: under the power of the Constitution Act, 1867, Section 91 (12), the fisheries in Canada are an area of jurisdiction allotted to the federal government. It also confirms the fisheries as common property, offering the *Canadian Law Dictionary* definition: "that which belongs to the citizenry as a whole."

The report finds that individual entitlements, resource allocations, or individual quotas — all meaning the same thing — give to an individual a right to harvest a definite quantity of fish, expressed either as a fixed amount or as a percentage of the total allowable catch. Privatization of the resource in this manner removes the right of public access to a common property, and converts this to private property.

Calling on constitutional considerations, administrative law, and the *Canadian Charter of Rights and Freedoms*, the report acknowledges that legal interpretations recognize a provincial proprietary right and provincial legislative jurisdiction over property and civil rights. However, it considers that the federal government has the necessary legislative competence for control over the total harvest of fish in all waters recognized by international law as being within Canada's jurisdiction; further, the Department of Fisheries and Oceans can legislate to create exclusive transferable rights, ITQs, to fish in waters beyond provincial jurisdiction.

But the report points out that the Supreme Court of Canada has held the seabeds under the waters in the straits and gulfs between Vancouver Island and the Queen Charlotte Islands and mainland to be property of the Province of British Columbia. The first three miles of territorial sea could be similarly included as provincial property. Within this area, in the report's opinion, the actions of DFO in attempting to regulate IQs could be found to be *ultra vires*, that is, beyond their authority or legal power.

The report recommends that, if individual entitlements are to be granted by DFO, they should only be for fisheries in areas that are offshore, beyond provincial boundaries, unless fisheries are to be used as the vehicle for determining provincial boundaries. Alternatively, DFO should seek co-operation from the province to alleviate the necessity of drawing firm boundaries.

The Department has pursued neither of these options with British Columbia, consequently the six individual quota systems that have been implemented in Pacific fisheries may be subject to legal challenge on these jurisdictional grounds.

From the Commission of Inquiry's public hearings and written briefs, and from casual conversations with fishermen and industry workers, the points against quotas can be summarized as follows:

- they convert a common property resource to private property;
- difficulty of enforcement of high grading and the exceeding of quota limits;
- threat of foreign control;
- concentration of licences in the hands of too few individuals or corporations;
- reduces the opportunity for entry-level fishermen;
- creates unemployment through quota stacking;
- permits unfair labour practices; and
- may be constitutionally unsound and subject to legal challenge.

RECOMMENDATIONS FOR INDIVIDUAL QUOTAS

The Problem:

Are IQs, IVQs or ITQs a method that should be continued or expanded as a management system for Pacific fisheries?

Recommendations

Fishermen and resource managers should be aware individual quotas are not simply an alternative licensing system. The transition to IQs is a fundamental change that converts to private property that which has been a public or common property resource.

The fishing industry is prepared to accept changes, but these changes must be the result of evolution, not revolution. Fishermen will not accept changes that have been manipulated into place. They will not accept changes that are the result of balloting where licence holders are asked to vote for or against personal gain.

There are some significant disadvantages to quota fisheries, but the three personal licensed quota fisheries present no current problems: Spawn-on-kelp and herring food and bait are each unique fisheries and the present management system is adequate; the abalone fishery is closed.

Recommendation 1: that the spawn-on-kelp and herring food and bait fisheries continue as at present.

Recommendation 2: that, of the three vessel-assigned quota fisheries, geoduck, sablefish and halibut, introduced as two-year pilot projects, none be instituted as longer term quotas until the consultative process has had the opportunity to provide recommendations for change. Pending this input, the existing quota system should be extended on a year-to-year basis.

Recommendation 3: that, where as specified in this report individual quotas are working or can be satisfactorily amended, industry leave the question of constitutional authority to be resolved by the Government of Canada and the Province of British Columbia.

Recommendation 4: that, if more quota fisheries are announced for implementation, legal challenge on a constitutional basis should be considered to halt implementation, pending a Supreme Court decision.

Recommendation 5: that no quota, under any circumstances, should be issued for a term exceeding 10 years, an adequate time for the amortization of investments specific to each fishery.

Recommendation 6: that all vessel quotas, following the initial allocation, be reallocated by tender or auction with all successful tenders normalized; that is to say, with the lowest acceptable tender then being the unit price applicable to all successful tenders. A fail-safe option, or stop-loss option, should be employed, for initiation by either the fishermen or the government, to protect against abnormal market changes.

Recommendation 7: that the proceeds derived from the tender process be to the benefit of the government department or agency regulating quota licensing, thus recovering part of the cost of management, protection and enhancement of the fisheries. Further, the quota fee tendered should be payable at the time of landing the catch, in order to give equal opportunity to new applicants who have not had the benefit of past allocations. Further, the unit size of reallocated quotas should be governed to accommodate new entrants.

The aim of this system is to reduce overcapitalization and to encourage entry-level fishermen by reducing fishermen's investment in licences or quotas. The market price of quotas should decrease under the influence of two factors: first, prices will be lower simply because the quotas are not awarded in perpetuity; second, as each term reaches maturity, quotas transferred between fishermen can be expected to drop in price to reflect the reduced, remaining potential earnings of the quota allocation.

Recommendation 8: that crew shares in the black cod, halibut and geoduck fisheries be encompassed as an integral part of the quota process. During the trial period there should be consultation with all parties, including crew members, to arrive at a fair allocation of quotas. In the interim, the following conditions should be put into operation to resolve the problem of unfair crew shares:

- 1) As a condition of the issuance of the annual quota licence, the Minister must have proof, by statutory declaration, that an equitable share agreement is in place for each vessel participating in these fisheries. The responsibility for proof should be on the quota holder.
- 2) For each of these fisheries, a single industry-wide agreement should be negotiated between representatives of the quota holders and representatives of the crew members.

