

11999 SENATE RESOURCES

communities, and --- please explain this to us --- may not even be allocated or adopted by the Board and CFEC at all.

Please understand that we want our federal GOA p. cod history and investment allocated to us in its entirety, in the same manner and according to the same formula and criteria that the Secretary of Commerce will distribute GOA federal groundfish history to fishermen who earned their history outside of three miles, and we do not want the state to confiscate our history or investment.

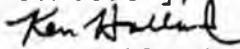
I respect that SB 113 might give justifiable comfort to other people in other groundfish fisheries for other good reasons. And, as I said previously, it may be OK for the state to have the tools at their disposal to allocate history. However, at this point, SB 113 does not address our problem, and the problem that is faced by many Alaskans who made their investment and earned their federal history inside three miles.

We have been pretty much forced to offer to fish our federal harvesting privileges outside of three miles, but the state still seems intent upon claiming our federal history.

The real solution is that the state should not unjustly and unfairly claim our hard earned federal history, or take away our life's investment. And SB 113 should not give the State the authority to do so.

Thank you for your consideration of our standing and concern with respect to the serious shortcomings and omissions of SB 113.

Sincerely,


Ken Holland



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
COMMITTEE NAME
 committee on SB 113, dated 4-18-05
BILL SUBJECT TODAY'S DATE

To Senator Wagner:

I am a Homer based fisherman, having participated in the local pot cod state fishery since before its inception. I currently own a boat and fish this fishery. I am strongly opposed to SB 113 as I believe IFQs to be detrimental to small boat fisherman and deckhands.

Signed: _____
TESTIFIER
Matthew Stover
REPRESENTING
Po Box 921 Homer AK 99603
ADDRESS
399-0076
PHONE NO.

Filed 4/18/05



State of Alaska
Legislative Affairs Agency
Kenai LIO
145 Main St Lp Ste 217
Kenai, AK 99611
(907) 283-2030

Date: 4-18-05

Please accept the enclosed original(s) of written testimony for the
SRES teleconference hearing that was
scheduled on 4-18-05.

A copy of this testimony was transmitted to your committee via fax on
4-18-05.

Thank you,

M. B. Byrne



Alaska State Legislature

Please enter into the record my testimony to the

SRES

committee name

Committee on

SB 113

bill # / subject

, dated

4-18-05

public hearing date

SEE THE ATTACHED PAGE

Signed:

STEVE WEBB (+ ALL)

Testifier

Representing (optional)

Box 1127 KASLOF AK 99610

Address

Phone number



North Pacific Fisheries Association
P.O. Box 796
Homer, Alaska 99603

April 18, 2005

Senator Ben Stevens
Senate Resources Committee

Dear Senator Stevens:

Please find the attached resolution in support of the Legislature's efforts to allow the Board of Fish and the CFEC to develop a dedicated access privilege system for the state groundfish fisheries.

Sincerely,

A handwritten signature in black ink, appearing to read "Buck Laukitis".

Buck Laukitis
President, NPFA
907-299-0112

cc: Senator Gary Stevens
Senator Tom Wagoner
Representative Paul Seaton

**A RESOLUTION OF THE NORTH PACIFIC FISHERIES ASSOCIATION
SUPPORTING A GULF OF ALASKA GROUND FISH RATIONALIZATION PLAN**

A Resolution of the North Pacific Fisheries Association (NPFA) supporting a Gulf of Alaska Groundfish Rationalization plan that unlocks the value of our renewable resources, ensures competitive processing markets (and allows for reasonable economic growth) for Kenai Peninsula ports, and promotes conservation of our fishery resources:

Whereas, in 2002 Homer was the third most important fishery port in Alaska by value (eleventh in the nation)

Whereas, the combined value of Kenai Peninsula ports (\$82 million dollars) is second only to Dutch Harbor in 2002 for Alaska and the third highest by value in the nation.

Whereas, the majority of NPFA's members who participate in the groundfish fisheries are fixed gear vessels (longliners and pot boats) who are generally small boat, independent family fishermen

Whereas, the majority of Homer's processing businesses are generally small entrepreneurial enterprises specializing in fresh high-valued products; and the strength of Homer's waterfront is the ability to innovate and meet changing market demands and consumer tastes for fishery products

Whereas, certain "processor provisions" and "community protection" measures (closed class of processors, linkages to processors, and regionalized landing requirements), which are stated goals of the GOA Rationalization Plan at the NPFMC, may advantage Kodiak and seriously curtail economic development of the GOA groundfish resources processed on the Kenai Peninsula

Whereas, NPFA previously passed a Resolution opposing processor quotas

Whereas, NPFA members include both long term participants who have made significant capital investments as well as new entrants to the groundfish fisheries in both state and federal waters

Whereas, rationalized fisheries generally slow down the race for fish, promote safety at sea, allow for more orderly management, and promote conservation benefits such as reduced bycatch and wastage

Whereas, NPFA supports the retention of bycaught halibut (only by longliners who own IFQs for halibut) in a rationalized winter cod fishery, as this would reduce wastage of halibut and would also bring high-valued halibut into port for the fresh market – effectively extending the halibut season

Whereas, NPFA supports measures in the GOA Rationalization Plan to include Prohibited Species Caps and/or trawl area closures to provide for the recovery of tanner and king crab and to reduce the bycatch of king salmon

Whereas, NPFA supports measures in the GOA Rationalization Plan to allow voluntary gear conversions so that trawlers would be allowed to fish cod with pots, as this measure could significantly reduce halibut bycatch and lessen adverse effects on marine habitat

Whereas, NPFA supports adequate fishery observer coverage (such as the fee based program being analyzed by the NPFMC) to insure that the conservation goals of the GOA rationalization program are being met

Whereas, NPFA generally supports maintaining an owner on board fleet of harvesters (while protecting existing business practices) where fishermen remain vitally connected to the waterfronts of our coastal communities

Whereas, NPFA supports balancing hired-skippers, permit holders and vessel owners interests in allocations of harvest shares based on their historical participation

Whereas, NPFA supports maintaining entry level opportunities for young fishermen in any rationalized fishery knowing that such opportunities may not be open access opportunities

Whereas, NPFA recognizes that the federal LLP does not control effort in state waters or the parallel fisheries and that compressed seasons present management complications and the risk of over harvest increases

Whereas, NPFA supported the establishment of the state waters cod fishery in 1997

Whereas, NPFA members have been active participants in the Board of Fish Groundfish Task Force, and the members have conducted a thorough, expansive and informed inquiry into possible programs to successfully manage state water groundfish resources into the future

Whereas, NPFA recognizes that the Board of Fish and ADF&G must act proactively to prevent state water fishermen from being seriously disadvantaged by the pending Federal rationalization plan

Whereas, NPFA supports the state control of resource management inside three miles, but recognizes that a program that integrates to the extent possible program design, data collection, observers and management with the federal program may be in the best interest of fishermen and the state

Whereas, NPFA does not support hard on bottom trawling inside three miles

Whereas, NPFA recognizes that limited entry may not be the best means to control overcapitalization and enhance fishery product value or provide economic stability in the state water groundfish fisheries

Whereas, NPFA recognizes that the Board of Fish, ADF&G, and CFEC all have the state's best interest in mind and have proposed a new method (tool in the tool box) to attempt to craft a solution that best fits groundfish fishery management

AND NOW, THEREFORE, BE IT RESOLVED, that the North Pacific Fishermen's Association supports options in the Gulf of Alaska Rationalization Plan that increase the value of our fisheries resources; and allows open deliveries without processor restrictions for the entire fixed gear catcher fleet, that provides opportunities for our small processors to purchase high quality groundfish; and furthermore if any regionalized landing requirements are imposed in the Plan that the Kenai Peninsula have reasonable opportunity to increase groundfish landings for economic development into the future;

AND FURTHERMORE BE IT RESOLVED that NPFA supports the Legislature, Board of Fish, ADF&G and CFEC in their attempt to develop a Dedicated Access Privilege system for the state groundfish fisheries.

PASSED AND ADOPTED by the North Pacific Fisheries Association of Homer this 15th day of April, 2005.



Buck Laukitis
President, North Pacific Fisheries Association

We oppose SB113 because of its broad based powers it will grant the Alaska Board of Fish. It would allow granting state fishing rights to vessel owners and "associations" which will result in absentee ownership and create sharecroppers of working Alaskans. SB113 is in direct conflict with the philosophy of the State of Alaska as to fishery resource allocation. Senator Wagoner we urge you to reject this poorly crafted piece of legislation.

NAME Print	Sign	ADDRESS	VESSEL
MARK DUCKER	<i>[Signature]</i>	23259 Southwood LP	SKIFF
Crystal Ducker	<i>[Signature]</i>	22363 Paulof Drive	SKIFF
Samantha Ducker	<i>[Signature]</i>	22363 Paulof Drive	SKIFF
Jeanne L. Ducker	<i>[Signature]</i>	23259 S. Chirel, Rd Kenai	SKIFF
Danell S. Ducker	<i>[Signature]</i>	22363 Paulof Drive	SKIFF
Jeanette M. Ducker	<i>[Signature]</i>	22363 Paulof Drive	SKIFF
BRANDIE LEVARE	<i>[Signature]</i>	P.O. Box 7479 Ni Kiski Alaska	SKIFF
Axel Jensen	<i>[Signature]</i>	P.O. Box 1172 Kenilof	SKIFF
MARK DUCKER	<i>[Signature]</i>	P.O. Box 148 Kenai	SKIFF
Heidi Meehan	<i>[Signature]</i>	1101 First St Kenai	subaru
Shannon Webb	<i>[Signature]</i>	44180 Keni Saw #30	TRAWL ASSOCIATION
Lelah Kaser	<i>[Signature]</i>	1692 Poplar Cir Kenai AK	SKIFF
Tony ANDRUS	<i>[Signature]</i>	1692 Poplar Cir Kenai AK	SKIFF
Anthony PISA	<i>[Signature]</i>	545 Shane CT Kenai AK	other
Raqueel PISA	<i>[Signature]</i>	545 Shane Ct Kenai	other
DAN NICKOL	<i>[Signature]</i>	BOX 2721, KENAI	OTN 612

Mary Jackson

From: Sen. Tom Wagoner
Sent: Monday, April 11, 2005 1:41 PM
To: Mary Jackson
Subject: FW: New Pom:SB 85 Off-road Vehicle Use On Dalton Highway

-----Original Message-----

From: POMS@legis.state.ak.us [mailto:POMS@legis.state.ak.us]
Sent: Monday, April 11, 2005 11:16 AM
To: Sen. Tom Wagoner
Subject: New Pom:SB 85 Off-road Vehicle Use On Dalton Highway

Kenton Bear
1101 Breckenridge Rd

Fairbanks 99709-6850,

Please vote yes for ATV access especially snowmachining. They don't harm the environment. I would like me and my co-workers, friends, and other people wanting to do so have a way to get to fishing and trapping areas. I do not hunt with ATVs and don't plan on starting. Thanks.

Mary Jackson

From: Sen. Tom Wagoner
Sent: Monday, April 18, 2005 10:40 AM
To: Mary Jackson
Subject: FW: CS for HB130(RES) and SB96

From: Bob Loeffler [mailto:Bob_Loeffler@dir.state.ak.us]
Sent: Sunday, April 17, 2005 12:00 AM
To: Mike Rieves
Cc: Rep. Mike Chenault; Rep. Kevin Meyer; Rep. Bill Stoltze; Rep. Carl Moses; Rep. Richard Foster; Rep. Eric Croft; Rep. Reggie Joubert; Sen. Tom Wagoner; Sen. Ralph Seekins; Sen. Ben Stevens; Sen. Fred Dyson; Sen. Bert Stedman; Sen. Kim Elton; Sen. Gretchen Guess; Richard H Mylius; Janet Burleson Baxter
Subject: Re: CS for HB130(RES) and SB96

Dear Mr. Rieves:

I received a copy of your e-mail to legislators. I would like to address your concerns.

1) Hollis Watershed. First, I testified that tht the language in the amendment would allow us to fix the problem of Hollis watershed. At Rep. Thomas's request, the bill was changed to allow DNR to make the changes. I believe the legislative intent is sufficient; especially, since I testified in public session that DNR would make the change. Quite simply, land issues are too complex to make boundary changes in statute. It would not surprise me to find other boundary changes of this sort needed during the title search process.

