

SB 42-Personal Use Priority

Prepared for: Senator Bill Stoltze

Prepared by: ADF&G, Division of Sport Fish.

Source Document: Alaska Fish and Game Laws and Regulations Annotated

General information on Personal use fisheries:

Definitions(Sec. 16.05.940): 1) personal use fishing means the taking, fishing for, or possession of finfish, shellfish, or other fishery resources, by Alaska residents for personal use and not for sale or barter, with gill or dip net, seine, fish wheel, long line, or other means defined by the Board of Fisheries;

2) **Resident:** means a person who for the 12 consecutive months immediately preceding the time when the association of residence is made has maintained the person's domicile in the state and who is neither claiming residency in another state, territory, or country nor obtaining benefits under a claim of residency in another state, territory, or country.

5 AAC 77.001. Intent and application of this chapter.

(a)(1) before the enactment of the states subsistence priority law in ch.151, SLA 1978, an individual could fulfill that individuals personal use needs for fish under subsistence fishing regulations; (2) the states subsistence priority law changed the definition of subsistence in a manner that now precludes some individuals from participating in customary and traditional subsistence fisheries and efficiently harvesting fish for their personal use; (3) there are presently areas of the state with harvestable surpluses of fish in excess of both spawning escapement needs and present levels of subsistence, commercial and sport uses; and (4) it is necessary to establish a fishery classified as "personal use" because

(A) since the sale of fish is not a customary and traditional use; this fishery cannot be classified as commercial; (B) since the use is not a customary and traditional use, this fishery cannot be classified as subsistence; and (C) since the gear for this fishery is often different from that historically associated with sport fishing, this fishery should not be classified as a sport fishery to prevent confusion among the public.

General aspects:

- Personal use fisheries are for providing Alaskan residents with a variety of opportunities to harvest fish and shellfish resources for personal household consumption. They have been established around the state as a means to accommodate the desire of residents to harvest and enjoy consumption of the renewable natural resources which belong to all Alaskans.
- Generally speaking, Chapter 77 (5 AAC 77.001-77.699) offers a wide array of information on personal use fisheries around the state: statewide provisions, gear, seasons, bag and possession for each area and fishery.

- Personal use fisheries exist in both freshwater and marine environments statewide of which there are about 80 fisheries identified encompassing (salmon, crab, shrimp, bottom fish, scallops and clams) from Norton Sound to Ketchikan.
- Generally the Alaska Department of Fish and Game, Division of Commercial fisheries manages the marine personal use fisheries and Sport Fish Division manages the freshwater fisheries.
 - Most of the personal use fisheries in SE Alaska are managed by Commercial Fisheries Division, and those in SC and Interior Alaska are managed by Sport Fish Division.
- Three of the more prominent personal use fisheries are Chitina (Copper River), Kasilof and Kenai where harvests are largely sockeye salmon.
 - Participation in the Chitina fishery averages about 9–11,000 households with harvests averaging around 135,000 sockeye annually (5-year average; 2009-2013). In 2013, 11,539 household permits were issued and 9,300 returned with an estimated harvest of about 165,000 fish.
 - Participation in the Upper Cook Inlet Personal Use Fisheries averages approximately 30,000 – 35,500 households with harvests averaging approximately 537,000 sockeye (5-year average; 2009-2013). There were 35,211 household permits issued for Cook Inlet personal use fishing in 2013 of which 27,180 were returned. A total of 457,581 salmon (all species) were harvested. 102,854 of these were from the Kasilof, and 354,727 were harvested from the Kenai. There was no retention of king salmon allowed in either the Kenai or Chitina fisheries during 2013.