- 3) Part of this negotiation process should be the determination of acceptable expenses that might affect crew shares. Items to be considered would include: fuel, groceries, lost gear, UIC premiums, licence fees, registration fees, amortization of licence purchases, royalties, resource rents or sectoral contributions towards enhancement, biological assessment and enforcement.
- 4) The negotiation process should include determination of the areas from which expenses may be deducted (i.e., from the gross landed value, from the gross crew share, or from individual crew shares).
- 5) Following the determination of deductions, the agreement must specify the percentage of the value to be divided among crew members, and how this sum is to be divided.
- 6) Provision should be made in this agreement for the issuance to each crew member, by the quota holder, of a detailed statement showing all data relevant to the crew shares.
- 7) Every reasonable effort should be made by both sides to arrive at this agreement by a process of negotiations. Failing a negotiated settlement, binding arbitration should prevail, but only after all other factors besides crew percentage have been determined. The arbitration method should then be by "final offer selection," or "fixed choice arbitration." These terms refer to an arbitration system whereby the representatives of the two parties submit their final offers and the arbitrator selects one or other of the two offers, whichever he deems to be the closest to being fair.
- 8) Participation in the negotiation or arbitration process should be restricted to current quota holders for each of these fisheries, and those crew members who can show proof of active participation in each fishery during the period used to determine the historic landing requirements for the quota, or participation during an actual quota fishery.
- 9) The arbitration process should be facilitated by the Province of British Columbia, Ministry of Labour and Consumer Services. The provisions of Section 95 of the Industrial Labour Act authorize the Minister of Labour to appoint an arbitrator if settlement is not reached by negotiation, and if the two sides cannot agree on an arbitrator.

Recommendation 9: that the Minister of Fisheries and Oceans state clearly that the annual issuance of an individual vessel quota is at his sole discretion, and that this privilege grants privately guaranteed access to a common property resource. Further, it should be understood that the Minister's responsibility to fishermen is no less than his responsibility to the quota holders. Quotas should not be construed as a licence to cheat the labour component of any fishery.

Recommendation 10: that the Licensing Unit of Fisheries and Oceans disclose all data pertinent to the issuance of individual quotas. Citing the Privacy Act, the DFO is unwilling to provide any information of individual quotas that might make it possible to estimate personal income, but the public and fishermen have a right to know to whom the resource is being allocated. In any case, Section 3 of the Privacy Act states that "personal information" does not include "information relating to any discretionary benefit of a financial nature, including the granting of a licence or permit, conferred

on an individual, including the name of the individual and the exact nature of the benefit." As a condition of quota licence renewal, each licensee should be required to sign a waiver absolving DFO of any culpability or liability from disclosure of information regarding quotas. Section 27 of the Access to Information Act provides for such waivers.

Recommendation 11: that, since the threat of foreign control of privatized individual quota fisheries is too great and the leasing of quotas too repugnant to permit the operation of these licences by other than the owner, all individual quota fisheries be managed with owner-operator licences.

Some information of how halibut relates to Sitka & Southeast

Table 5.6: 1990 Population, Distribution of Halibut Permits and Landings in Southeast Alaskan Communities (Area 2C)

Community	Pop. N	Native Pop. %	Permits N	Halibut	
				Commerc. Lbs.	Subsist.* Lbs.
Juneau	26,751	11.2	213	390,151	n/a
Ketchikan	13,459	11.1	128	1,036,245	n/a
Sitka	8,588	21.4	278	3,638,138	206,112
Petersburg	3,207	10.9	215	2,283,585	102,303
Wrangell	2,479	17.9	109	556,897	47,597
Metlakatla	1,407	80.2	27	234,650	11,256
Craig	1,260	32.3	65	677,596	16,884
Haines	1,238	18.9	74	44,198	18,322
Hoonah	795	79.9	59	703,747	29,733
Klawock	722	66.0	13	**	22,815
Kake	700	84.1	43	**	14,700
Skagway	692	4.6	2	**	4,429
Angoon	638	80.6	53	**	14,929
Thorne Bay	569	2.8	6	**	22,020
Hydaburg	384	84.9	28	**	9,178
Saxman	369	71.1	#	**	3,727
Gustavus	258	2.0	17	39,327	16,202
Pelican	222	18.3	40	1,132,088	12,632
Coffman Cove	186	0.0	#	**	5,264
Klukwan	129	83.7	#	**	150
Port Alexander	119	5.6	17	**	3,713
Hollis	111	18.0	#	**	1,032
Hyder	99	1.3	2	**	4,712
Tenakee Springs	94	5.1	5	**	4,362
Edna Bay	86	0.0	23	**	5,452
North Whale Pass	75	0.0	0	**	1,586
Port Protection	62	5.6	#	**	2,220
Elfin Cove	57	7.1	19	**	1,767
Kasaan	54	56.0	1	**	540
Point Baker	39	5.6	18	**	1,365
Meyers Chuck	37	0.0	5	**	2,853
Excursion Inlet##				1,052,386	
Killisnoo##				245	
Misc. SE Alaska Ports				3,676	
Totals	64,886		1,460	11,792,929	

Population data are from the 1990 U.S. Census; 1990 permit and commercial landings data are from IPHC files.
 * 1990 subsistence landings data are estimated from Alaska Dept. of Fish and Game baseline studies for 1987; estimated landings are in pounds of dressed fish (H&G).
 ** Any commercial landings were at other ports or are shown in the Misc. S.E. Alaska Ports category.
 n/a Data not available.
 # IPHC permit data are based upon postal zip codes; many Alaskan communities share zip codes, and CFEC data indicate that halibut permit holders reported elsewhere reside here.
 ## These are cannery or floating processor sites.