2) With respect to Hollis waterline. The correct thing to do was to apply for a right-of-way for a waterline. That should probably have been done years ago. However, it is not a great problem. Either contact DNR (before the land is conveyed), or the University, afterwards. The need to get a simple right-of-way need not involve the legislature.

3) With respect to the RU land within the Settlement Area near the Harris River. The recreation/habitat land that is mixed in with settlement is done at the scale of subdivision design. The management intent makes clear that the area is for settlement, but that certain areas should be reserved during settlement design. That can be done at the land disposal design stage by the University and, again, need not be done by the legislature. I do not see this as inconsistent with conveyance.

I hope this helps.
 -- Bob Loeffler

Mike Rieves wrote:

Dear Representatives and Senators;

Comments regarding Hollis Selections (MAP PW.HO.1001)

During the course of prior hearings and testimony ((H) RES) and communications with Bob Loeffler, I identified part of one of the two selections in Hollis as being inconsistent with the Prince of Wales Island Area Plan (POWIAP). The subject area is designated Water Resources with management provisions stipulating no

4/18/2005

development. The matter was verbally acknowledged by Mr. Loeffler and in testimony as needing a correction. The 'fix' was intimated to be an excision of the area from the Grant list. In CS for HB130(RES), Sec. 5, par. (m), the Commissioner is given authority to make necessary corrections to omissions or errors. Sec. 5, par. (ii) lists exemptions from transfer, and Hollis is not included. While such a correction may well have already been effected, a presumption of such inclusion is not a desirable substitute for specificity in bill text. Perhaps you folks can make the exemption for this important area visible in your respective companion bills.

There are more problems with the two Hollis selections which have not made it to the 'surface' :

---- A major water line which supplies the Hollis school, the Hollis library, a Forest Service complex, and a Promech Air office runs through the same selection which includes the water resource discussed above; but it is in an area designated Settlement (S) and Public Facilities (P).

---- The second and larger selection includes part of a subdivision (Harris River), and a component designated (mutually exclusively) both Settlement (S) and Public Recreation - Undeveloped (Ru). This S/Ru area has a boundary tangent to a section of the Harris River - a very popular and important anadromous fish stream. The uplands are used extensively for deer hunting. At a minimum, the selection boundary should be redrawn to exclude the S/Ru and subdivision areas.

Had the U/A Land Grant process followed a considerably more generous time line which provided adequate public notice and had included selection maps definitive enough that communities' residents could easily discern usage conflicts, the effect would certainly have more resembled a genuine democratic process.

The very low financial returns to the university system from acquiring the proposed State lands (reportedly varying around 2 to 5 % of the annual State appropriations) strongly suggest that there are alternative avenues of university funding which would have considerably less adverse impact on many communities -- as public testimony has heretofore evinced.

Thank you for your considerations. Mike Rieves, Hollis, Prince of Wales Island
 PO BOX 298
 Klawock, Alaska 99925
 907-530-7071



SB113

North Pacific Fisheries Association

P.O. Box 796
Homer, Alaska 99603

April 18, 2005

Senator Ben Stevens
Senate Resources Committee

Dear Senator Stevens;

Please find the attached resolution in support of the Legislature's efforts to allow the Board of Fish and the CFEC to develop a dedicated access privilege system for the state groundfish fisheries.

Sincerely,

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President, NPFA
907-299-0112

cc: Senator Gary Stevens
Senator Tom Wagoner
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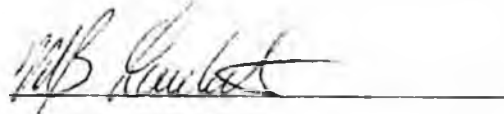
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PASSED AND ADOPTED by the North Pacific Fisheries Association of Homer this 15th day of April, 2005.



Buck Laukitis
President, North Pacific Fisheries Association

NORTHWEST ARCTIC BOROUGH

P.O. BOX 1110

KOTZEBUE, ALASKA 99752

(907) 442-2500 / FAX (907) 442-2930

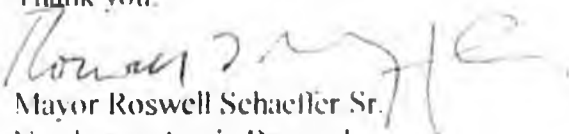
Northwest Arctic Borough
P.O. Box 1110
Kotzebue, Alaska 99752

Hon. Senator Thomas Wagoner
145 Main Street Loop Ste 226
Kenai, Alaska 99611
Ph. (907) 283-7996
Fax (907) 283-8127
Re: SB 102

Dear Senator,

I respectfully request from you, as the Senate Resources Committee Chairman, to schedule a hearing for SB 102 as soon as possible. This extension is clearly in our best interests as well as many districts within this state. Your consideration in this matter would be greatly appreciated.

Thank you.


Mayor Roswell Schaeffer Sr.
Northwest Arctic Borough

Cc: Senator Seekins, Vice-Chair Senate Resource Committee

SB 102

Mary Jackson

From: Melanie Lesh
Sent: Tuesday, April 05, 2005 10:37 AM
To: tomlohman2@aol.com; marvsmith.lpboro@starband.net; seabries@olypen.com
Cc: Mary A Jackson; Douglas Letch; Melanie Lesh
Subject: SB 102 - Senate Resources Committee testimony

The Senate Resources Committee has asked SB 102 sponsor (Sen. G. Stevens) to help coordinate the testimony in an invitation-only hearing tomorrow.

Mary Jackson, the Resources Committee aide, indicated their intent to allow three people to testify on CS SB 102 (CRA)
<http://www.legis.state.ak.us/PDF/24/Bills/SB0102B.PDF>

The hearing is Wednesday, April 6th convening at 3:30 p.m.

The "bridge number" to join the teleconference is: 1-800-395-5073.

These are the names I've submitted on behalf of Senator Stevens:

1. Tom Lohman, North Slope Borough, phone: 349-2606
2. Gabrielle LaRoche, Contractor, Aleutians West (+), email: seabries@olypen.com
3. Marv Smith, Lake and Peninsula Borough, phone: 246-3421

If you know of anyone else wishing to testify, please encourage them to submit written testimony to the sponsor, or Senator Tom Wagoner, Chairman of the Senate Resources Committee.
Thank you.

Melanie Lesh, Aide

Senate Community & Regional
Affairs Committee

Senator Gary Stevens, Chair

465-4989

New

SB 113

Attn: Mary Jackson, *Resources Committee Aide*

Fax

To: Sen. Thomas Wagoner, Chair Senate Resources Committee
and full resources committee

From: Alan Parks
65055 Nearly Level Ave
Homer, Alaska 99603
235-5680
amparks@xyz.net

Re: SB113

Thought this paper would be of benefit to the committee as they look at Dedicated Access Privileges (DAP) as a new tool for the BOF and or CFEC.

It was presented at the conference "*Managing Our Nations Fisheries 2 focus on the future*" held in Washington D.C. March 24th - 25th 2005.

Thanks,



**In Search of Transition, Community, and a New Federalism:
6 Questions to Confront on the Road Towards a
National Policy on Dedicated Access Privileges**

Seth Macinko

Introduction

The founding premise for this paper is the same as that underlying our entire national fishery management system under the Magnuson-Stevens Act: fishery resources in the EEZ are national, public assets. I suggest that consistency with this premise requires challenging much of the prevailing wisdom in contemporary fisheries policy. For example, the concept of national resources implies national interests; it is simply inconsistent with these interests to permit the regional Councils to effectively negate or to throw into doubt the founding premise by virtue of the design of dedicated access programs. I reject the notion that we should leave *all* important decisions regarding dedicated access privileges up to the regional Councils. In the rush to embrace user-self regulation masquerading under the names of co-management and community-based management, there is a forgotten federalism to fisheries policy these days. National standards for dedicated access programs are necessary to reinforce and preserve the national interest in our fishery resources. But federalism cuts both ways. There is also a national interest in vibrant, adaptive coastal communities. We need to place much greater focus on the potential roles of communities in dedicated access programs. However, the current emphasis on "protecting" communities is misguided. Let's enable communities, not protect them. In large part, the damage done to both the national interest and communities arises from the prevailing approach to the initial allocation of dedicated access privileges. This approach is characterized by the awarding of permanent allocations to individuals in response to what are transitional impacts. Ironically, this approach substitutes the initial allocation for a transitional strategy. We need to recover the idea of a meaningful, planned transition between policy regimes. The current approach to the initial allocation and the attendant denial of a transition period retards adoption, and thus realization of the promise, of management systems based on assigned catches.

I offer the following recommendations for national standards for dedicated access programs:

- 1) Prohibit permanent allocations. Mandate fixed, limited terms for dedicated access privileges. Congress should set the upper bound at 15 years and require the Councils to explain why their management goals cannot be met with shorter terms.
- 2) Authorize use of auctions and Community Fishing Trusts. The use of Community Fishing Trusts as a means of administering auction systems should be encouraged.
- 3) Mandate identification of a specific transition period and specific transitional features, as opposed to permanent features, for all dedicated access programs.
- 4) Establish a minimum threshold for revenue sharing with the federal government.

These recommendations result from consideration of six key questions that confront conventional wisdom:

- 1) What is the Purpose of the Initial Allocation?
- 2) Whatever Happened to the Idea of a Transition?
- 3) Why Does Anyone Warrant a Permanent Allocation?
- 4) Who Should Be the Lessor?
- 5) Who's Afraid of Auctions?
- 6) What About Communities?

These questions are sequentially interrelated in a knee-bone-connected-to-the-thigh-bone fashion. As a result, I devote proportionally more attention to the early questions.

1) What is the Purpose of the Initial Allocation?

I do not think we have confronted this question in any serious manner up until now. In very broad terms, it seems that there are essentially two ways to answer to this question and these answers shape our policy options. The first answer is that the purpose of the initial allocation is to make a select group of individuals in the present generation rich. The second answer is that the purpose of the initial allocation is to assist in the transition between the current management regime and a new, presumably preferred regime in the future. I suggest that, although no one would openly admit it, the first interpretation of the initial allocation is in fact our current default position. But making people rich is different than a transitional strategy and I caution strongly against conflating the two concepts.

We are inducing opposition to dedicated access privileges and imposing losses in terms of foregone opportunities. These unfortunate outcomes are self-inflicted wounds and arise from two aspects surrounding the initial allocation. First, there is the design of the initial allocation. Second, there is the matter of how we talk about heartfelt concerns associated with those design decisions. Ultimately, our current approach to the initial allocation is unsustainable as an approach to fisheries policy. Because we are effectively treating the initial allocation as an event whose purpose is to make people rich (and because lots of parties would like to be rich), we are building increasingly complex, some might say bizarre, allocation schemes that threaten to collapse under their own weight.

a) Picking Winners (and killing Transition in the process)

Most of the opposition to assigned catch programs can be traced to a particular combination of key design features characterizing the initial allocation scheme. The prevailing approach to the initial allocation features assigned catches that are: i) fully transferable; ii) awarded free of charge to initial recipients; iii) effectively permanent; and iv) awarded to a subset of vessel owners chosen through an inherently political process. At bottom, this approach to the initial allocation amounts to a profound exercise in the government "picking winners." While not exhaustive, a listing of the concerns engendered by this approach to the initial allocation that give rise to opposition to future programs includes the following:

- Rampant speculative "fishing for catch history"—a new kind of race (in other fisheries) in which the cure promotes the disease.

