



# Commercial Fishing Permits



## ***What is a commercial fishing permit?***

In Alaska, a limited entry or interim-use permit entitles the holder to operate gear in a specific commercial fishery in accordance with Board regulations. The term “fishery” refers to a unique combination of fishery resource(s), gear type(s), and area(s). For instance, halibut longlining, salmon trolling, and salmon seining are distinct fisheries, requiring separate permits. Permits for some species are issued on a statewide basis, while others are valid only for certain areas of the state; for instance, Cook Inlet or Bristol Bay. This use-privilege or right to fish is embodied in a plastic permit card which is issued annually.

## ***Are there other types of permits?***

CFEC issues vessel permits to eligible vessel owners in the Bering Sea hair crab and statewide weathervane scallop fisheries. “Vessel permits” are different than limited entry or interim-use permits, as they are vessel-specific. The vessel permit, which authorizes use of the vessel in the fishery, must be kept on board the qualifying vessel, in addition to the regular commercial vessel license. There must also be a person on board who holds a valid interim-use permit for the fishery. The vessel permit is an 8-1/2” x 11” document similar to a limited entry certificate, rather than a plastic card. There are also special types of permits that may be issued to private non-profit hatcheries, accredited educational institutions for commercial fisheries training programs, and mariculture farms.

## ***How are limited entry or interim-use permit cards used?***

The fisherman is required to have the permit card and a photo ID in possession at all times while engaged in commercial fishing activities. When fish are delivered for sale, the permit card is imprinted on a fish ticket receipt which records the species, number of fish, pounds delivered, area caught, etc. This fish ticket information is used by state and federal agencies for fisheries management and enforcement.

## ***What information is printed on the permit cards?***

The top line of the permit card indicates the holder’s residency status and the name of the vessel designated on the permit application. The next line is the fishery description. The third line is the person’s name, and the fourth is the permit number, followed by the vessel ADF&G number. The bottom line is a sequence number used to track the time period for which the card is valid, followed by the holder’s unique file number.

## ***How long do permits remain valid?***

There are three basic types of permits issued by the commission: limited entry permits, interim-use permits, and vessel permits. Limited entry permits are the permanent permits issued for limited fisheries. They are issued to applicants who received enough points on their applications. Limited entry permits must be renewed annually and most can be transferred to another person after initial issuance. Interim-use permits are issued annually for all commercial fisheries which are not under entry limitation, and to applicants waiting to find out if they qualify for permanent permits. Vessel permits are issued annually to vessels qualified to participate in the Bering Sea hair crab or weathervane scallop fisheries.

## ***Don’t some permits cost thousands of dollars?***

Yes. In order to enter a fishery which is under limited entry, a permit must be obtained by transfer from a current permit holder. Many of these transfers involve sales, and the prices may range from about \$2,000 to about

\$300,000. These prices fluctuate with the market and are not regulated by the Commercial Fisheries Entry Commission.

***Do you have to fish a limited entry permit every year in order to keep it?***

No. Limited entry permits do not have to be fished every year. However, the renewal fee must be paid each year in order to keep the permit (unless the fishery remains closed for the entire year). If renewal fees are not paid for two years, the permit is forfeited to the State. Interim-use permits do not have to be renewed each year, because they are issued only on an annual basis. They are issued only to applicants who actually intend to participate in the fishery during the year.

***What happens to permits which are forfeited because fees are not paid?***

Forfeited limited entry permits are simply removed from the fisheries. They are not reissued to other fishermen. The permit holder may request reinstatement of the forfeited permit if good cause can be demonstrated for the failure to renew, and all back fees are paid.

***Can permit fees be refunded if the permit isn't used during the year?***

Permit fees are not refundable, except in the event of a season-long closure of the fishery, or if some other circumstance applicable to all permit holders in the fishery prevents a substantial number from participating. The Exxon Valdez oil spill in Prince William Sound provides a good example of the type of situation in which refunds may be authorized.

***If a person holds a permit for one fishery, does that person have to buy a crewmember license to participate as a deckhand in another fishery?***

No. Any valid limited entry or interim-use permit may also serve as a crew license for the holder to participate in other commercial fisheries. (The one exception may be in fisheries with superexclusive registration requirements. ADF&G regulations should be consulted for details.)

***Can the permit holder use the permit on any boat?***

In most fisheries the permit holder may fish the permit on any vessel which is licensed, but ADF&G regulations for the specific fishery should be consulted. On the permit application, the ADF&G number of the vessel to be fished must be provided, and the designated vessel must be licensed for that year in order for the permit card to be issued. (One exception to this general rule arises from fisheries which have "superexclusive area registration" requirements prohibiting a vessel from participating in any additional fisheries.)

***What agency issues vessel licenses?***

Vessel licenses are also issued by the Commercial Fisheries Entry Commission. In 2006, the annual fee for a vessel license changed to a gradual system of 13 fee classes. Currently, vessel license fees range from \$24 (for a vessel 25' and under) to \$900 (for a vessel over 300'). Once licensed, the vessel may be used in any commercial fishery, provided it is in compliance with applicable Alaska Department of Fish and Game regulations.

***Can a partnership or corporation hold a permit?***

Generally no. Entry and interim-use permits must be held by an individual person, and the person named on the permit must be actively involved in the fishing operation. The permit holder must be able to present personal identification, including a photo ID, if requested by authorities. Vessel permits issued to owners of qualifying

vessels (such as in the Bering Sea hair crab and weathervane scallop fisheries) may be held by an entity that owns the vessel.

***What may be done if the permit holder is NOT able to participate in the fishery for some reason?***

The regulations include provisions for permits to be transferred in certain situations. The permit holder may permanently transfer the permit to someone else by sale or as a gift. If the holder is unable to participate in the fishery due to a problem, the holder may be able to obtain an emergency transfer for the season, subject to the commission's approval. (See the brochure discussing permit transfers for additional information.)

***Is it legal for a permit to be leased, or fished by someone else, if the permit holder doesn't want to fish?***

No. Permits cannot be leased simply because the permit holder does not want to fish. Leasing is prohibited by the Limited Entry Act. However, if the permit holder has a legitimate reason for requesting an emergency transfer of the permit, and a temporary transfer can be approved, the permit holder may receive payment for the use of the permit.

***Why is it illegal to lease permits?***

The legislature wanted permits to be held by active fishermen and not individuals or entities that could exploit fishermen. The legislature made it illegal to lease permits to ensure that fishermen could maintain control of their own livelihoods and to ensure permits would be controlled by active fishermen with a long-term stake in conservation of fishery resources. Allowing leasing could create a class of permit holders who would be absentee landlords of the fishery who could exploit the actual fishermen forced to lease their permits.

***Can aliens obtain permits?***

Aliens lawfully admitted to the United States for employment purposes may hold permits. Proof of lawful admission may consist of:

- 1) a "green card" (Alien Registration card); or
- 2) a Naturalization Certificate; or
- 3) a Certificate of Citizenship.

An alien who applies for an interim-use or limited entry permit, or who seeks to obtain a permit through permanent or emergency transfer, must show proof of being lawfully admitted to the United States for employment purposes. AS 16.05.905 prohibits alien persons not lawfully admitted to the United States from engaging in commercial fishing activities. If you have questions about your status, call CFEC for more information.

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