Table 3.28--Value of halibut and total Alaska landings by major ports and percent halibut of total, 1988-90, value in \$1,000.

Port	1988			1989			1990		
	Total	Halibut	%	Total	Halibut	%	Total	Halibut	%
Gulf of Alaska									
Cordova	46,400	1,077	2.3	35,309	1,614	4.4	36,800	3,234	8.8
Dutch Harbor	100,900	1,059	1.0	107,008	2,170	2.2	126,200	1,953	1.5
Exc. Inlet	4,600	NA		NA	1,524		*	1,883	
Homer	40,200	9,583	23.8	18,231	12,057	66.1	NA	10,463	
Juneau	7,900	878	11.1	2,020	894	40.6	4,400	3,992	90.7
Kenai	99,300	NA		56,012	1,593	2.8	47,900	2,179	4.5
Ketchikan	43,500	897	2.1	45,592	1,698	3.7	28,300	1,854	6.6
Kodiak	166,300	20,756	17.8	100,220	24,970	24.9	101,700	20,600	20.3
Pelican	8,400	890	10.6	NA	1,705		3,030	2,026	66.9
Petersburg	46,900	3,262	7.0	61,358	3,903	6.5	39,400	4,089	10.4
Seward	19,500	5,205	26.7	23,141	6,743	29.1	29,100	9,226	31.7
Sitka	37,400	5,343	14.3	24,150	5,458	22.6	22,100	6,512	29.5
Yakutat	14,000	NA		11,168	1,148	10.3	8,700	1,634	18.8
Wrangell	7,300	NA		5,446	873	16.0	8,400	997	11.9

* - Confidential. NA - Not available.

Source: National Marine Fisheries Service, Alaska Region.

Table 3.26 Unweighted average of the exvessel value of each fishery as a percentage of the total exvessel value for all vessels with halibut landings, 1984-88.

	1984	1985	1986	1987	1988
Sablefish Longline	31.4	24.7	21.9	24.2	28.5
Pacific Cod Longline	3.1	1.6	4.2	5.6	4.1
Other Longline	7.4	6.1	5.1	4.0	3.3
Any Longline, excluding Halibut	22.0	18.9	17.9	18.2	19.8
Other Groundfish	3.2	4.2	2.7	3.6	4.0
Salmon Troll	71.1	63.8	57.2	54.8	56.9
Any Hook & Line, excluding Halibut	59.6	50.0	41.5	36.1	41.5
Salmon, excluding Troll	73.6	72.0	68.8	70.4	76.1
Herring	30.2	38.0	32.9	38.5	17.2
Crab	46.1	41.9	34.7	35.3	33.3
All Other	18.2	14.7	10.2	11.9	11.8
All Fisheries, excluding Halibut	78.2	72.9	66.0	68.8	70.3
Halibut	46.9	47.9	50.6	45.8	46.5

Table 3.27 Unweighted average of the exvessel value of halibut as a percentage of the total exvessel value of all Alaska fisheries for all vessels with halibut landings and landings in the specified fishery, 1984-88.

	1984	1985	1986	1987	1988
Sablefish Longline	29.9	38.8	43.1	33.3	31.3
Pacific Cod Longline	33.4	33.8	41.9	36.9	33.3
Other Longline	29.5	37.4	42.4	37.3	35.5
Any Longline, excluding Halibut	32.4	37.7	43.9	37.1	35.8
Other Groundfish	18.8	22.2	28.3	27.8	25.2
Salmon Troll	17.5	24.4	31.7	30.8	27.6
Any Hook & Line, excluding Halibut	24.1	31.6	40.4	36.7	34.0
Salmon, excluding Troll	14.3	16.1	21.0	17.2	13.3
Herring	17.2	15.3	24.0	17.3	27.6
Crab	21.4	29.0	38.6	29.6	27.0
All Other	17.5	22.9	29.9	26.6	21.2
All Fisheries, excluding Halibut	21.8	27.1	34.0	31.2	29.7
Halibut	46.9	47.9	50.6	45.8	46.5

Table 3.8 Number of vessel owners landing Pacific halibut caught off Alaska during 1984-1990, based on region of owner's residency.

Year	Region of Owner's Residency							Grand Total
	South-east	South-central	Kodiak	West of Kodiak	Wash. State	Other	Unknown	
1984	1,163	826	375	164	207	31	399	3,146
1985	1,033	644	314	131	163	32	255	2,537
1986	1,261	826	360	147	230	52	207	3,081
1987	1,357	1,021	439	234	290	68	189	3,593
1988	1,597	1,134	426	205	265	76	68	3,769
1989	1,553	892	370	197	266	83	105	3,463
1990	1,471	1,188	472	281	316	103	195	4,022

Table 3.9 Number of vessels landing Pacific halibut caught off Alaska during 1984-1990, based on region of owner's residency.