- Inter-generational equity concerns, particularly those associated with the so-called transitional gains trap (c.f. Copes, 1986). All subsequent generations face significantly heightened entry costs precisely because the original assignments are into perpetuity while at the same time the future wealth of the fishery is transferred into the hands of the recipients of the original allocation.
- Intra-generational equity concerns (i.e., distributional equity concerns among the present generation) associated with the same transfer of wealth.
- Concerns for the social and economic impacts on coastal fishing communities arising from permutations of all three of the above concerns coupled with concerns over "permit drain" (and permit dearth) in such communities. In particular, there is a profound fear that the form of the initial allocation will inevitably promote absentee ownership thus redefining both what it means to be a fisherman and the distinctive "way of life" in fishing communities by radically altering cherished relations of production.
- The unleashing and encouragement of massive rent-seeking in the political arena (as well as on the water, see 1 above).
- National patrimony concerns. The indefinite nature of the assignments plus the relentless accompanying emphasis on "property rights," "rights-based fishing," and/or "privatization" inherently sows confusion regarding the status of fishery resources as national, publicly owned assets.¹

If not allayed, these concerns give rise to opposition to assigned catch programs. At the same time, these concerns represent costs in the overall net benefit calculation. Not addressing them results in a loss of potential benefits. But these are consequences of specific design decisions not preordained outcomes generically associated with dedicated access privileges. All of these concerns are associated with the form of initial allocation that currently prevails, particularly our penchant for permanent allocations. Permanent allocations can attain extraordinarily high values precisely because they are permanent (and transferable) and thus embody the entire future benefit stream from the fishery. High values make for high entry costs (and all kinds of subsequent concerns) and large windfalls (another source of many subsequent concerns). These properties of permanent allocations compel consideration of the initial allocation from a functional perspective; what is the function of the initial allocation? *If* (and this qualification will be examined further below) permanent allocations are not necessary to achieve the on-the-water behavior we seek to promote and if permanent allocations are a critical contributor to concerns over (and opposition to) dedicated access programs, then what is their positive role? The positive function of permanent allocations is simply that they make some initial recipients rich off the initial allocation alone.

But permanent allocations make still more mischief. Significantly, when the initial allocation involves the conveyance of permanent endowments, the very idea of a transition is eliminated. There is no real transition, there is simply the initial allocation and thus everything rests on the initial allocation (see below for further discussion of the problem of the missing transition). Under these conditions, a lot of attention is rightly focused on the initial allocation

¹ The U.S. Commission on Ocean Policy (USCOP) recommended that dedicated access programs "assign quota shares for a limited period of time to reduce confusion concerning public ownership of living marine resources, allow managers flexibility to manage fisheries adaptively, and provide stability to fishermen for investment decisions [USCOP 2004:290]."

and on the implications the particular form of the initial allocation holds for things people care deeply about. However, the responses of managers, theoreticians, and analysts to these expressions of concern often compound the controversy surrounding the initial allocation and adoption of dedicated access programs.

b) The Opportunity Cost of Defending the Indefensible. Or, The Marie Antoinette School of Public Policy (I, II, and III)

Expressions of concern along the lines itemized above have frequently been met with brazen dismissals by those urging us to simply get on with the inevitable business of privatizing public assets and to suffer through the design of the initial allocation; with good graces, humor, and some measure of compassion. Of course, this nostrum represents nothing less than an ends-justifies-the-means invocation and such invocations are frequently upsetting to people of good conscience.² Further, this brazenness carries its own opportunity cost in the policy arena. Below, I present three quotations culled from the annals of fisheries policy debates involving dedicated access privileges that demonstrate the kind of inflammatory brazenness to which I refer.

i) *Let Them Work Elsewhere*

One implication of this [theoretical] insight is that reducing the number of fishermen and gear will usually increase the income of those enterprises that remain by more than it will reduce the incomes of those that are excluded. In principle, at least, a system that transferred part of the gains from the first group to the second could leave both of them better off than they had been, while the rest of society would benefit from the labor and capital freed for other useful activity [Tussing, 1972:8].

This quote demonstrates both just how long we have been employing this sort of brazen dismissal and how such brazenness applies generically to consideration of dedicated access privileges. Indeed, this quote represents a timeless example of how we explain to ourselves removing people from the fishery under any form of limited entry or "rationalization" program. Sometimes, people form funny ideas about being greeted as liberators; for example, it has always struck me as a bit delusional to expect people to be grateful for having been removed from their current employment (for both their own and society's benefit). On the other hand, there is nothing like the prospect of being so liberated (by the prevailing qualification scheme) to turn even the most ardent supporter of dedicated access privileges into a dedicated opponent.

ii) *Let Them Find Another Community*

I wonder what the effect the share quota systems . . . [would have on] Alaska's coastal communities or industries.

² The damage done springs largely from the insistence (mostly by fisheries economists) that *allocation* is the paramount policy concern while *distribution* (think distributional equity) is a decidedly secondary (if not tertiary or lower) concern. A variant on the same dichotomy is the frequent pitting of "efficiency" concerns in inevitable opposition to equity concerns. If those schooled in the discipline do not acknowledge that true economic efficiency (in the sense of the Pareto criterion) admits, rather than opposes, equity concerns (see Saraydar 1989; Bromley 1990), what is a mere "lay" participant in fisheries debates to do? But of course, real people involved in real initial allocation debates know that distribution is everything, indeed the only thing (especially when the allocations are permanent).

Well, I suppose I don't know. To some extent, I'd like those questions to be on the other side of the ledger. What I'm interested in and what I think we need to focus our attention on is the aggregate effect over the entire U.S. economy, initially ignoring the question of how particular groups, and particular individuals and particular regions come out.

... You know the political system as well as I do. There's no shortage of opportunity for you to raise the issue of how is this and how is that community going to come out.³

I am not sure much more needs to be said about this exchange over the fate of communities under "rationalization" programs. People are and will continue to be concerned about impacts on fishing communities. Simply telling them that these concerns are wrong (e.g., lecturing them to focus on "allocation" not "distribution"), is not terribly productive. Community concerns are discussed further below under Question 6.

iii) *Let Them Cease Processing*

The flow of product over a much longer period would mean that processors would either have to adapt schedules to allow processing to occur throughout the season, arrange for deliveries only during specified periods, or cease processing sablefish. [NPFMC, 1989:117].

This little-known quote from the official analysis of what became the halibut/sablefish IFQ program in Alaska provides perhaps the most instructive lesson on the dangers of treating distributional issues in the transition period with callous disregard. Processors could simply cease processing? And thus did the world (eventually) come to know the terms "two-pie" and "processor quotas." Seriously, telling people you are doing them a favor by, as the British would say, making them redundant; telling people that there is always another community; and telling processors they can simply stop processing are all examples of how *not* to handle the initial allocation if you indeed want to make progress towards wider application of dedicated access privileges. The debate over the initial allocation often seems like it is interminable precisely because we have fashioned the initial allocation into a high stakes game of chance (or political opportunism). That is, the debate is interminable because the stakes are so high and the stakes are so high largely because the initial allocation involves permanent allocations. Permanent allocations mean everything rests on the initial allocation. Exhorting people to disregard the only moment that counts (because we have designed it to be the only moment that counts) is illogical, if not irresponsible.

2) Whatever Happened to the Idea of a Transition?

Transition. The word implies a certain temporal dimension, a *period of change*. But our approach to the initial allocation effectively negates any transition period. There is simply the instantaneous switch to the new regime effected the moment permanent allocations are awarded to the lucky sweepstakes winners. To argue that this switch involves a transition is akin to arguing that being shot by firing squad at dawn involves a transition. I argue that permanent allocations eliminate the possibility of planned transition periods and that this result severely limits our policy options. In an interesting twist, the specter of transitional impacts produces

³ This exchange (between a Kodiak fisherman and a fisheries economist) is taken from the panel discussion section in Frady (1985:145-146).

demands for permanent allocations that in turn remove the option of transitional policies. A particularly striking example of this process was presented at this conference last year.

In his presentation last year, Mr. Joseph T. Plesha (General Counsel for Trident Seafoods Corporation)⁴ asked us to imagine that a valuable fishery resource was discovered off a remote U.S.-owned island in the Pacific ocean and fishery managers wanted the ensuing fishery to operate in a rational fashion from the beginning. Given this hypothetical, Mr. Plesha's recommendation for what would/should follow next was startlingly concise and candid: The government should conduct an auction. After all, Mr. Plesha reasoned, "[o]ur Nation's fishery resources are owned by the general public. . . and not a group of fishing vessel owners [Plesha, 2004; see Appendix A]" nor, as he made clear in another portion of his statement, a group of processors. Further, Mr. Plesha argued for an auction on the grounds that "the general public should receive the full economic benefit from the resources they own [Plesha, 2004; see Appendix A]."

But of course, we are not starting from scratch. In real world applications, Mr. Plesha argued for a far different solution—an allocation of permanent "rights" to both vessel owners and processors. The reason for Mr. Plesha's abandonment of the auction idea is highly instructive. When not presented with the luxury of Mr. Plesha's hypothetical "new" fishery, we face fisheries with existing interests in place. In view of these existing interests, Mr. Plesha reasoned "[b]oth fishing vessel owners and processing plant owners should, therefore, receive rights in a rationalized fishery as compensation for having the value of their existing investments expropriated by the new management system [Plesha, 2004; see Appendix A]."

Notice what has happened: a much-warranted focus on the issue of transitional impacts has been transformed into a claim for a permanent endowment. But transitional impacts do not require permanent therapy. Investments by a select few members of the present generation (whether processors or vessel owners) cannot logically be the basis for conveying public assets into private hands on a *perpetual* basis. At best, the current generation (of *all* affected parties) warrants some form of consideration in the transition to a future policy regime. The very idea of attention to the transition, which by definition is a limited period, is obliterated by the leap involved in laying claim to a permanent allocation. We need to consider the transitional impacts on all parties more than we have done in the past, but we must insist that treatment of transitional impacts be consistent with, not undermine, our founding premise.

3) Why Does Anyone Warrant a Permanent Allocation?

The question that we need to confront in this context is why does *anyone* warrant a permanent allocation? The argument against permanent allocations is perhaps easiest to grasp in the case of the processors. As noted in the quotation presented earlier, processors may indeed suffer regulatory-induced impacts during the transition to an elongated season. But these are, by definition, transitional impacts and potentially warrant temporary, not permanent redress. The same conclusion applies to the harvesting side of the industry. Existing interests (investments) in

⁴ For those not familiar with the industry in the North Pacific, Trident Seafoods is a major, if not the major, processor and a principle advocate for as well as beneficiary of the various forms of processor considerations (including processor quota shares) that have graced the North Pacific arena in recent years. Mr. Plesha's presentation at this conference was echoed in his testimony before a subsequent Congressional hearing into processor shares and it is that testimony that is relied upon here. An excerpt of Mr. Plesha's Congressional testimony is attached as Appendix A to this paper.

vessels may suffer in the transition but these are transitional impacts and again call for at most temporary mediating measures.

At this point, the objection is usually raised that the race for fish is perpetual and therefore permanent allocations are warranted on the harvesting side of the equation. But we know this reasoning is specious. Permanent allocations are not necessary to address the race for fish. We know this to be empirically true because we already have programs that feature limited duration assignments and these programs are widely hailed for their ability to ameliorate the race for fish. I am referring to the widespread presence of leasing. Leasing demonstrates that what is important is that each and every operation on the water is in pursuit of an assigned catch, period, not the term of that assignment. Leasing by definition involves limited fixed-term assignments and those that lease do not race more than those in possession of permanent assignments. So we know that permanent allocations are not necessary to produce the on-the-water results we covet. Both harvesters' and processors' demands for permanent allocations rest on a profound conflation of interests with rights⁵ and the subsequent transformation of potential transitional impacts into claims of entitlement to a permanent benefit stream. Those who object to processors holding the policy process hostage over transitional impacts yet insist that harvesters warrant permanent allocations practice hypocrisy.

Close inspection reveals that the function of permanent allocations is not to end the race for fish but to deliver a reward to those chosen to receive the initial allocation. But, as outlined earlier, these rewards carry a high opportunity cost. Finally, there is another dimension to the hypocrisy involved in our current approach to dedicated access programs. Permanent allocations have the curious effect of shielding a select few vessel owners (and perhaps processors) in the current generation from the market forces we believe are so salubrious for all others. If we actually believe in the market, we ought to use it across all generations of participants. This will require, in some form, a system in which all participants operate under lease arrangements.

The maximum term of any allocations/leases should be established by Congress as a matter of national policy for a national resource.⁶ I would suggest that 15 years is sufficient for any fishery both in terms of a reasonable planning horizon and scale of investment involved. The Councils should then set specific lease terms within this broad overall guidance from Congress in accordance with local circumstances. I would further suggest that there is a direct relationship between the term of the lease and the scale of industry that will prevail. That is, the more industrial the fleet desired the longer the lease term should be. The smaller scale desired, the shorter the lease term should be (shorter terms result in lower entry costs and more opportunity

⁵ On the endemic confusion of interests with rights in the fisheries literature, see Macinko and Bromley (2002). For a more damning account of the failure to recognize established legal scholarship on "rights" within the economics literature generally, see Cole and Grossman (2002). Despite these contributions, the tendency towards cavalier usage of the term "rights" continues unabated in the field of fisheries. Whatever the "rights" contents of specific dedicated access programs, it is clear that these programs are not rights-based. To say that they are rights-based is to assert a causal analysis declaring that the programs work because of the putative rights involved. See Macinko and Bromley (2004) for discussion of why this causal analysis is fatally flawed.

