

What does the Commission do other than place fisheries under entry limitation?

Three Commissioners head the agency. In addition to limiting fisheries, their responsibilities include adopting regulations, conducting hearings, and issuing final Commission decisions.

The agency employs nearly 30 staff members, who are organized into four sections: (1) Adjudications determines who is entitled to participate in limited fisheries; (2) Licensing issues all commercial fishing permits and vessel licenses for Alaska and approves all transfer requests; (3) Research analyzes data required for fishery limitations, conducts optimum number studies, monitors the development of fisheries, and produces economic data utilized by a variety of management agencies; (4) Information Technology maintains data and the computer system essential to the agency's functions.

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 and inside photos courtesy of Andy Mills

Commission contacts:

Commissioners:

Bruce Twomley
Benjamin Brown
Peter Froehlich

Chairman
Commissioner
Commissioner

Adjudications:

Frank Glass
Sherri Wolfe

Project Leader
Managing Paralegal

Administration:

Shirley Penrose
Fred Harmon
Sheri Paddock

Operations Manager
Receptionist
Administrative Clerk

Information Technology:

Ty McMichael
Vacant
Mykel George
Don Hunstman
Joe Kollar
Brant Oliphant

IT Project Leader
Data Systems Tech
Analyst Programmer
Analyst Programmer
Network Specialist
Analyst Programmer

Licensing:

Yvonne Fink
Mele Maake
Jill Wood
Suzanne Rumpfelt
Rissa Teske
Kim Andrews
Jen Wilson

Project Leader
Asst. Project Leader
Transfer Officer
Transfer Clerk
Permit & Transfer Clerk
Permit Clerk
Permit Clerk

Research:

Kurt Iverson
Craig Farrington
Nancy Free-Sloan
Marcus Gho
Vacant

Research Project Leader
Research Analyst
Research Analyst
Research Analyst
Research Analyst

What is the CFEC?



Commercial Fisheries Entry Commission

8800 Glacier Hwy., #109

P.O. Box 110302

Juneau, AK 99811-0302

(907) 789-6150 (voice)

(907) 789-6170 (fax)

www.cfec.state.ak.us

What is the Commercial Fisheries Entry Commission?

The Commercial Fisheries Entry Commission (CFEC or Commission) is one agency involved in regulating Alaska's commercial fisheries. Its purpose is to promote the conservation and sustained yield management of fisheries resources and the economic health and stability of the industry by regulating entry into the fisheries.

Why and how does the Commission "limit entry" in a fishery?

The limited entry process is usually initiated by a petition from participants in a fishery who believe the number of gear operators must be limited in order to preserve the resource and economic health of the fishery. If research indicates there is a problem which would be helped by limiting entry, the Commission establishes a maximum number of permits for the fishery based upon historic participation levels. Next, the Commission develops a point system to rank eligible applicants according to the relative degree of hardship they would suffer if not awarded an entry permit.

What are the point systems based upon?

The basic criteria used to evaluate hardship are: (1) Economic dependence upon the fishery, which may include percentage of income from the fishery and investment in a vessel and gear, and (2) Past participation in the fishery, which may include the number of years and consistency of participation.

Are there different types of limited entry programs?

The original Limited Entry Act provides only a license limitation program, primarily designed for the salmon fisheries, but that program is not ideal for all other fisheries. In 1995, the legislature gave the Commission authority to further restrict the fishing capacity of an entry permit (for example, permits for 75, 150, 225 and 300 pots were issued in the Southeast Dungeness crab fishery). In 2002, the legislature authorized the Commission to establish a vessel limited entry system for the Bering Sea hair crab and Statewide weathervane scallop fisheries. The Commission continues to study alternative types of limitation more suitable for fisheries managed by quota.

Who is eligible to apply for a limited entry permit?

A person must have legally participated in the fishery, held the required licenses, and made at least one landing of fish during an eligibility period prior to the established qualification date.

When can a person apply for a limited entry permit?

A specific application period, usually a few months in length, is established for each limited fishery. All persons who are eligible to apply must submit their applications during the specified time period.

How long does it take for the Commission to decide who qualifies for limited entry permits?

The time period can vary in individual cases from months to years. The first step is for the Commission staff to re-



view the evidence submitted with the application to verify the points that have been claimed. They then make an initial determination as to the number of points awarded. Permits may be issued fairly quickly to applicants who are classified at the high end of the point range.

Applicants who wish to contest their point determinations may request a hearing and submit additional testimony and evidence. Permits are issued first to applicants with the highest number of points, and then on down through the range of point levels until the established maximum number of permits has been issued. It is actually a bit more complicated than this, since a block of permits must be held in reserve for applicants who are going through the appeal process and may eventually be found to qualify for permits. Final decisions by the Commission and the courts must be reached to determine how many permits are left to issue.

Permits may then be issued to all applicants at the next

lower point level, as long as the maximum number would not be exceeded by more than 5% or 10 permits (whichever is greater). Otherwise, the remaining permits must be issued by lottery.

Are people allowed to fish while they are waiting to find out if they qualify for a limited entry permit?

In most cases, yes. From the time that the Commission adopts limited entry for a fishery, until limited entry permits are actually issued, applicants who may eventually qualify for a permit are allowed to fish using an interim-use permit which is issued annually.

Can individuals who do not receive a limited entry permit still participate in a limited fishery?

Yes, but they must obtain the transfer of a limited entry permit. Most of the limited entry permits are freely transferable once issued. In other words, if the permit holder no longer wants to fish, the individual may permanently transfer it to another person. A transfer may take place as the result of a sale, gift, trade, or inheritance. All requests for transfer of permits must be approved by the Commission.

Which fisheries in Alaska have been put under limited entry?

The salmon fisheries in all areas of the state, most herring fisheries, and various other fisheries have been limited. A list of all limited fisheries can be found on the Commission's web site at www.cfec.state.ak.us.

What kinds of vessels have to be licensed for commercial fishing?

Vessels used for commercial fishing or related activities must be licensed by the Commission. This includes fishing vessels, tenders, packers, processing and transporter vessels. Guided Charter vessels must be licensed with the Alaska Department of Fish and Game(ADF&G).

For example, seine skiffs used in conjunction with another vessel must be licensed. Sport Charter vessels are licensed by the Alaska Department of Fish and Game.