Year	Region of Owner's Residency							Grand Total
	South-east	South-central	Kodiak	West of Kodiak	Wash. State	Other	Unknown	
1984	1,172	828	377	164	202	31	399	3,173
1985	1,045	648	316	132	164	32	225	2,562
1986	1,277	829	365	148	232	52	207	3,100
1987	1,372	1,702	442	237	295	68	189	3,620
1988	1,601	1,142	429	208	269	77	68	3,797
1989	1,558	898	373	199	266	83	105	3,482
1990	1,474	1,203	480	286	317	104	195	4,059

Table 3.12 Distribution of the 1990 commercial catch of Pacific halibut, as a percent of the 1990 total catch, by IPHC regulatory area of catch and region of owner's residency.

Owner's Region of Residency	IPHC Regulatory Area								Percent of Total AK Catch	
	2C	3A	3B	4A	4B	4C	4D	4E		
Southeast	89.0%	18.3%	9.2%	5.3%	5.3%	2.5%	5.8%	0.0%	28.4%	
Southcentral	0.1%	31.1%	15.4%	22.9%	14.7%	2.1%	8.1%	17.3%	21.3%	
Kodiak	0.0%	22.2%	24.3%	10.0%	19.7%	1.7%	0.0%	0.0%	17.2%	
West of Kodiak	0.1%	0.2%	18.6%	12.3%	5.3%	32.3%	0.0%	41.9%	4.3%	
Wash. State	7.5%	19.5%	21.9%	31.8%	42.3%	40.5%	78.5%	25.1%	20.2%	
Other States	0.8%	6.2%	7.4%	13.7%	11.8%	11.5%	7.6%	0.2%	6.0%	
Unknown	2.4%	2.5%	3.1%	4.0%	1.0%	9.1%	0.0%	15.6%	2.7%	
TOTAL	Prct	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
	000s lbs	9,695	29,054	8,752	2,517	1,333	529	1,005	60	52,945

Halibut-E.I.S. from NPFMC.

PAGE: ITEM:

3-27 Only 7% of all Alaskans who will qualify for halibut quota fished at least five of the seven years (1984-1990) which is the basis for deciding quota.

41% of all Alaskans who will receive quota only fished one year of the qualifying years. They will receive very little quota and will immediately have to purchase quota in order to be able to fish and catch the same as their annual average. The Sablefish document says that those who only fished one year will have to increase their quota by 400%. The halibut document doesn't speculate as to the amount of increase necessary.

4-39 Of the ~~4000~~⁶¹¹⁸ persons who will receive quota, ~~2000~~⁷⁹³ owners will receive quota less than 100 pounds. ~~4000~~²⁰⁰³ owners will receive quota less than 500 pounds.

4-42 ~~50%~~^{43.2} of all owners who receive quota will get less than 1,000 pounds. These are the traditional small boat fleet. ~~50%~~^{82.7} will receive less than 10,000 pounds initially.

4-51 The owners of larger vessels will likely be willing to pay more for quota shares than those of small vessels. This would result in a lower price being paid for IFQs for the smaller boats and a higher price for the bigger boats. This price difference would cause those small boats owners who wished to sell, to demand that the vessel classes be eliminated.

4-13 "By increasing the flexibility fishermen will have in determining fishing and landing strategies, an IFQ program can change the geographical distribution of landings."

"It is possible that the change in competitiveness will eliminate some ports as halibut landing sites."

4-21 IFQs will decrease the total numbers of vessels and fishermen in the halibut fishery.

4-11 The economic model predicts that the fleet size would be reduced to 288-376 vessels fishing for halibut. In 1990, there were ~~4000~~^{4,054} boats that delivered halibut. That is over a 90% reduction in fleet size.

Equate those figures to Sitka. Over a 90% reduction in fleet size for halibut alone would be a possible number of 28 boats fishing halibut out of Sitka. What will the other 250 boats do? Even if the fleet size were reduced only by half, that still leaves 100 boats out of work in the halibut fishery.

Relates to 1st & 3rd Sections

COMMERCIAL FISHERIES ENTRY COMMISSION
8800-109 Glacier Highway, Juneau, Alaska 99801

JANUARY 16, 1991

Basic Information Table #1b

Summary Data on Unlimited Fisheries, 1977 - 1989,
Permits Issued and Fished,
Estimated Gross Earnings and Total Pounds Landed

D61B HALIBUT LONG LINE, VESS (GE 5 M. TONS) STATEWIDE

generally over 35%

\$ per lb. / dressed wt.

Year	Permits Issued to Residents	Permits Issued to Non-res.	Total Permits Issued	Total Permits Fished	Total Gross Earnings	Average Gross Earnings	Total Pounds Landed	Average Pounds Landed
1977	1,147	157	1,304	702	\$11,460,661	\$16,326	1.20 9,512,585	13,551
1978	890	131	1,021	592	\$17,528,040	\$29,608	1.60 10,908,482	18,426
1979	1,075	186	1,261	839	\$24,797,141	\$29,556	1.93 12,841,785	15,306
1980	1,441	227	1,668	1,063	\$8,476,865	\$7,974	.89 9,526,699	8,962
1981	1,473	202	1,675	1,168	\$14,136,885	\$12,103	.96 14,659,131	12,551
1982	1,452	200	1,652	1,184	\$18,944,027	\$16,000	1.05 17,899,353	15,118
1983	1,784	217	2,001	1,547	\$28,064,578	\$18,141	1.51 26,024,337	16,822
1984	1,847	226	2,073	1,568	\$20,297,225	\$12,945	.75 28,465,967	18,154
1985	1,755	200	1,955	1,497	\$32,944,424	\$22,007	.89 37,819,206	25,263
1986	2,000	293	2,293	1,949	\$67,623,987	\$34,697	1.44 48,715,368	24,995
1987	2,352	361	2,713	2,348	\$67,793,296	\$28,873	1.58 47,554,303	20,253
1988	2,702	411	3,113	2,433	\$63,328,103	\$26,029	1.23 52,769,434	21,689
1989	2,850	471	3,321	2,334	\$70,870,793	\$30,365	1.53 48,676,075	20,855
1990							1.88	