⁶ Note that limited term allocations/leases are fundamentally different than "sunset provisions" for dedicated access programs. Sunset provisions are non-starters. No one is likely to vote (when the sunset date comes due) to terminate (or conversely to fail to renew) a system (any system) that has vanquished the race for fish. In contrast, a system of constantly renewing limited term allocations provides the kind of periodicity that motivates interests in sunset provisions in the first place.

for entry and more dynamism within the fleet due to more frequent turnover of leases). And this brings us to the next critical question.

4) Who Should Be the Lessor?

Once we have liberated ourselves from the option-constricting belief that allocations have to be permanent to work, we are presented with the interesting question of who should be the lessor. Currently, we have programs in which many, or in some cases most, actual participants are lessees and a group of vessel owners (though they may not still be vessel owners) are the lessors. But there is no basis for believing that a system in which some level of government acted as the lessor (rather than individual vessel owners) would not offer exactly the same amelioration of the race for fish into the future. Yet such a system would offer considerable additional benefits in terms of addressing the intra and intergenerational equity issues outlined earlier and would clearly reinforce our founding premise.

Publicly administering limited duration allocations via leases raises the question of how to distribute and redistribute the allocations when lease terms expire. Three broad options exist for distributing/redistributing limited term allocations: (1) the government can engage in an ongoing cycle of picking winners; (2) distribution could occur by lottery; or (3) we could employ the market—i.e., via periodic lease auctions. I am simply assuming a preference for the market and auction systems.

5) Who's Afraid of Auctions?

Limited duration allocations could eliminate many, if not most, of the problems associated with our current approach to dedicated access programs. Auctions are intuitively appealing as a means of administering programs based on limited duration allocations. But, auctions are scary, to lots of people. Perhaps the first thing to say regarding auctions is to note that we already have lease auction systems in place. This is most notably true in the case of the Community Development Quota (CDQ) program in Alaska but I would argue that the existing market in privately contracted leases under dedicated access programs already in place is, in effect, an auction system. Recognition of these existing auction systems returns us to the question of who should be the lessor (examined above), while mediating any tendency to regard auctions as a radical departure from current practice.

I think we need to have an honest national conversation about 'auctions without fear' rather than promoting such fears. If we wanted to make sure that public auctions never saw the light of day, I would suggest that we instantly switch to a 100% auction system (i.e., overnight we auction off all of the available catch) and deposit all the proceeds into the general treasury of the nation. Such an approach takes us back to Mr. Plesha's thought experiment and the apparent conflict between existing interests and a policy shift to auction systems. The conflict is artificial and rests entirely on the negation of a transition. That is, does anyone seriously believe we can never transition to auction systems? The key issue of course is *how to transition* to auction systems.

I suggest that if we really wanted to use auction systems to improve our fisheries, we would fashion a planned transition period, devise auction systems that partitioned the TAC into segments and stagger the lease periods for these segments so that they did not come up for auction at the same time (i.e., it is desirable both to have frequent opportunities to enter the

fishery and to not have one's entire portfolio of leases possibly expire at once), directly involve our local fishing communities in the administration of auctions and as recipients of the proceeds from auction systems (see below under Question 6), and we would fashion many of the same kinds of provisions we attach to dedicated access programs generally to meet important goals.⁷ I do not know which of the various claims for consideration during the transition period we should honor, that is for the Councils to decide, but I do know that we should keep treatment of such claims as short as possible. That is, some temporary shielding from the very market forces we are trying to introduce may be warranted as a matter of transitional policy but we cannot exempt any participants on a permanent basis. Moreover, it is not clear that shielding from the market forces we are introducing is the obvious choice for addressing transitional impacts. Fortunately, auctions offer extreme flexibility in crafting transitional strategies.

For example, in commenting on the crab plan developed by the North Pacific Council, the Department of Justice (DOJ 2003) noted that auctions:

[C]ould improve efficiency. In addition, an auction would capture for the public some of the value from the scarce resource, which could be used for public purposes. The proceeds could, for example, be reinvested in the fisheries, used to fund conservation programs or used to partially compensate harvesters and/or processors for overcapitalization.

Here we see the fusion of two important ideas. First, the transition is important and claims of transitional impacts deserve careful consideration not brazen dismissal. Second, there are ways to use the market to assist in the transition (that do not involve bestowing permanent awards in response to transitional claims). Of course, auctions systems present other options for fashioning a transition. The transition to an auction system could be phased in (say, e.g., 10% of the TAC per year could be devoted to the auction pool, thus offering a 10 year phase-in period). If impacts on present participants are judged especially severe, an initial allocation could be given to selected participants (say 50% of the TAC,⁸ the remaining 50% going straight into the auction pool) for a fixed period (say 5 years, to then revert into the auction pool). These are just examples, the possible permutations are many.

Finally, auctions should not be thought of as a way to pump up the federal coffers while pushing beleaguered fishermen into penury. In fact, I argue that we need to see, and to fashion, auctions as a critical component of fleet and community revitalization not deprivation.

6) What About Communities?

There is a forgotten federalism in fisheries policy these days. We need national standards on dedicated access programs to reinforce the national interest in our fishery resources (c.f., Scheiber 2002). But federalism runs both ways and there is also a national interest in vibrant, adaptive coastal communities. We need to place much greater focus on the potential roles of communities in dedicated access programs. However, the current emphasis on "protecting"

⁷ The point here is that the kinds of social, political, and economic goals the Councils may wish to attain are really not a function of whether or not auctions are employed. All (or none) of the various "bells and whistles" used to reach these goals may be used in conjunction with auction systems.

⁸ The choice of the 50% figure is not completely arbitrary. In the Alaska halibut fishery, ex-vessel prices approximately doubled following introduction of the IFQ program. A similar increase is projected by Weninger and Waters (2003) for the red snapper fishery in the Gulf of Mexico.

communities is misguided. Protectionism often has the unfortunate effect of eventually killing that which we wish to protect. This ironic outcome results from the fact that protectionism promotes ossification which is the very opposite of what is needed in a dynamic, vibrant, competitive world. We should focus on enabling communities, not protecting them. For example, instead of protection, let's just stop systematically disadvantaging communities via our obsessive focus on individual, permanent, portable endowments. Communities are not portable.

McCay (2004) has argued persuasively future programs featuring individually assigned catches will require much greater integration of community perspectives and treatment of community concerns if such programs are to be truly sustainable. While I agree, I think we need to fundamentally rethink what I would call the sequencing of this integration. We need to consider endowing communities (or regions) first and then letting the magic of individual initiative flourish underneath these community endowments rather than trying to tack "community protection" measures onto programs focused on permanent individual endowments. Elsewhere, I have likened this reversed sequencing to thinking about fisheries as "community gardens" (Macinko, 2004). The benefits of thinking of fisheries as resource endowments for places and regions are manifest (see Cunningham, 1994) and yet curiously relatively unexplored in any serious operational context.⁹ The concept of fisheries as resource trusts (or conservation trusts, see Fairfax and Guenzler 2001) deserves much more consideration. I suggest that a system of lease auctions locally administered through Community Fishing Trusts has much promise. As noted, federalism cuts both ways. Congress should establish a minimum level of revenue sharing with the federal government but the Councils should be given broad discretion to enable, not protect, our coastal fishing communities.

Conclusion

National standards are appropriate and necessary for dedicated access programs. In devising such standards, we need to challenge much of the conventional wisdom that lies behind our current approach to dedicated access programs. We must wean ourselves off of the belief that permanent allocations are necessary or even beneficial. All dedicated access privileges should be of limited duration terms (not sunsets). We must stop telling people to "get over" or "get on with" the initial allocation when we have fashioned the initial allocation to be the only thing that matters and a substitute for a transitional strategy. We must use the initial allocation as part of a transitional strategy, not as a tool to make some people rich. We must treat the subject of the transition between policy regimes as a period requiring direct management attention. We must consider transitional impacts as a distinct category; but that means resisting the tendency to turn some claims of transitional impacts into a basis for permanent allocations. Finally, we must reinforce the founding notion that fishery resources are national assets but realize that we can do so in ways that endow, not disadvantage, fishing communities.

⁹ The Community Development Quota (CDQ) program in Alaska (NRC 1998) being the obvious exception.

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Appendix A

Excerpt, first five paragraphs from:

http://commerce.senate.gov/hearings/testimony.cfm?id=1066&wit_id=3008
(last visited, 2/27/05)

Given at a Full Committee Hearing:
Seafood Processor Quotas Hearing
Wednesday, February 25 2004 - 9:30 AM - Sr - 253
The Testimony of
Mr. Joseph T. Plesha
General Counsel, Trident Seafoods Corporation

Our Nation's fishery resources belong to the general public. Logically then, the general public should receive the full economic benefit from the resources they own—through a simple auction by the Federal government to the highest bidder—when fishery stocks are rationalized. Neither processing plant owners nor fishing vessel owners have an absolute right to be included in the allocation of the public's fishery resources.

If a large stock of cod were discovered off a remote U.S.-owned island in the Pacific ocean and fishery managers wanted to rationalize it, I assume the Federal government would auction the rights to this undeveloped cod resource instead of allocating rights to vessel owners or processors based in Portland, Oregon or Portland, Maine.

Why should any participant in the seafood industry be allocated rights when open access fishery resources are rationalized? Under most circumstances there is a compelling reason to include both fishing vessel owners and primary processing plant owners in the allocation. In an overcapitalized "open access" fishery that is capital intensive, and where that capital invested in fishing vessels and processing plants is relatively non-inalleable, the owners of that capital will suffer enormous losses during the transition between the open access and rationalized fishery equilibrium conditions. The capital investments in primary processing and harvesting are transferred to quota owners when an open access fishery is rationalized.

Simply put, you do not need all of the harvesting and processing capacity that exists when an overcapitalized fishery is rationalized. Primary processing plants and fishing vessels with no alternative uses become nearly worthless. Both fishing vessel owners and processing plant owners should, therefore, receive rights in a rationalized fishery as compensation for having the value of their existing investment expropriated by the new management system.

Although including processors in the allocation of rights may be controversial, it should be embraced by fishing vessel owners. The rationale for including primary processing plant owners in the allocation of rights is also the only rationale for including vessel owners. Otherwise, open access fisheries should be rationalized by the Federal government through an auction of the resource to the highest bidder. Our Nation's fishery resources are owned by the general public after all, and not a group of fishing vessel owners.

Mary Jackson

From: Sen. Tom Wagoner
Sent: Tuesday, March 22, 2005 9:26 AM
To: Mary Jackson
Subject: FW: SB 113

From: Dr. Bob Johnson [mailto:mj.bj@keconnect.net]
Sent: Tuesday, March 22, 2005 9:18 AM
To: Sen. Con Bunde
Cc: Sen. Tom Wagoner; Sen. Donny Olson; Sen. Ben Stevens
Subject: SB 113

Senator Bunde et al:

I am a retired physician, resident of Kodiak since 1938, active in my community since my return to practice medicine in 1955. Having heard from a number of local fisherman and talked with others in positions of authority, I am concerned about the trend that would be established by SB 113. In studying the bill, I see that it sets up a system for the allocation of the fisheries by an exclusive organization (whatever form that takes). The organization would decide which processors and which fishermen can be involved in a given fishery. It definitely limits the choice of individual fishermen: some may not qualify for permits by virtue of not having a recent record of involvement in the fishery; none can shop for processors that pay a more favorable price; it restricts entry of youngsters into the fishery unless they can pay the price and convince someone they qualify.

In short, this looks to me like "incorporation" of the fish business, which takes it out of the hands of the individual and puts it in the organization, a trend that is too apparent in this country and really hampers individual freedom, or "human rights," the basis of our democracy. I fear you are willing to sacrifice the individual for the benefit of the State. There are better ways to conserve the fisheries.

