

HJR

34

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Mary Pagenkopf

HJR 34

Senate Rules Committee 5/2/97 3:22 pm

# ALASKA STATE LEGISLATURE



House of Representatives  
Special Committee on Fisheries

## HJR 34 PROPOSED NPFMC HALIBUT SUBSISTENCE REGULATIONS SPONSOR STATEMENT

The North Pacific Fishery Management Council (NPFMC) was recently requested to create a new fishery for halibut in state and federal waters off Alaska. This request was partly initiated in response to recent enforcement problems associated with retention of undersized halibut and use of illegal gear. In December on 1996, the Council initiated the regulatory process which included several management options. A Council newsletter indicated that revised regulations likely would be implemented in 1998.

The proposed management options are attached to this statement.

Halibut are regulated in the North Pacific through the International Pacific Halibut Treaty, which created the International Pacific Halibut Commission, and the Northern Pacific Halibut Act of 1982, which clarified the responsibilities of the Halibut Commission and the Council. The 1982 Act indicated that the basic responsibility of the Commission is to maintain the health of the resource by evaluating available biological data and establishing management goals and area quotas. The NPFMC was authorized to establish regulations within the guidelines of the Halibut Commission for the harvesting of halibut. Recommendations and regulations proposed by both the Halibut Commission and the Council require concurrence by the Secretary of Commerce.

Neither the Halibut Commission nor the Council have ever identified a specific subsistence halibut fishery. Throughout most coastal areas, the taking of halibut for personal consumption has been taken under the recreational fishery regulations or as halibut retained during a commercial fishery. The recent establishment of halibut IFQ's has resulted in less opportunity for those who do not have an IFQ to utilize commercial gear for harvesting for personal consumption.

9

This resolution promotes modification of existing regulations under the authority of the NPFMC to allow the creation of special areas, methods and means and bag limits to provide ample opportunity for Alaskans to harvest halibut for personal consumption. This resolution does not favor the creation of a new fishery which violates the basic principles in Alaska's Constitution regarding common use and access to Alaska's resources. This resolution opposes the NPFMC adoption allocation regulations based on race or residency.

This resolution also expresses grave concern that this unilateral action by the Council could result in further erosion of Alaska's jurisdictional authority by expanding an already contested federal preemption effort embodied in Title VIII of ANILCA. Particular concern is expressed over the possible creation of a new commercial fishery under the guise of subsistence harvesting -- one of the options being considered by the Council.

We contend that the Council can accommodate special area needs for regulatory exceptions without dismantling the existing allocation framework and without creating a new fishery.

## Halibut Subsistence

As a result of increased IFQ and CDQ enforcement efforts in coastal communities, Native Alaskans requested that the Council take action to allow for the legal harvest of halibut for subsistence. In December 1996, the Council appointed a Halibut Subsistence Committee to provide recommendations to the Council. In February 1997, the Council received the report of the committee and initiated a regulatory amendment that would include the following management options for analysis. Revised regulations likely would be implemented in 1998.

### OPTION 1. Define subsistence.

Halibut subsistence regulations are needed to allow the continued practice of long-term customary and traditional practices of fishing halibut for food for families in a non-commercial manner for non-economic consumption. Subsistence is defined as 'non-commercial fishing for food.'

### OPTION 2. Define eligibility for halibut subsistence:

Suboption A. Members of Native Federally-recognized Tribes with customary and traditional use of halibut. (Subsistence Committee definition)

Suboption B. Alaska rural residents as defined in ANILCA and identified in the table entitled 'Alaska Rural Places and Native Groups with Subsistence Halibut Uses,' and will also include other communities for which customary and traditional findings are developed in the future. (ANILCA definition)

Suboption C. Tribal members and non-Native permanent residents of Native villages who have legitimate subsistence needs. (Migratory Bird Treaty Act definition)

### OPTION 3. Define legal gear.

Legal halibut subsistence gear is defined as (1) hook-and-line gear (including set and hand-held gear) with a range of 10 hooks, 30 hooks, and 60 hooks and (2) rod-and-reel gear. An individual would be limited to one skate of gear up to 1,800 ft long (not including the buoy line), with hooks set 18-20 ft apart, with a legibly marked buoy.

Suboption. Allow Tribal governments to contract with NMFS to register designated fishermen to fish for the community using:  
A. 1 - 3 skates of gear, up to 60 hooks each  
B. any gear type

### OPTION 4. Define minimum size.

Suboption A. No minimum size be imposed for subsistence harvests of halibut.

Suboption B. Revise the commercial halibut minimum size regulations to allow the retention of halibut under 32 inches caught with authorized commercial halibut gear in Area 4E for subsistence use.

### OPTION 5. Allow the customary and traditional trade of subsistence halibut.

Suboption A. Allow the customary and traditional trade of subsistence caught halibut.

Suboption B Allow the barter of subsistence caught halibut, limited to an annual amount. (1) \$200; (2) \$400, or (3) \$600

Allow low monetary, non-commercial sale of halibut to legalize current practice of compensating subsistence fishermen for fuel or other fishing expenses in exchange for fish. The analysis would define 'barter,' 'non-commercial,' 'low monetary value,' and 'customary trade' and analyze the enforcement and monitoring costs of allowing barter.