extrapolated

NPFMC figures

*** Estimates of gross earnings not produced unless values have been determined for at least 95% of the pounds landed.

1. Data has been omitted when fewer than four people participated in a fishery.
2. 1988 and 1989 data are preliminary.
3. These data are aggregated by the type of permit fished, and thus contains both targeted species and incidentally landed species.
4. Data includes only commercial catch landed on valid permits. Data associated with test fishing, illegal landing derbies, educational permits, or unmatchable permits are excluded.
5. Dressed groundfish deliveries have NOT been converted to round weights.

Basic Information Table #1b

Summary Data on Unlimited Fisheries, 1977 - 1989,
Permits Issued and Fished,
Estimated Gross Earnings and Total Pounds Landed

B06B HALIBUT LONG LINE, VESS (LT 5 M. TONS) STATEWIDE

generally under 35'

\$ per lb (dressed wt)

Year	Permits Issued to Residents	Permits Issued to Non-res.	Total Permits Issued	Total Permits Fished	Total Gross Earnings	Average Gross Earnings	Total Pounds Landed <i>extrapolated</i>	Average Pounds Landed
1977	1,292	59	1,351	444	\$712,274	\$1,604	592,521	1,335
1978	1,907	60	1,967	682	\$1,246,606	\$1,828	761,611	1,146
1979	2,755	100	2,855	1,187	\$3,015,082	\$2,540	1,577,381	1,329
1980	3,369	181	3,550	1,181	\$981,255	\$831	1,106,603	937
1981	3,244	99	3,343	1,349	\$1,706,497	\$1,265	1,810,720	1,342
1982	3,503	98	3,601	1,370	\$1,772,536	\$1,294	1,723,749	1,258
1983	3,886	95	3,981	1,960	\$3,086,495	\$1,575	2,960,150	1,510
1984	3,568	95	3,663	1,638	\$1,664,089	\$1,016	2,400,720	1,466
1985	2,796	50	2,846	1,074	\$2,057,864	\$1,916	2,517,622	2,344
1986	2,269	50	2,319	1,131	\$4,376,181	\$3,869	3,188,684	2,819
1987	2,210	67	2,277	1,275	\$4,819,786	\$3,780	3,435,297	2,694
1988	2,270	82	2,352	1,352	\$4,849,361	\$3,587	4,179,149	3,091
1989	2,237	74	2,311	1,196	\$4,243,757	\$3,548	3,051,272	2,551

1990

*** Estimates of gross earnings not produced unless values have been determined for at least 95% of the pounds landed.

1. Data has been omitted when fewer than four people participated in a fishery.
2. 1988 and 1989 data are preliminary.
3. These data are aggregated by the type of permit fished, and thus contains both targeted species and incidentally landed species.
4. Data includes only commercial catch landed on valid permits. Data associated with test fishing, illegal landing, derbies, educational permits, or unmatchable permits are excluded.
5. Dressed groundfish deliveries have NOT been converted to round weights.

NPFMC figures

Table 3.4 Ex-vessel price (U.S. \$), value, and annual catch of the Pacific halibut fishery for 1984 through 1990.

Year	Commercial Catch (000s of lbs ¹)	Price (\$ per lb ¹)	Price (\$ per kg ²)	Ex-Vessel Value (000s \$)
1984	44,970	0.75	1.24	33,698
1985	56,113	0.89	1.47	49,884
1986	69,632	1.44	2.38	100,270
1987	69,482	1.58	2.61	109,782
1988	74,351	1.23	2.03	91,452
1989	66,628	1.53	2.52	101,941
1990	61,186	1.88	3.12	115,029

¹Dressed weight.

²Round weight.

Table 3.5 Number of processors in 1984 and 1990 purchasing Pacific halibut caught off Alaska.

Quantity Purchased	Number of Processors	
	1984	1990
< 10,000 lbs	14	51
10,000 to 50,000 lbs	28	31
50,000 to 100,000 lbs	22	14
100,000 to 250,000 lbs	24	26
250,000 to 500,000 lbs	18	23
500,000 to 1,000,000 lbs	8	15
> 1,000,000 lbs	8	15
TOTAL	122	176

6/3/91

COMMERCIAL FISHERIES ENTRY COMMISSION
8800-109 GLACIER HIGHWAY, JUNEAU, ALASKA 99801

OCTOBER 8, 1991

BASIC INFORMATION TABLE #1B

SUMMARY DATA ON UNLIMITED FISHERIES, 1977 - 1990,
PERMITS ISSUED AND FISHED,
ESTIMATED GROSS EARNINGS AND TOTAL POUNDS LANDED

generally over 35'