Dr. Bob Johnson
Box 945, Kodiak AK 99615
907-486-5171

3/22/2005

Mary Jackson

From: Sen. Tom Wagoner
Sent: Thursday, March 10, 2005 9:18 AM
To: Mary Jackson
Subject: FW: New Pom:SB 113 Gulf Of Alaska Groundfish Fishery

-----Original Message-----

From: POMS@legis.state.ak.us [mailto:POMS@legis.state.ak.us]
Sent: Wednesday, March 09, 2005 11:50 AM
To: Sen. Tom Wagoner
Subject: New Pom:SB 113 Gulf Of Alaska Groundfish Fishery

Eva Holm
P.O. Box 3065

Kodiak 99615-3865,

I am a lifelong Alaskan resident and commercial fisherperson opposed to SB 113. It would allow reallocation of fishery resources away from Alaskan fishing families and communities to outside interests.



UNITED FISHERMEN OF ALASKA

SB 113 read 3/14/05
- ml

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March 14, 2005

Senator Tom Wagoner, Chair
Senate Resources Committee
Alaska State Legislature
State Capitol (Mail Stop 3100)
Juneau AK 99801-1182

Dear Senator Wagoner,

United Fishermen of Alaska (UFA) supports passage of Senate Bill 113 relating to entry into and management of Gulf of Alaska groundfish fisheries (SB 113). UFA includes members and member associations with extensive involvement in Gulf of Alaska groundfish fisheries. UFA members and member associations have been actively engaged on this issue in the regulatory processes at the Board of Fisheries (BOF) and at the North Pacific Fishery Management Council (NPFMC) for many years. This bill has the unanimous support of the BOF and NPFMC and agency support from the Commercial Fisheries Entry Commission (CFEC) and Department of Fish and Game (ADFG).

SB 113 seeks to authorize the BOF and CFEC to develop a new management program for Gulf of Alaska groundfish fisheries called Dedicated Access Privileges (DAP).

The Gulf of Alaska groundfish fisheries are very complicated fisheries, with multiple gear types catching multiple species of fish. There are two groundfish fisheries conducted in State waters, a directed State managed Pacific Cod fishery, and a Parallel fishery that catches fish from a federal allocation. In addition, fish stocks commonly wander back and forth, in and out of State and federal waters. GOA groundfish fisheries today face rapidly increasing environmental pressure and decreasing economic efficiencies. Sustainable GOA groundfish fisheries are essential to the well being of coastal Alaska and to the overall fishing industry. Anticipated rationalization of federally managed GOA groundfish fisheries will likely increase fishing pressure inside State water and exacerbate economic and environmental problems. To do nothing is not likely to preserve the status quo of state managed groundfish fisheries.

Limited Entry may be inadequate to address the complications of GOA groundfish, and the impacts to state fisheries from changes in the federal management. In part because these fisheries are managed under a quota system already, DAPs may be appropriate.

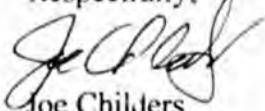
DAP program development will seek to recognize and reflect historic participation in GOA groundfish fisheries and to promote the best interests of the State of Alaska and its participants in state water groundfish fisheries.

No future DAP program elements are established in SB 113. The bill does not pre-suppose any outcome from the development of DAP programs. Any potential future DAP programs will follow additional extensive public process at the BOF and CFEC. UFA notes its longstanding opposition to processor quota shares and acknowledges that SB 113 does not move the CFEC or BOF towards allocation of processing privileges.

UFA supports the BOF and CFEC processes, and believes that they are the proper authority and can provide essential public participatory process to develop new management programs.

UFA recognizes that our fisheries need to be as economically efficient and possible and as environmentally responsive as possible. We support the prompt passage of SB 113 to initiate the necessary process to address this issue of widespread concern and impact.

Respectfully,



Joe Childers
Vice President



Mark D. Vinsel
Executive Director



Alaska State Legislature

Please enter into the record my testimony to the (S) RES
COMMITTEE NAME

committee on SB 113, dated 3/10/05
BILL / SUBJECT TODAY'S DATE

This bill is REALLY BAD.

Have we forgotten in this state that one of the MAIN reasons to become a state was to REMOVE out of state and out of country PROCESSORS from owning, mismanaging and controlling our fish!

This bill is simply an underhanded way of bypassing our STATE CONSTITUTION (which protects Alaska's FISHERMEN) in order to GIVE ALASKA'S FISH to the FOREIGN AND OUT of State PROCESSORS!

Signed: Jenny Roth JENNY ROTH Steven Roth Steven Roth
TESTIFIER (Signed, PRINTED NAME)

REPRESENTING

P.O. Box 3171 Homer AK 99603
ADDRESS


907-235-5572
PHONE NO.



Alaska State Legislature

Please enter into the record my testimony to the Senate Resource
committee name
 committee on SB113/Groundfish . dated 3/9/05
bill/subject

Please see
 Attached (4pgs)

Signed:  Tim Gossett
Testifier
SELF
Representing (Optional)
P. O. Box 4232 KODIAK AK 99615
Address
907 486-2378
Phone No.

MY NAME IS TIM BOSSETT.

I STARTED COMMERCIAL FISHING IN
1971 AT THE AGE OF 16. I
HAVE LIVED IN ALASKA SINCE 1978.
I CAME UP AS A DECKHAND AND
STARTED RUNNING MY OWN BOAT
IN 1987. FOR THE PAST 8 YEARS
I HAVE USED MY 1600 TON LICENSE
TO WORK ON FREEZER LONGLINES IN
THE BEARING SEA IN THE WINTER TIME TO
HELP MAKE ENDS MEET. I ALSO
CURRENTLY OWN A 42' SEINE BOAT
WHICH MY SON AND I FISH
EACH SUMMER.

I THINK I TAKE A DIFFERENT
VIEW / ~~AS~~ THAN MOST. IT SEEMS
THAT A LOT OF US SMALL BOAT FISHERMAN
~~AND~~ FISH STATION IN THE SUMMERTIME SOME
WHERE IN THE STATE. THE DEMISE OF
THE ~~ALASKA~~ ^{STATION} FISHERY IN ALASKA IS
WELL DOCUMENTED. I VIEW COD
TERMINAL FISHING AS A WAY TO
SUPPLEMENT
KEEP ~~SUBSIDIZE~~ MY STATION OPERATION.
I HAVE ALSO WAITED FOR MY SON
TO COME OF AGE AND FISH W/ ME.
HE IS ~~17~~ ¹⁷ NOW AND THE TIMES WE
HAVE SPENT TOGETHER ON THE WATER
ARE PRICELESS TO BOTH OF US...

GULF RATIONALIZATION HAS TAKEN AWAY OPPORTUNITY FOR US (UNLESS OF COURSE YOU HAVE THE CAPITAL TO BUY IN) AND NOW OUR WATERS WITHIN 3 MILES ARE THREATENED WITH SB 113.

I AM AFRAID OF SB 113. MY INTERPRETATION IS THAT IT GIVES THE BOARD OF FISH (OR CFPD) TOO MUCH POWER TO PICK AND CHOOSE WHO RECEIVES FISH ALLOCATIONS, (ALTHOUGH I MUST SAY THAT ITS TRUE INTENTIONS ARE UNCLEAR TO ME) IT IS MUCH TOO AMBIGUOUS!!

TO ME IT IS NO COINCIDENCE THAT THE DRIVING FORCES BEHIND THIS STATE BILL ARE GENERALLY THE SAME AS THOSE WHO BACKED THE FEDERAL GULF PLAN. THE

I WOULD LIKE THE SAME OPPORTUNITY
THAT DREW ME INTO COMMERCIAL FISHING IN
THE FIRST PLACE, THE OPPORTUNITY TO COMPETE
W/ MY FELLOW FISHERMEN AND SELL OR
MARKET MY FISH TO WHOM I CHOOSE...



Alaska State Legislature

Please enter into the record my testimony to the SENATE RESOURCES
 committee name
 committee on SB113 . dated MARCH 9, 2005
 bill/subject

PLEASE SEE ATTACHED
 (3pgs)

Signed: Steve Drago Vice Pres.
 Testifier
ALASKA DRAGGERS ASSOC.
 Representing (Optional)
PO BOX 2260 KODIAK 99615
 Address
3910
907 486-~~3334~~ msej
 Phone No

BULLET SHEET ON SB 113

My name is Steve Drage and I am the vice president of the Alaska Dragers Association - which represents ³⁰ ~~APPROP~~ trawl vessels that fish out of Kodiak.

The Alaska Dragers Association supports SB 113

Presently the Governor of Alaska, the BOF rationalization task force, BOF, NPFMC, and the United Fishermen of Alaska all support SB 113.

For today's hearing, it is important to note, that many of the industry members who are in favor of this bill are unable to testify today due scheduling conflicts.

State Jurisdiction

A substantial amount of both Pacific cod and Pollock has been caught inside 3 miles during the federal fisheries, otherwise known as the parallel fishery. Even though vessels thought that they were operating in a federal fishery, having all the appropriate licenses and follow all the federal fishery regulations, it turns out that the State of Alaska has jurisdiction over this catch.

SB 113 will allow the state to maintain authority over inside three mile catch, and allow these fishers to have somewhat equal treatment when compared to potential fishing privileges in the federal program, since both would receive fishing privileges based on catch history.

SB 113 allows for a coordinated fishery management approach for stocks that are migratory across the three-mile jurisdictional lines such as management and data costs, enforcement costs, observer coverage and costs, Bycatch, and incidental catch.

No Action By the State

The state must take action to protect the fishery resource and Alaskan fishers, otherwise it puts at risk inside three miles fishers with excessive effort by new fishers joining in the fray of open access fisheries. The state must respond to groundfish rationalization of the federal groundfish fisheries.

With the State taking action with SB 113 the state of Alaska has the ability to drive the outcome in the federal process.

Senate Bill 113 Does Not

- Does *not* provide processor Designated Access Privileges (DAPs) or "processor quota shares" for Gulf of Alaska groundfish in state waters
- Does *not* set a precedent for "processor quota shares" in GOA groundfish, salmon, or any other state fisheries
- Does *not* predetermine which, if any, species, areas, or gear types may have a DAP program developed
- Does *not* predetermine DAP recipients

STEVE DRAGG
AK. DRAGG ASSOC. 2

Senate Bill 113 Does

- Does grant sufficient statutory authority to the Alaska Board of Fisheries and the Commercial Fisheries Entry Commission to adequately address fisheries development plans for Gulf of Alaska groundfish species
- Does clearly define the respective roles of the Alaska Board of Fisheries and the Commercial Fisheries Entry Commission in developing dedicated access privilege programs
- Does provide ample opportunities for the public to participate in the development of any DAP programs through the Board of Fisheries and Commercial Fisheries Entry Commission public hearing process
- Does offer the opportunity to be a more inclusive limited entry program than the existing statutes allow through the license limitation model

PWS pollock fishery:

- The PWS pollock fishery is managed by the State of Alaska and is one of the other State groundfish fisheries that could be limited with the DAP approach
- A run away unmanageable fishery when federal rationalization occurs
- Amount of excessive capacity in this fishery for 2005
- That you have tried to do a license limitation model via CFEC but at this point the fishery does not meet the statutory requirements
- That this fishery is a perfect candidate for a DAP fishery approach for management
- That you will be taking your case to the BOF and CFEC to work to design an appropriate limitation system for this fishery as the process moves forward

~~4199-4199~~

②

STEVE DRAGE 3
AK DRAGGERS ASSOC

PWS POLLOCK

PWS POL FISHERY IS MANAGED BY THE STATE + IS ONE OF THE "OTHER" SEVERAL GROUNDFISH FISHERIES THAT COULD BE EFFECTIVELY MANAGED WITH A DAP APPROACH.

2. PWS POL WOULD BECOME A RUNAWAY FISHERY WHEN FEDERAL RATIONALIZATION OCCURS. AS IT NOW STANDS PWS POL IS THE ONLY OPEN TRAWL FISHERY BETWEEN MEXICO + RUSSIA.

3. THIS YR THE BOATS REGISTERED HAD 17% HOLD CAPACITY OF PWS POL QUOTA AN UNMANAGEABLE SITUATION.

4. WE TRIED TO HAVE CFEL INSTITUTE A LIMITED ENTRY PROGRAM AROUND 4 YRS AGO, BUT AT THE TIME, THE FISHERY DIDN'T MEET THE STATUTORY REQUIREMENTS.

5. THIS FISHERY IS A PERFECT CANDIDATE FOR DAP APPROACH.

WE
6. WILL TAKE OUR SITUATION OF PWS POL TO BOF + CFEL TO DESIGN AN APPROPRIATE LIMITATION SYSTEM AS THE PROCESS MOVES FORWARD.



