

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

A person must hold a permit to participate in a limited fishery. A permit may be transferred by sale, gift, trade, or inheritance.

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 website 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, processors, transporter vessels, and seine skiffs. Guided charter vessels must be licensed with the Alaska Department of Fish and Game(ADFG).

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, issuing final Commission decisions, advocating with the Alaska Legislature, and overseeing agency staff.

The agency employs staff members who are organized into four sections:

(1) *Adjudications* initially determines who is entitled to participate in limited fisheries, and also hears appeals of other decisions including emergency and permanent transfers and assessment of demerit points.

(2) *Licensing* issues all commercial fishing permits and vessel licenses for Alaska and processes 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 systems essential to the agency's functions.

This summary information is presented as a courtesy by the Commercial Fisheries Entry Commission but does not modify or replace the agency's statutory requirements in AS 16.43 or regulatory requirements in Chapter 5 of Title 20, Alaska Administrative Code.

Cover photo courtesy of Andy Mills. Inside photos courtesy of the Alaska Department of Fish and Game and the Alaska Seafood Marketing Institute.



What is CFEC?



Commercial Fisheries Entry Commission

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What is the Commercial Fisheries Entry Commission?

The Commercial Fisheries Entry Commission (CFEC or Commission) is an autonomous, independent agency of the State of Alaska which regulates entry into 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 provided only a license limitation program, primarily designed for the salmon fisheries, but that program was not

well suited to 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 State-wide weathervane scallop fisheries. In 2013, the limitation for the Statewide weathervane scallop vessel entry permits sunsetted making the fishery open access. 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 held the required license to have legally participated in the fishery and made at least one landing of fish during the 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 and wish 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 review the evidence submitted with the application. They will make an initial determination as to the number of points awarded. Permits may be issued fairly quickly to applicants who are classified at the higher 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. The process then calls for a block of permits to 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.