C61B SABLEFISH
LONG LINE, VESSEL GE 5 M. TONS
STATEWIDE

YEAR	PERMITS ISSUED TO RESIDENTS	PERMITS ISSUED TO NON-RES.	TOTAL PERMITS ISSUED	TOTAL PERMITS FISHED	TOTAL GROSS EARNINGS	AVERAGE GROSS EARNINGS	TOTAL POUNDS LANDED	AVERAGE POUNDS LANDED
1977	125	17	142	69	\$1,112,714	\$16,126	1,665,985	24,145
1978	105	17	122	72	\$1,614,324	\$22,421	2,329,952	32,360
1979	165	52	217	139	\$3,265,166	\$23,490	4,515,060	32,482
1980	199	66	265	107	\$1,381,438	\$12,911	3,404,279	31,816
1981	157	30	187	76	\$1,051,621	\$13,837	2,676,418	35,216
1982	140	36	176	95	\$3,046,045	\$32,064	4,384,362	46,151
1983	181	48	229	134	\$3,229,758	\$24,103	6,077,366	45,353
1984	228	64	292	194	\$8,193,001	\$42,232	15,728,065	81,073
1985	403	86	489	284	\$13,216,312	\$46,536	22,985,119	80,934
1986	607	154	761	491	\$23,260,757	\$47,374	38,270,439	77,944
1987	854	218	1,072	735	\$42,532,894	\$57,868	60,753,509	82,658
1988	860	192	1,052	689	\$61,693,602	\$89,541	66,151,072	96,010
1989	855	216	1,071	614	***	***	79,319,631	129,185
1990	849	205	1,054	653	***	***	59,776,136	91,541

*** ESTIMATES OF GROSS EARNINGS NOT PRODUCED UNLESS VALUES HAVE BEEN DETERMINED FOR AT LEAST 95% OF THE POUNDS LANDED.

1. DATA HAS BEEN OMITTED WHEN FEWER THAN FOUR PEOPLE PARTICIPATED IN A FISHERY.
2. 1989 - 1990 DATA ARE PRELIMINARY.
3. THESE DATA ARE AGGREGATED BY THE TYPE OF PERMIT FISHED, AND THUS CONTAINS BOTH TARGETED SPECIES AND INCIDENTALY LANDED SPECIES.
4. DATA INCLUDES ONLY COMMERCIAL CATCH LANDED ON VALID PERMITS. DATA ASSOCIATED WITH TEST FISHING, ILLEGAL LANDINGS, DERBIES, EDUCATIONAL PERMITS, OR UNMATCHABLE PERMITS ARE EXCLUDED.
5. DRESSED GROUND FISH DELIVERIES HAVE BEEN CONVERTED TO ROUND WEIGHTS.

COMMERCIAL FISHERIES ENTRY COMMISSION
8800-109 GLACIER HIGHWAY, JUNEAU, ALASKA 99801

OCTOBER 8, 1991

BASIC INFORMATION TABLE #1B

SUMMARY DATA ON UNLIMITED FISHERIES, 1977 - 1990,
PERMITS ISSUED AND FISHED,
ESTIMATED GROSS EARNINGS AND TOTAL POUNDS LANDED

*generally
Under 35'*

C06B SABLEFISH
LONG LINE, VESS LT 5 M. TONS
STATEWIDE

YEAR	PERMITS ISSUED TO RESIDENTS	PERMITS ISSUED TO NON-RES.	TOTAL PERMITS ISSUED	TOTAL PERMITS FISHED	TOTAL GROSS EARNINGS	AVERAGE GROSS EARNINGS	TOTAL POUNDS LANDED	AVERAGE POUNDS LANDED
1978	40	2	42	3
1979	74	3	77	11	\$33,818	\$3,074	46,720	4,247
1980	111	9	120	10	\$38,390	\$3,839	93,599	9,360
1982	84	4	88	8	\$34,739	\$4,342	55,758	6,970
1983	65	2	67	10	\$78,216	\$7,822	159,738	15,974
1984	66	3	69	15	\$89,461	\$5,964	164,790	10,986
1985	71	5	76	15	\$87,376	\$5,825	147,482	9,832
1986	58	1	59	19	\$85,980	\$4,525	133,106	7,006
1987	87	5	92	32	\$217,230	\$6,788	282,112	8,816
1988	89	3	92	32	\$603,281	\$18,853	626,012	19,563
1989	74	4	78	24	***	***	807,470	33,645
1990	68	1	69	17	***	***	215,440	12,673

*** ESTIMATES OF GROSS EARNINGS NOT PRODUCED UNLESS VALUES HAVE BEEN DETERMINED FOR AT LEAST 95% OF THE POUNDS LANDED.

1. DATA HAS BEEN UMMITTED WHEN FEWER THAN FOUR PEOPLE PARTICIPATED IN A FISHERY.
2. 1989 - 1990 DATA ARE PRELIMINARY.
3. THESE DATA ARE AGGREGATED BY THE TYPE OF PERMIT FISHED, AND THUS CONTAINS BOTH TARGETED SPECIES AND INCIDENTALY LANDED SPECIES.
4. DATA INCLUDES ONLY COMMERCIAL CATCH LANDED ON VALID PERMITS. DATA ASSOCIATED WITH TEST FISHING, ILLEGAL LANDIN DERBIES, EDUCATIONAL PERMITS, OR UNMATCHABLE PERMITS ARE EXCLUDED.
5. DRESSED GROUND FISH DELIVERIES HAVE BEEN CONVERTED TO ROUND WEIGHTS.