Alaska State Legislature

Please enter into the record my testimony to the Senate Resource
committee name
 committee on SB 113 - Groundfish, dated 3/9/05
bill/subject

Please see testimony
 attached (3pgs)

Signed: Leonard R Carpenter Leonard Carpenter

Testifier

SELF

Representing (Optional)

P.O. Box 1970 KODIAK AK 99615

Address

(907) 406-5852

Phone No

Good afternoon (MR CHAIRMAN ^{SOOKINS})

Thank you for the opportunity to speak today about SB 113. My name is Leonard Carpenter and I am speaking on behalf of myself and my family. My wife Anita, my son Matthew and I own and operate the 36' Fish Tale. We have long lined and jigged for cod and rock fish since 1999 during both the federal parallel and state seasons, all inside 3 mi. We are adamantly opposed to SB 113 because it gives the BOF and the CFEC such broad and extensive powers. SB 113 is so vague and lacking of substance that creating a fishery around it is like signing a blank contract. We feel that the BOF & CFEC have adequate tools to effectively manage our ground fish stock in the Gulf of Alaska, and until ~~and~~ they are thoroughly investigated ~~and~~ debated through the public process it would be premature and unexcusable to lend support to it.

and

Lets explore other options, First, ones that would guarantee our future and our childrens with a permit or license that is permanent and has value as opposed to a D.A.P. A privilage that could be taken away

I don't understand the State's rationale that we need to "mesh as closely as possible" our management of the GOA with the federal rationalization plan. In the past our State fought against IFAs for the small independent fisherman, the people that built and help keep coastal communities and Alaska alive and healthy, so why embrace a DAP that is strikingly similar to an IFA a quota or privilege that most likely could not be bought or sold, leased or transferred and there for has no market value

As independent fisherman we need flexibility and security in the GOA Groundfish fishery to ensure our future survival and our children's future, the next generation of fishermen & women.

In closing we need to move slowly and carefully on this issue because too much is at stake for Alaska and its coastal communities we have to get it right. We need to keep the control of this fishery in the hands of the people not in the hands of ^{the} ~~the~~ ^{the} ~~the~~ who can change the rules and ~~the~~ regs as ~~the~~ the political climate or their will.

Changes. Feel free to call or email us with any questions or comments you have, and please keep our communities engaged & informed in this process, because it is very important to us, and schedule as many regional hearings as possible.

Thank-you

J/V FishTale
P.O. Box 1970
Kodiak, AK 99615

Sincerely
Ronald R. Layton

(907) 486-5852

email - fishtalerulza@yahoo.com



Alaska State Legislature

Please enter into the record my testimony to the Senate Res.
 committee name
 committee on SB 113 dated 3/9/05
 bill/subject

My name is Lonnie White. I am a small business owner here in Kodiak.

SB 113 is the instrument needed to line the state policy with federal to change our fishery from open entry into closed class. We know that rationalization of state water fisher is illegal under our State Constitution. Ben Stevens bill is amazingly simple and mostly true - however it is radical and contrary to the spirit and intent of the State Constitution and the limited entry amendment.

The truth however is that jobs and money will be lost with the new efficiency and it will mean fewer jobs and the export of money to other states as we have seen with halibut and black cod. D.A.P. - Privilege will migrate into ownership in time.

Like the limited entry amendment, this shou' not be passed as bill but needs to be voted on by the people of the State of Alaska - anything else is highly unethical if not illegal as it goes against the spirit and intent of the State Constitution. I can not support SB 113.

Signed: [Signature] Lorne E White

Testifier

[Signature]

Representing (Optional)

PO Box 476

Address

907 487-2292

Chgoon Al-



Alaska State Legislature

Please enter into the record my testimony to the Senate Resource
 committee name
 committee on SB113 - Groundfish, dated 3-9-05
 bill/subject

March 9, 2005
 Testimony to the Senate Resources Committee

RE: SB 113

My name is Theresa Peterson and my husband and I are commercial fishermen and own a fishing vessel. We participate in crab, herring, salmon, halibut and groundfish around Kodiak and have done so for the past 18 years.

Groundfish has become increasingly more important to our livelihood over the last few years and this is true for a number of independent fishing families. In fact, the volume and value of groundfish in Kodiak has been at a steady increase and is expected to continue to do so according to the Chamber of Commerce. Kodiaks economy is stable and a willingness to invest in the community is illustrated by the boom of construction. Within the existing fisheries management, this town is thriving.

As I heard a 17 year old say last night, 'It's all the little people that keep this town running, without them we'd just be a poor fishing town with a few rich people.'

We, the little guys, without a lot of history, cannot afford to lose access to the groundfish. This bill, as written, is so fact it is impossible to predict how this will impact stakeholders. We do not want to allow Board of Fish to allocate directly to 'associations' with virtually no guidelines. We do not support this bill and feel that the state has the management tools in hand to address concerns brought on with Gulf Rationalization.

We need regional hearings on this, this is huge!

Thank-you

Signed: Theresa Peterson

Testifier

Self

Representing (Optional)

PO Box 347 Kodiak 99615

Address

907 486 2991

Phone No

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: Senate Resources Committee
FAX: 707. 465. 4779
DATE: March 9, 2005

MESSAGE:

SR Committee chair, 3 members,

I have sent up the North Pacific Fisheries Management Council motion from ^{the} December 2004 NPFMC meeting. I hope you will consider adding this to your packet.

The council supports this legislation and the State of Alaska's efforts to develop this program.

Arne Fuglwig

president of Petersburg Vessel Owners
member of the North Pacific Fisheries Management Council

**Motion to Support Coordinated Federal/State GOA Groundfish Rationalization
12/04**

The North Pacific Fisheries Management Council (NPFMC) and the State of Alaska share the goal of creating a management system for Gulf of Alaska (GOA) groundfish fisheries on stocks that are migratory across jurisdictional lines that:

- Increases efficiencies, resulting in economic benefits and stability
- Improves safety
- Improves stock conservation
- Reduces bycatch
- Reduces gear conflicts

It is unlikely that these goals can be achieved unless the GOA groundfish fisheries are rationalized in both state and federal waters.

Therefore, the NPFMC acknowledges and supports the efforts of the State of Alaska to develop a management system in state waters that coordinates with a management system in federal waters to assure that the following mutually critical issues can be satisfactorily addressed while meeting the shared goals stated above:

- Management and data costs
- Enforcement costs
- Endangered Species Act issues
- Observer coverage and costs
- Bycatch, incidental take, and prohibited species caps
- Community provisions (that the state is constitutionally prohibited implementing)
- Essential Fish Habitat/HAPC

In order to achieve an integrated and coordinated federal/state management system for GOA groundfish fisheries across jurisdictions, the NPFMC supports the State of Alaska's pursuit of legislative authority enabling the Alaska Board of Fisheries (BOF) to implement a dedicated access program, such as those currently under consideration by the NPFMC for GOA groundfish. For GOA groundfish, such authority would confer upon the BOF the authority to allocate fishery resources on the basis of historical landings to skippers, crew, vessel owners, or other entities, by fisheries, as deemed appropriate. Further, it would authorize either the BOF or the Commercial Fisheries Entry Commission (or some combination of the two) to provide access to such fisheries. Authority would also be sought allowing the BOF to allocate fishery resources to cooperatives. Provision of such authority would enable the BOF to implement—if ultimately approved by the BOF—a management program coordinated with the NPFMC, as long as such a program meets Alaska's constitutional mandates.

Further, the NPFMC acknowledges Alaska's constitutional mandates and constraints, and to the extent possible and desirable, will attempt to accommodate them in the interest of seeking a mutually beneficial federal/state management program for GOA groundfish fisheries.

Alaska State Public Opinion Message System:

Sen. Gary Stevens's office

Search Results

1 record returned

Oliver Holm wrote the following message On 3/9/2005 at 10:49 In
opposition of *SB 113*

Message:

I oppose SB 113. It flagrantly disregards the intent of the state
constitution. It would enable absentee, outside ownership of Alaskan
fishing rights and allow allocations to processors.

Message was delivered by Pom

Contact Info:

Oliver Holm
Po Box 3865
Kodiak AK, 99615

[View Case](#)

[Go to Main Menu](#)

[Go to Search Page](#)

New

Alaska State Public Opinion Message System:

Sen. Gary Stevens's office

Search Results

1 record returned

Eva Holm wrote the following message On 3/9/2005 at 11:44 In opposition of SB 113

Message:

I am a lifelong Alaskan resident and commercial fisherperson opposed to SB 113. It would allow reallocation of fishery resources away from Alaskan fishing families and communities to outside interests.

Message was delivered by Pom

Contact Info:

Eva Holm
Po Box 3865
Kodiak AK, 99615-3865

[View Case](#)

[Go to Main Menu](#)

[Go to Search Page](#)

New

Senator Wagoner
Attention: Mary Jackson
CC : Senate Resources Committee

April 7, 2005

There has been recent talk about the huge influx of POM's supporting SB113, largely coming from cannery processors. When we heard that the canneries were asking the workers to sign POM's in support of SB113, we chose not to inundate the LIO this way. If the legislators in Juneau are viewing this as overwhelming support, we would like to point out the repetitive nature of these messages. This is a very complex issue and we feel SB113 is not the right fix. If in fact, CFEC and the Board of Fish need this authority, first have them build the system. Let's find out if it meets Constitutional Muster and then have the Legislators vote it up or down. If this is for the better of our Coastal Communities, let's see it. Here are just a few more concerned citizens that have weighed in opposition. If need be, these signers are more than willing to convert this petition into POM s. We are relying on the Legislature to be the check and balance. To insure that the passage of any bill is legitimately scrutinized. And that the burden of challenge does not fall to the private sector.

Sincerely, Alexis Kwachka
F/V No Point
326 Cope Str
Kodiak, Ak 99615
(907) 486-5558



WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill grants the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

Please Sign and Print Name	Community	Vessel/Occupation
Edward Pestrikoff <i>Edward Pestrikoff</i>	Old Harbor	Melina / Fisherman
William Takah <i>William Takah</i>	Kodiak	Processor
Lynn P <i>Lynn P</i>	Kodiak	Fisherman
Craig S <i>Craig S</i>	Kodiak	Fisherman
Tina S <i>Tina S</i>	Kodiak	Tribal member
Hester D <i>Hester D</i>	Kodiak	fisherman
Loring O <i>Loring O</i>	Kodiak	
Sandra M <i>Sandra M</i>	Kodiak	housewife
Jimmy A <i>Jimmy A</i>	Kodiak	Bum - Maid old fisherman
Jan R <i>Jan R</i>	Kodiak	Rooper Tony's Inc
LARRY W <i>LARRY W</i>	Kodiak	RETAIL SLES Tony's Inc
LORIE C <i>LORIE C</i>	Kodiak	
Shane R <i>Shane R</i>	Kodiak	All-time Tony's
David K <i>David K</i>	Kodiak	Information services PKI MC

mv

WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill grants the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

ADDRESS

Please Sign and Print Name	Community	Vessel/Occupation
Robert S. Sluett	Port Bailey owner	PROCESSOR
Susan K. Sluett Susan K. Sluett	Bare Island near Port Bailey	52 years in Kodiak over the hill ex fisherwoman/vessel owner
Amita Adams	PORT BAILEY	HEAD PROCESSOR W/BAILEY
Tom Sealey Tom Sealey	Anchorage	TRIDENT fish PROCESSING
Johnny Z. Bue Selma Bue	AFognak	mechanic on vessels
Lynn Deane	W. Wainona	fish boat
Kaitlyn Neely	KODIAK	FLORIST
Jimmy Clay	KODIAK	accountant
Jeffery JEFFERSON	PO BOX 8102 KODIAK AK	F/V NORTH POINT
D. Holladay Lynn Anderson	KODIAK	F/V BERING BAY
J. Anderson	KODIAK	Herring Pk.
Andy Beresloff	KODIAK	Commercial fisherman
Joe D. Ludvick Joe's Fishery	Sand Pt. AK	fisherman
ROBERT J. HILL III Robert J. Hill III	PO BOX 4025 KODIAK, AK	FISHERMAN
Jonathan J. Orloff Jonathan J. Orloff	516 Willow St KODIAK AK 99605	F/V Michelle Lee

PLEASE RETURN TO THERESA PETERSON 486-2491
OR SHAWN C. DOCHTERMAN 486-3777

WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill grants the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

