

Can a partnership or corporation hold a permit?

Limited Entry and interim-use permits must be held by an individual person. The person named on the permit must be actively involved in the fishing operation. The permit holder must be able to present photo ID, if requested by authorities. Vessel permits are issued to owners of qualifying vessels in the Bering Sea hair crab and Statewide 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 limited entry 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 health problem, the holder may be able to obtain an emergency transfer for the season, subject to the Commission's approval.



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

Permits cannot be leased simply because the permit holder does not want to fish. Leasing is prohibited by the Limited Entry Act. If the permit holder cannot fish due to illness, death, disability, required military or government service, or other unavoidable hardship of a temporary, unexpected and unforeseen nature an emergency transfer of the permit may be approved.

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;
- 2) a naturalization certificate; or
- 3) a certificate of citizenship.

Proof of being lawfully admitted to the United States for employment purposes must be submitted to the Commission. 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 the Commission for more information.

This summary information is presented as a courtesy by the CFEC Licensing Section but may not be read to modify or replace the agency's statutory requirements in AS 16.43 or regulatory requirement in Chapter 5, of Title 20, Alaska Administrative Code. Cover photo courtesy of the Alaska Seafood Marketing Institute Inside photo courtesy of Andy Mills

Commercial Fishing Permits



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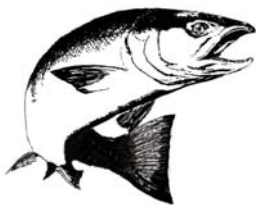
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What is a commercial fishing permit?

In Alaska, a limited entry or an interim-use permit entitles the holder to operate gear in a specific commercial fishery in accordance with Board of Fish regulations. The term “fishery” refers to a unique combination of fishery resource, gear type, and area. 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?

The Commission 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. 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 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 CFEC ID number followed by the permit holder’s year of birth.

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. 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 Statewide weathervane scallop fisheries.

Don’t some permits cost thousands of dollars?

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 Commission.

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

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 valid. If the fishery is closed by ADF&G for the entire year and area the Commission will waive the permit fees. If renewal fees are not paid for two years, the permit can be forfeited to the State. Interim-use permits do not have to be renewed each year, because they are issued only on an annual basis 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 permits are simply removed from the fisheries. They are not reissued to other fishermen. The permit holder may request reinstatement by completing the “Application to Reinstatement Commercial Fishing Permit” form, demonstrate good cause for the failure of renewal and pay all back fees up to the current year.

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 or crew in another fishery?

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 vessel must be licensed for that year in order for the permit card to be issued.

What agency issues vessel licenses?

Vessel licenses are issued by the Commission. Once licensed, the vessel may be used in any commercial fishery, provided it is in compliance with applicable ADF&G regulations.