STATE OF ALASKA
Commercial Fisheries Entry Commission
Earnings Quartile Report (Project #91-182)
Cumulative Earnings Quartile Ranked High to Low Earners

12:17 Monday, October 28, 1991

8618 - Halibut, Long Line, Any Vessel, Statewide

(over Endlow)

Year		1989		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	72	3.08	\$17,870,221	25.11	\$248,198	actual cum.			
	72	3.08	\$17,870,221	25.11	\$248,198				
2	157	6.73	\$17,747,755	24.94	\$113,043	actual cum.			
	227	9.81	\$35,617,976	50.04	\$155,537				
3	370	15.85	\$17,768,848	24.97	\$48,024	actual cum.			
	599	25.66	\$53,386,824	75.01	\$89,127				
4 (low)	1,735	74.34	\$17,788,119	24.99	\$10,253	actual cum.			
	2,334	100.00	\$71,174,943	100.00	\$30,495				
Total pounds represented in this table:						49,210,166			
Unpriced pounds represented:						506,618			

Year		1988		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	78	3.21	\$15,866,781	25.04	\$203,420	actual cum.			
	78	3.21	\$15,866,781	25.04	\$203,420				
2	176	7.23	\$15,785,928	24.92	\$89,693	actual cum.			
	254	10.44	\$31,652,709	49.96	\$124,617				
3	405	16.65	\$15,875,108	25.06	\$39,198	actual cum.			
	659	27.09	\$47,527,817	75.02	\$72,121				
4 (low)	1,774	72.91	\$15,828,851	24.98	\$8,923	actual cum.			
	2,433	100.00	\$63,356,668	100.00	\$26,041				
Total pounds represented in this table:						52,870,193			

Year		1987		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	87	3.71	\$16,965,871	25.03	\$195,010	actual cum.			
	87	3.71	\$16,965,871	25.03	\$195,010				
2	189	8.05	\$16,907,207	24.94	\$89,456	actual cum.			
	276	11.75	\$33,873,078	49.97	\$122,729				
3	411	17.50	\$16,972,081	25.04	\$41,295	actual cum.			
	687	29.26	\$50,845,159	75.00	\$74,010				
4 (low)	1,661	70.74	\$16,948,137	25.00	\$10,204	actual cum.			
	2,348	100.00	\$67,793,296	100.00	\$28,873				
Total pounds represented in this table:						47,609,067			

Year		1986		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	62	3.18	\$16,812,130	24.86	\$271,163	actual cum.			
	62	3.18	\$16,812,130	24.86	\$271,163				
2	123	6.31	\$16,995,879	25.13	\$138,178	actual cum.			
	185	9.49	\$33,808,009	49.99	\$182,746				
3	301	15.44	\$16,923,745	25.03	\$56,225	actual cum.			
	486	24.94	\$50,731,754	75.02	\$104,386				
4 (low)	1,463	75.06	\$16,892,233	24.98	\$11,546	actual cum.			
	1,949	100.00	\$67,623,987	100.00	\$34,697				
Total pounds represented in this table:						48,797,963			

Year		1985		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	38	2.54	\$8,196,805	24.88	\$215,705	actual cum.			
	38	2.54	\$8,196,805	24.88	\$215,705				
2	82	5.48	\$8,268,581	25.10	\$100,836	actual cum.			
	120	8.02	\$16,465,387	49.98	\$137,212				
3	212	14.16	\$8,253,342	25.05	\$38,931	actual cum.			
	332	22.18	\$26,718,729	75.03	\$74,454				
4 (low)	1,165	77.82	\$8,225,696	24.97	\$7,061	actual cum.			
	1,497	100.00	\$32,944,424	100.00	\$22,007				
Total pounds represented in this table:						37,859,263			

Year		1984		Fishery Code: 8618					
Quartile		Permits		Estimated Gross Earnings					
		Number	Percent	Total	Percent	Average			
1 (high)	39	2.49	\$5,055,133	24.91	\$129,619	actual cum.			
	39	2.49	\$5,055,133	24.91	\$129,619				
2	92	5.87	\$5,074,109	25.00	\$55,153	actual cum.			
	131	8.35	\$10,129,242	49.90	\$77,322				
3	231	14.73	\$5,090,732	25.08	\$22,038	actual cum.			
	362	23.09	\$15,219,975	74.99	\$42,044				
4 (low)	1,206	76.91	\$5,077,250	25.01	\$4,210	actual cum.			
	1,568	100.00	\$20,297,225	100.00	\$12,945				
Total pounds represented in this table:						28,465,967			

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STATE OF ALASKA
Commercial Fisheries Entry Commission
Earnings Quartile Report (Project #91-182)
Cumulative Earnings Quartile Ranked High to Low Earners

12:17 Monday, October 28, 1991

C61B - Sablefish, Long Line, Any Vessel, Statewide

(over 5 nations)

Year	1989		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	19	3.27	\$11,082,746	24.71	\$583,302	actual cum.
	19	3.27	\$11,082,746	24.71	\$583,302	
2	40	6.88	\$11,404,273	25.42	\$285,107	actual cum.
	59	10.15	\$22,487,019	50.13	\$381,136	
3	84	14.46	\$11,186,908	24.94	\$133,177	actual cum.
	143	24.61	\$33,673,927	75.07	\$235,482	
4 (low)	438	75.39	\$11,182,754	24.93	\$25,531	actual cum.
	581	100.00	\$44,856,682	100.00	\$77,206	
Total pounds represented in this table:			79,319,631			
Unpriced pounds represented:			30,435,193			

Year	1988		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	25	3.63	\$15,375,163	24.92	\$615,007	actual cum.
	25	3.63	\$15,375,163	24.92	\$615,007	
2	45	6.53	\$15,591,636	25.27	\$346,481	actual cum.
	70	10.16	\$30,966,799	50.19	\$442,383	
3	83	12.05	\$15,365,109	24.91	\$185,122	actual cum.
	153	22.21	\$46,331,909	75.10	\$302,823	
4 (low)	536	77.79	\$15,361,694	24.90	\$28,660	actual cum.
	689	100.00	\$61,693,602	100.00	\$89,541	
Total pounds represented in this table:			66,151,072			
Unpriced pounds represented:			2			