Please Sign and Print Name	Community	Vessel/Occupation
John Miller Abe Melwicht	KODIAK P.O. Box 8887	OR NAFA
Jean Raudenbush Jason Raudenbush	Anchorage AK 5501 E WTA Way Apt 1	ISA notski
Michelle Carson MICHELLE CARSON	Kodiak AK	NAPA
WALTER DOUGHTER HANU Kudraltman	P.O. Box 719 KODIAK, AK	STORMBIRD FISHER NORTH POINT
John W. Sejerston John W. Sejerston	P.O. Box 3784 KODIAK, AK 99548	STORMBIRD FISHER NORTH POINT
Tom Frost	P.O. Box 3096 Kodiak AK	American Lady Crabber
ROBERT AMBERG L.A.H.A.C.	P.O. Box 1056 KODIAK AK 99548	CUSTOM CONCRETS
KUNNA ERICKSON	Box 648 KODIAK	ERIKSON MARINE
RICHARD T. BURR	Box 2699 Kodiak	Richard Burr
Mike Milligan	77 The Mill 12056 Gora Dr.	Concerned Citizen
Bob Bongher	2885 Pra. Hill	FLY WIND VANCE
J. Howard Jessica Howard	Kodiak Box 155	Pinn Masters of Kodiak
Fred Stager	Kodiak POB 8243	FLY SIGINT
K. Herman	BOX 4116 KODIAK	FLY WINDWARD
D. H. ...	12227 Russian	NAFA

PLEASE RETURN TO
 THERESA PETERSON 486-2991
 OR STEVEN P. DOUGHTERMAN 486-8777

WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill grants the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

BOX NUMBER

Please Sign and Print Name	Community	Vessel/Occupation
Paul Agostine Paul Agostine	Kodiak	electrician
Mike Donoum Mike Donoum	Box 1724 KODIAK 99615	X FISHING BOAT OPERATOR HAZMAT TECH.
Bill Hinkle Bill Hinkle	Box 2177 KODIAK	KEA
Diana Mac Donell DIANA MAC DONELL	Kodiak AK	P/V woodstuck
Pat West Pat West	Kodiak AK	self-employed
Nick Troxell	12347-NOCH DR. Kodiak	Junkie
Ed West Ed West	Kodiak	Carpenter
Bill Harrington Bill Harrington	Kodiak	Fishermen
Stephen Keaton Stephen Keaton	Kodiak	SEVOL
Rhea Scholtz Rhea Scholtz	Kodiak	ST. V. H.
Larry Anox Larry Anox	Kodiak	Fl. Lazy Bay
Larry Anox LARRY ANOX JR	1210 Selict, lower Kodiak	Apt #10 Taxi idemist
Bob Francisco BOB FRANCISCO	PO BOX 4055	MILITARY
Kris Foster Kris Foster	491 - K. Knellaker Apt. 12	Construction
ada cople ada cople	Kodiak PO Box 2071	dispatcher

WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill prevents the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

Please Sign and Print Name	Community	Vessel/Occupation
[Signature]	KODIAK	F/V LADY KODIAK
[Signature]	Kodiak	204 Lilly Lee 325 B3
[Signature]	Kodiak	[Signature]
[Signature]	Kodiak	F/V LARRY J.
[Signature]	Kodiak	Fisherman
[Signature]	Kodiak	Bartender
Susan S. Hardell	Kodiak	Lost Soul
Jeffrey G. [Signature]	Anchorage	Cannery
[Signature]	Kodiak	Printer
[Signature]	KODIAK	COAST GUARD
Shannon Blake [Signature]	KODIAK	HARRY'S
[Signature]	FADAN	F/V TORPEDO
Ryan Nelson	Kodiak	F/V HAZEL KODIAK
[Signature]	Kodiak	[Signature]
[Signature]	KODIAK IS. ALASKA	N/A

[Large handwritten signature]

WE, THE UNDERSIGNED CONCERNED CITIZENS OF COASTAL ALASKA, STAND UNITED AGAINST SB 113. This bill grants the ability to the State Board of Fishery and/or CFEC to issue history based fishing rights in State Waters in the form of a Dedicated Access Privilege Program

Please Sign and Print Name	Community	Vessel/Occupation
Joseph Szert Jr Joseph Szert	OLD Pt. 125 Harbor	CREW MAN
Norm D. DIERA	Kodiak	Self
[Signature]		
Franklin Carver	Anchorage	SELF
Ruben Hammer	Kodiak	construction
Nick Sardin Thyllis Perry	Nadav	retiree fisherman
[Signature]	Kodiak	Dental Asst.
Leki S. [Signature]	Kodiak	Insurance Salesman
Darius Kasprzak Darius Kasprzak	Kodiak	vessel owner skipper F/V Malka
Terry [Signature]	Kodiak	USCG
Keith Lee Wilson Keith Lee Wilson	Kodiak Sand Point	Self
Steph D. Carroll Steph D. Carroll	Kodiak	Self tax
Nathaniel Newman Nathaniel Newman	Kodiak	Crew man
Jackie Wallace Jackie Wallace	Kodiak	Housekeeper
Elizabeth Still Elizabeth Still	Kodiak	Bartender

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Please Sign and Print Name	Address PH #	Vessel/Occupation
BEN BILSTEIN <i>[Signature]</i>	523 LETO ST KODIAK 487-4523	BREWERY
ELIZABETH O'DONNELL <i>[Signature]</i>	135 MOUNTAIN VIEW KODIAK 6-2883	F/V CARAVELLE
RICHARD YULKER <i>[Signature]</i>	BT 3357 KOD. 7-2199	BREWERY HELP L.F.O. FISHERMAN
GARRICK PARKER <i>[Signature]</i>	3514 Woodyway CP KODIAK	SAFETY TECHNICIAN KODIAK OCEAN SAFETY SER.
Pete Cunniskey <i>[Signature]</i>	11513 Middle Bay Dr KODIAK 487-2790	BIOLOGIST
John Palke <i>[Signature]</i>	619 Thorshiem 486-4679	Fisherman Kimberly
Mark Humphreys <i>[Signature]</i>	178 Thorshiem 6-2786	Fisherman F/V Deliverance
Renee Harkenkamp <i>[Signature]</i>	P.O. 1104 6-0855	student.
KRISTOPHER BLESSIAN <i>[Signature]</i>	HALESA, AK KODIAK, AK	F/V FALCON / JIG/GILLNET/ F/V CENTUR / TENDER
Jennis Effers <i>[Signature]</i>	KODIAK, AK	Fisherman F/V DAWN
JASON BAGBY <i>[Signature]</i>	Salem, AK	fisherman/MANY
LIFE CHASER <i>[Signature]</i>	KODIAK	<i>[Signature]</i>
Robert Walton	Kodiak	Sport Fishing
Jason W. Davis	Kodiak	Ride on Boats
Angela M. Reynolds <i>[Signature]</i>	Kodiak	Karting
Trista Abstom <i>[Signature]</i>	Kodiak	fish site Chief Cook/waitress
Bryant Davis <i>[Signature]</i>	Perthians	Monica Jean (Heaving)

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Please Sign and Print Name	Community	Vessel/Occupation
James Stevens James Stevens	KODIAK	fisherman
Stephen C. Dichterman Stephen C. Dichterman	KODIAK PO Box 3836	F/V SIDR MISKII F/V ISANDISKI
Leeland Maule	Kodiak	X-1 skerman
Katherine J Lopez Katherine J Lopez	Kodiak	marine supply sales associate
Jane Skarberg Jane Skarberg	Kodiak	Kodiak marine Sales Associate
Cherry Castaneda Cherry C Castaneda	Kodiak	Sutliffs Accounting Clerk
Diana Bridenstine Diana Bridenstine	Kodiak	Sutliffs
Evelyn Borg Evelyn Borg	Kodiak	Village Bar
M. Va Ferris Mike Ferris	Kodiak	F/V Nordic Viking Crew
Cheston Clark Cheston Clark	Sitka	F/V Nordic Viking F/V Lorne Row
Abram Fox Abram Fox	Kodiak	Northern Jager
Harold Lyons Harold Lyons	Kodiak	Northern Jager
MARY BARBER Mary Barber	Kodiak	ACCOUNTING TECH A/P KODIAK ISLAND BAR
Rebecca Hunter Rebecca Hunter	Kodiak	Bar Manager Tropic Lounge
KATHY CLIVER Kathy Cliver	Kodiak	RESM / ADMIN

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Please Sign and Print Name	Community	Vessel/Occupation
Denise Stameoff Denise Stameoff	Kodiak	Village Bar BARTENDER
JOHN POZYK John Pozik	KODIAK	PILE DRIVER
Harold Harkus Harold Harkus Barber	Fodega	Contractor
Pete Kluss Pete Kluss	Kodiak	Contractor
Charles Frobenius Charles Frobenius	Kodiak	Lugaa Star Fisherman
Howard Peterson Howard Peterson	KODIAK	F/V RAVEN Fisherman
Chris Deate Chris Deate	KODIAK	Fishing Construction
John W. Hupter John W. Hupter	KODIAK	JWA Coast Inc Contractor
Jacquelin Gaby Jacquelin Gaby	Kodiak	deck hand
Sheila Leary Sheila Leary	Kodiak	Waitress
Clat F. Johnson Clat F. Johnson	Kodiak	FISHMAN
Diana M. Shields Diana M. Shields	Kodiak	Admin. Assit. & Bartender
David Shields David Shields	KODIAK	POLICE OFF
Jamie Switzer Jamie Switzer	Kodiak	Fisherman
Brenda Huster Brenda Huster	KODIAK	Delivery Driver

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Please Sign and Print Name	Community	Vessel/Occupation
Kate Nerbe Kate Nerbe	Chiniak	
Frank Humphreys Frank Humphreys Jr.	Kodiak	Deliverance / Fisherman
Eleanor Weber Eleanor Weber	Kodiak	
Donna Jones	Kodiak	
LEONARDO R. CARPENTER Leonard R. Carpenter Leonard R. Carpenter	KODIAK	FISH TALE / ^{VESSEL OWNER} FISHERMAN
Leonard R. Carpenter Leonard R. Carpenter	Kodiak	F/V fish tale / ^{Vessel Owner} Fisherman
KIP THOMET	KODIAK	SET-NET SITE OWNER FV MAJOR
ALEXUS KWACHKA	KODIAK	F/V NO POINT
Harvey Goodell Harvey Goodell	Kodiak	Set-net Salmon Crew
Ronald A. Thompson RONALD THOMPSON	KODIAK	NORTHERN JAEGER
Steve BRANSON	Kodiak	CREWMAN ASSOC. GRUNT
TERRY HAINES	KODIAK	FISH HEADS GRUNT
MARK LEONGSON	Kodiak	F/V Sea Dream
Philip J. Becker Philip J. Becker	Kodiak	MUSICIAN
THORVALD OLSEN	KODIAK	VIKING STAR

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Please Sign and Print Name	Community	Vessel/Occupation
Thelma Mackey	Anchorage AK	Fishman
Eva L. Holm	Kodiak	CONCERNED CITIZEN
Eva L. Holm	Kodiak	Commercial Fisher
LeYett B. Tibbets	Kodiak	FISHERMAN-CON
Cheryl Nugent	Kodiak	CONCERNED CITIZEN
Cheryl Nugent	Kodiak	F/V Great Alaska
RICHARD, NUGENT	KODIAK	CONCERNED CITIZEN
Richard Nugent	KODIAK	F/V GREAT ALASKA
Robin Clark	Kodiak	F/V Linnea
Theresa Peterson	Kodiak	F/V Patricia Suz
Theresa Peterson	Kodiak	F/V Patricia Suz
Charlie Peterson	Kodiak	F/V Patricia Suz
Sue Miller	Kodiak	F/V Kenaghe

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Please Sign and Print Name	Community	Vessel/Occupation
Angela M. Reynolds		
Donald Reynolds	Kodiak	bartender
Trista Abston	Kodiak	fish site
Justa Aleston	Kodiak	chief cook/waitress
Bryan & Alicia	Port Lions	Monica Jean
		(Hearing)

SB 113 Public Comment
(Alpha Order)

<u>Lname</u>	<u>Fname</u>			<u>format</u>	<u>date</u>	<u>con</u>	<u>pro</u>	<u>notes</u>
Blessum	Kristopher	2506 E. Leonora	Mesa, AZ	fax via lio	3/8/05	1		
Buchanan	Victor	Box 4114	Kodiak	fax via lio	3/8/05	1		
Cheledinas	Brian	Box 692	Kodiak	fax via lio	3/8/05	1		
Clark	Michael	Box 2009	Kodiak	private fax	3/8/05	1		
Clark	Robin	Box 2009	Kodiak	private fax	3/8/05	1		
Dochtermann	Shawn	Box 3886	Kodiak	email	3/8/05	1		
Dochtermann	Shawn	Box 3886	Kodiak	fax via lio	3/8/05	0		duplicate of email
Farnsworth	Steven	Box 8163	Nikiski	fax via lio	3/8/05	1		
Finley	Locke	Box 3849	Kodiak	fax via lio	3/8/05	1		
Gallagher	Donald	Box 4428	Kodiak	POM	2/14/05	1		
Gallagher	Donald	Box 4428	Kodiak	POM	3/7/05	0		different info
Gallagher	Donald	Box 4428	Kodiak	POM	3/7/05	0		different info
Gallagher	Donald	Box 4428	Kodiak	POM	3/7/05	0		different info
Garr	Edward	145 Fern	Kenai	fax via lio	3/8/05	1		
Henson	Jon	Box 176	Kodiak	fax via lio	3/8/05	1		
Kavanaugh	Julie	Box 3890	Kodiak	email	3/7/05	0		
Kavanaugh	Julie	Box 3890	Kodiak	fax via lio	3/8/05	0		duplicate of email
Kavanaugh	Ron & Julie	Box 3890	Kodiak	email	2/28/05	2		
Kavanaugh	Ronald	Box 3890	Kodiak	fax via lio	3/8/05	0		
Koson	Joshua	Box 5594	Kodiak	fax via lio	3/4/05	1		testimony @ NPFMC 10/04
Koson	Ruth	Box 5594	Kodiak	fax via lio	3/4/05	1		testimony @ NPFMC 10/04
Koson	Shaun	Box 5594	Kodiak	fax via lio	3/4/05	1		testimony @ NPFMC 10/04
Kwachka	Alexus	326 Cope St	Kodiak	fax via lio	3/8/05	1		
Lawhea	Donald	3865 Coho Circle	Kodiak	fax via lio	3/8/05	1		
Lundquist	Andy	Box 589	Kodiak	letter	3/7/05	1		
Magnusson	Harold	Box 531	Blaine, WA	fax via lio	3/8/05	1		
Martin	Robert	Box 3544	Kodiak	fax via lio	3/8/05	1		
Mathieu	Steven	Box 3586	Kodiak	fax via lio	3/7/05	1		
Mathieu	Steven	Box 3586	Kodiak	fax via lio	3/8/05	0		Pres AK Jig Assn - 34 mbrs
Miles	Frank	Box 2744	Kodiak	fax via lio	3/8/05	1		
Payne	Susan	Box 190	Kodiak	POM	3/3/05	1		
Perkins	Greg	1255 Tierra Grande Pl.	Wasilla	fax via lio	3/8/05	1		

SB 113 Public Comment
(Alpha Order)

Rickman	Neil	Box 16142	Sitka	POM	3/9/05	1	
Robbins	Lisa	Box 2284	Kodiak	email	3/7/05	1	
Schauff	Barry	???	???	private fax	3/8/05	1	
Smith	Edgar	???	???	email	3/9/05	1	
Thompson	Charles	Box 2193	Kodiak	fax via lio	3/8/05	1	Pres Divers Mkg Assn
Tripp	Timothy	Box 3614	Kodiak	fax via lio	3/7/05	1	
Wade	Mark	5103 Chuckanut Dr.	Kodiak	fax via lio	3/8/05	1	
Whidman	Ronald	Box 1961	Petersburg	fax via lio	3/8/05	1	
Yarbrough	Joseph	Box 2973	Kodiak	fax via lio	3/8/05	1	
						34	Total

NOTE:
Cut off for this printing was at 2pm on 3-09-05.//mj

PHONE CALL

For: MAKO Haggerty Date: 3-23 Time: 10.46 AM
M: 235-9055 Home: Home
F: _____ Fax: _____

Remarks: Opposed to SB 113.

Incomplete
 Returned Your Call
 House Call
 Will Call Again
 Came to See You
 Wants to See You

Signed: MHS Sparco ISLAND SPR02 101

To whom it may concern:

I am opposed to Senate Bill NO 113 !!!

My name is Ludger Dochtermann. I have lived in Kodiak for 32 years. I am a fixed gear fisherman. I am the owner of two 90' vessels that operate in the Gulf of Alaska and BSAI, long lining for halibut and groundfish and pot fishing for crab and codfish.

Senate Bill 113 encompasses all state waters and is inclusive of the state water fisheries for codfish, which is prosecuted by only two gear types, pot and jig. During the Federal Groundfish Fisheries trawling and long lining is allowed in state waters. The exclusive state water fishery which commenced with the 1997 season was requested by fisherman from Kodiak to allow entry level participation by ENVIRONMENTALLY responsible gear types that are target specific and virtually by catch free. The purpose was to take crab predator cod fish out of state waters without harming crab stocks and through these efforts bring about a resurgence of our crab resources. The crafters of this fishery also deliberately excluded long lining for cod in the state water fishery because of the high by-catch of halibut. After initially receiving a 10 % allocation of the cod TAC we were able to request an increase to 25 %, which is the present share. A 60-pot limit was instituted for the state water fishery to prevent large boats from taking an unfairly large share. The 25 % state water catch was also divided fairly between pot and jig gear type fishing.

There was vociferous opposition from the trawl fleet to any state water fishery, since it took away a quarter of the quota of which they were catching the lions share.

Around Kodiak all the bays and other crab sensitive areas are off limits to the trawl fleet for hard on bottom trawling

The positive impact of the state water cod fishery has been that we are seeing a resurgence of the tanner crab stocks, which has allowed a small fishery to be prosecuted the past 5 years. This has been a needed infusion of dollars into the community.

The other positive result is that it provides an entry-level fishery for the future fisherman of Alaska. These are local people who otherwise would have no starting point into the fishing life. This has been a boon to most coastal communities.

It is clear to everyone in this community that the hard on bottom cod trawl fleet could take the entire federal and state water quota in a few days. The federal pot fishery in the GOA is only possible because the TRAWLERS requested a stand down for the first 20 days of January. This year the quota was taken in 4 days once the trawlers entered the fray. The fishing power of a trawl is awesome. When a trawl is hard on bottom it is also all-inclusive with obscene by catch of everything that lives in the net's pass.

Page Two

The driving force behind the federal and state groundfish rationalization program is the trawl industry. Their lobby is very powerful. In Kodiak the non-trawl fishers call the GOA rationalization process the trawlers retirement program. The trawl sector wants to get a guaranteed share of the groundfish resources.

Times are changing and we are all becoming more conscious of our environment. The handwriting is on the wall. There will be more and more restrictions once the general public realizes the terrible impact of hard on bottom trawling. Can there be a better way of forestalling restrictions on their fishing practices than to privatize the resource and chisel it in stone?

This brief history was necessary for the majority of the legislators who come from non-fishing communities and who might be hoodwinked into buying into Senate Bill 113 because of not knowing the facts.

SB 113 Page 1 line 6: What are the changes in the significant economic conditions facing the fisheries? There has not been any increase in effort in either the trawl, pot, logline and jig fisheries in the central and westward region of the State.

I include here the data from the ADFG that shows the effort for all these fisheries.

Page 1 line 10: The economic health of fisherman will be detrimentally affected because the state wants to charge royalties, which will make it impossible for the jig, pot and long line fisherman to operate an already marginal profitable fishery. This would only benefit the trawl fleet, which has smaller labor, and fuel costs than the rest of the industry. They could outbid the more labor-intensive fisheries.

Page 1 line 12: Ensure conservation of biological and capital resources.

The NPFMC sets the quotas in most Alaska fisheries. WE catch what they give us for quotas. How would this program conserve the resource? This bill would sanction obscene by-catch in the trawl sector instead of reducing it, which would help biological conservation.

Page 1 line 13: Capital resources of the fishery.

Since there has been virtually no effort change in the fishing fleet, how would this bill affect the capital resources of the fishery? The negative impact would be that by having to pay resource fees marginally profitable mostly small operators would be forced out of business. The resulting trickle down effect on the local businesses supplying goods and services will be devastating. The resulting consolidation, especially in the trawl sector, will cause shrinkage in the fleet as new owner barons sell their quotas and/or fishing rights and retire to other climes.

Page 2 Sec 5,6,7: This is the old-fashioned money grab. The LLP program controls access into most fisheries. There is no entry unless you are already qualified. The state water cod fishery is the only one that allows free entry as the crafters had intended. The statistics prove my point. There is fluctuation, but the effort now is lower than it was at the beginning of the fishery.

Page Three

Page 2 Sec 8 I addressed lines 16,17 and 18 above. Promoting Safety: I do not see how this bill promotes safety. When the weather is bad the fleets here do not go out and fish. The foolish people have either left or are dead.

The rest of SB 113 goes into specifics to establish this new bureaucracy and justify its perpetuation.

If the reason for Senator Ben Stevens introduction of this bill is to get more tax money from the fishing industry, then it would be a lot cheaper to just increase the fish tax for which there is a bureaucracy already in existence. I think that approach would be a lot more palatable to fisherman then to establish more paper work, more licenses, more laws and regulations of which we are burdened with already. The State of Alaska is already bloated with regulatory agencies; logic would suggest to stop now with this nonsense bill.

If on the other hand SB 113 is only there to guarantee wealth and retirement benefits for the already wealthy fishing industry vessel owners then I consider this to be abject irresponsibility on part of the legislature to pass this bill or even give it serious consideration.

In order for costal communities to maintain their economic vibrancy it is essential that the Federal and State RATIONALIZATION process must be STOPPED!

When all is said and done,
and this bill and rationalization should go through,
the carpetbaggers will be gone and leave us with another empty basket.

My suggestion is for an immediate increase of the state water cod fishery to 40 % of the TAC and an eventual phase out of the trawl fishery of directed cod fishing in the GOA. To be generous I will concede them 25 % of the quota so they can keep their by-catch of cod in their other fisheries.

Respectfully,



Ludger W. Dochtermann
Owner Operator F/V Stormbird and F/V North Point

State Managed Season Cook Inlet Area

Year	Vessels	Landings	Jig/troll	Vessels	Landings	Pot	Harvest	State GHL	% of OHL
1997	46	233	561,947	10	136	276,966	838,913	2,549,646	32.9 %
1998	29	123	188,209	13	183	542,260	730,469	2,434,565	30.0 %
1999	14	51	127,229	24	278	1,390,678	1,517,907	2,637,445	57.5 %
2000	5	12	13,885	17	219	1,135,903	1,149,788	2,160,255	53.2 %
2001	5	13	19,428	9	196	875,923	895,351	1,917,195	46.7 %
2002	6	15	18,163	9	306	1,310,684	1,328,847	1,571,455	84.6 %
2003	15	160	429,684	10	140	1,023,854	1,453,538	1,438,516	101.04%
2004	18	20	326,298	12	170	1,785,386	2,111,684	2,367,765	89.2%

2005 5 9

State Managed Season Prince William Sound Area

Year	Vessels	Landings	GHL	Pots	Jig ^b	Total
1997	9	36	880,000	192,142	8,378	200,520
1998	9	33	860,000	385,817	33,177	418,994
1999	7	27	930,000	314,987	79,147	394,134
2000	12	36	2,950,000	268,765	22,377	291,142
2001	3	3	2,620,000		228	228
2002	0	0	1,900,000			
2003			Confidential Data			
2004			Confidential Data			

^bincludes mechanical jig and hand troll

Westward Region Registration by Year and Area 3/16/05
Trawl Vessels

2005
Kodiak 26
SAP 17
Chignik 1

2004
Kodiak 46
SAP 13
Chignik 0

2003
Kodiak 41
SAP 19
Chignik 0

2002
Kodiak 40
SAP 24
Chignik 0

2001
Kodiak 54
SAP 17
Chignik 0

2000
Kodiak 36
SAP 19
Chignik 0

1999
Kodiak 66
SAP 21
Chignik 0

1998
Kodiak 74
SAP 23
Chignik 0