Year	1987		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	23	3.13	\$10,576,693	24.87	\$459,856	actual cum.
	23	3.13	\$10,576,693	24.87	\$459,856	
2	48	6.53	\$10,763,204	25.31	\$224,235	actual cum.
	71	9.66	\$21,339,987	50.17	\$300,563	
3	93	12.65	\$10,561,537	24.83	\$113,565	actual cum.
	164	22.31	\$31,901,524	75.00	\$194,521	
4 (low)	571	77.69	\$10,631,370	25.00	\$18,619	actual cum.
	735	100.00	\$42,532,894	100.00	\$57,868	
Total pounds represented in this table:			60,753,509			
Unpriced pounds represented:			12			

Year	1986		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	19	3.87	\$5,796,055	24.92	\$305,056	actual cum.
	19	3.87	\$5,796,055	24.92	\$305,056	
2	36	7.33	\$5,884,521	25.30	\$163,459	actual cum.
	55	11.20	\$11,680,576	50.22	\$212,374	
3	70	14.26	\$5,786,473	24.88	\$82,664	actual cum.
	125	25.46	\$17,467,049	75.09	\$139,736	
4 (low)	366	74.54	\$5,793,708	24.91	\$15,830	actual cum.
	491	100.00	\$23,260,757	100.00	\$47,374	
Total pounds represented in this table:			38,270,439			

Year	1985		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	10	3.52	\$3,265,781	24.71	\$326,578	actual cum.
	10	3.52	\$3,265,781	24.71	\$326,578	
2	17	5.99	\$3,348,321	25.33	\$196,960	actual cum.
	27	9.51	\$6,614,102	50.04	\$244,967	
3	30	10.56	\$3,511,992	25.06	\$110,400	actual cum.
	57	20.07	\$9,926,093	75.10	\$174,142	
4 (low)	227	79.93	\$3,290,219	24.90	\$14,494	actual cum.
	284	100.00	\$13,216,312	100.00	\$66,536	
Total pounds represented in this table:			22,985,119			

Year	1984		Fishery Code: C61B			
Quartile	Permits		Estimated Gross Earnings			
	Number	Percent	Total	Percent	Average	
1 (high)	8	4.12	\$2,111,636	25.77	\$263,954	actual cum.
	8	4.12	\$2,111,636	25.77	\$263,954	
2	13	6.70	\$1,997,573	26.38	\$153,659	actual cum.
	21	10.82	\$4,109,209	50.16	\$195,677	
3	24	12.37	\$2,034,598	24.83	\$84,775	actual cum.
	45	23.20	\$6,143,807	74.99	\$136,529	
4 (low)	149	76.80	\$2,049,193	25.01	\$13,753	actual cum.
	194	100.00	\$8,193,001	100.00	\$42,232	
Total pounds represented in this table:			15,728,065			

9.6

Ex-vessel price for halibut increased from approximately \$0.75 per pound in 1984 to approximately \$1.88 per pound in 1990 (Table 3.4). Total annual ex-vessel value increased from \$34 million in 1984 to \$115 million in 1990.

The importance of halibut to individual processors varies widely. Some handle a relatively small amount, whereas others process several million pounds. Table 3.5 shows the number of processors that purchased halibut in 1984 and 1990 by several poundage classes. From 1984 to 1990, there was an increase in number of processors in all size categories but one (10,000 to 50,000 pounds). Of particular note is the more than three-fold increase in the number of processors purchasing less than 10,000 pounds. Processors purchasing over one million pounds handled 48 and 51 percent of the entire Alaskan catch in 1984 and 1990, respectively.

In many cases, fish are delivered on the fishing grounds to packers, which then transport the fish to shore processing facilities. Packing is most pronounced in the Southeast region, where 22 percent of the area harvest was delivered to packers in 1984. Overall, 5 percent of the Alaskan harvest was delivered to packers in 1984.

3.1.3 Marketing Sector

The only harvesters of Pacific halibut are the United States and Canada, with the majority harvested by the United States off Alaska (Table 3.6). The proportion of the total catch which is taken off Alaska has been increasing annually since 1984, reaching 87 percent in 1990.

There is a small international market for halibut, primarily Japan, but most is consumed in the United States and Canada. Some is marketed fresh but the majority of the landings are frozen for domestic consumption.

3.2 Social and Cultural Characteristics

This section continues the description of the halibut fishery by examining the social, cultural, and economic environment in which the halibut fishery operates.

3.2.1 Harvesting Sector

Regionally, Kodiak has the largest number of seafood harvesters and is most dependent on the contributions of seafood harvesting to total regional income. Other important regions are the Southeast and Southcentral regions.

Labor statistics detailing fishermen who fish for all species are available from the State of Alaska. However, these data do not count fishermen who are self-employed, thereby showing a deceptively small number of fishermen.

In the late 1970s and early 1980s halibut was the second most important fishery in the Southeast region in terms of employment, ranking just behind salmon (NPFMC, 1985b).

The residency of participants in the halibut fishery can be examined from two perspectives: (1) the homeport of the vessel and (2) the residence of the vessel owner. The distribution of vessels according to the region of vessel's homeport over 1984-1990 is presented in Table 3.7. The distribution of vessel owners and vessels by owner's region of residency over 1984-1990 is presented in Tables 3.8 and 3.9, respectively.