OPTION 6. Sale of subsistence halibut

Suboption A. Allow the commercial sale of subsistence-caught halibut.

Suboption B. Prohibit the commercial sale of subsistence-caught halibut

OPTION 7. Collect subsistence harvest estimates through cooperative agreements with Tribal, State, and Federal governments.

Staff contact is Jane DiCosimo.

### Halibut Charter Boat Management

The Council reviewed a draft analysis of management alternatives for the guided halibut sport fishery (charter boats, lodges, and outfitters) prepared by Council staff and the University of Alaska's Institute for Social and Economic Research (ISER). After reviewing the draft analysis, and hearing testimony from charter boat representatives and other industry members, the Council directed staff to conduct further analysis and bring the document back for review at the April meeting in Anchorage. A final decision has been postponed until the June meeting in Kodiak. The primary alternatives being considered by the Council remain: (1) status quo - no action; (2) implementation of a system of recordkeeping and reporting for the charter fleet; (3) a moratorium on further entry into the charter fishery; (4) a cap on the amount of halibut allocated to the guided sport fishery, either state-wide or by more specific management areas (an explicit percentage allocation of the quota between guided sport and commercial halibut fisheries, with the option for IFQ purchase by the charter vessels in the event of a fishery closure); and, (5) any combination of the alternatives listed above.

Between now and April, further analysis of these alternatives will be performed, with attention to the following items identified by the Council:

1. Evaluation of the changes in non-guided catches of halibut and the potential impacts of guided and commercial catches on non-guided anglers as identified in the problem statement.
2. Additional model runs (allocation projections) based on a long-term average halibut biomass quota projection - this will be determined in consultation with IPHC staff.
3. A review of recreational fisheries managed under a cap and the experience of those fisheries with measures designed to extend seasons.
4. Inclusion of economic multipliers (input/output model) to evaluate the economic impact of commercial fishing beyond exvessel price to the end-user level.
5. Expansion of the discussion (as much as possible) of how the alternatives relate to Executive Order 12962 "Recreational Fisheries Considerations."

# Alaska State Legislature

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**President of the Senate**

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March 26, 1997

Mr. Richard B. Lauber, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear Mr. Lauber:

The Alaska State Senate and House leadership have been recently appraised of the proposed North Pacific Fishery Management Council (NPFMC) halibut regulations which will be considered at your upcoming April meeting. The leadership of both the Alaska State Senate and House are extremely concerned about the regulatory options being presented for possible adoption.

From the perspective of the legislature, these proposed regulations are going to further polarize an already divided citizenry regarding special subsistence allocations or provisions. As you are undoubtedly aware, the Lt. Governor, the legislature and Alaska's Congressional delegation have been searching for ways to resolve the growing crisis situation evolving over the implementation of the federal subsistence priority on federal public lands. Alaska is now faced with potential federal preemption regulations over much of our state lands and waters, including state navigable waters. These regulations have sufficed to escalate the apprehensions of Alaskans and to increase tensions amongst Alaskans throughout the state.

It is clear that many aspects of the proposed halibut regulatory options were patterned after provisions in ANILCA, many of which have been identified as unacceptable and in need of change by both the legislature and the Lt. Governor. Alaskans have been united in their stand against racially described qualifying criteria for any allocation of Alaska's resources. There has also been strong public support for prohibiting any commercial sale of subsistence caught resources. Both of these controversial issues are at the heart of the proposed halibut subsistence regulatory options being presented by the Council.

We have a request for additional information and for permission to address the Council on this subject at its upcoming April meeting. It would be helpful if you or your legal counsel could provide us with answers to the following questions:

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1. Under what authority can the NPFMC, which is not identified in the Halibut Treaty, adopt the proposed regulatory options which are in conflict with our State's Constitution?
2. Under what authority can the Council adopt allocation criteria based on race which are in conflict with the State's Constitution?
3. Under what authority can the Council adopt allocation criteria based on residency?
4. If the Council has the authority to adopt these regulations for a halibut subsistence fishery, is it logical to presume that the Council could do the same thing for king crab, tanner crab, groundfish and some salmon species which are harvested primarily in the EEZ?
5. How and why would the Council consider adopting regulations in total conflict with Alaska's Constitution?
6. Is the Council aware that the adoption of these regulations will result in the inability of the State to assist in any enforcement of regulations which are in violation of the State Constitution?
7. Why didn't the Council consider additional option to include doing nothing?
8. Why didn't the Council consider an additional option under Option 2 to include eligibility for taking halibut under personal consumptive use regulations making it applicable to any Alaskan?
9. Why didn't the Council consider accommodating these type of uses through existing seasons, bag limit and methods and means adjustments rather than creating an entirely new fishery?
10. How will this new fisheries quota affect existing area allocations?

The leadership of the Senate and House would like to testify at the upcoming hearing in Anchorage. One of us will present testimony on behalf of the Senate and House majorities. It would be beneficial for us if we could schedule a specific time for that presentation so that we are not away from the legislature for a protracted period of time. Your assistance in scheduling an appropriate time for the Council would be appreciated.

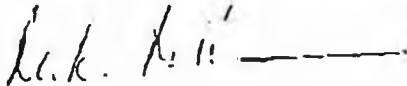
We all encourage the Council to progress slowly and deliberately on this issue and not take any actions that would result in further social or resource use conflicts. Quite

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3

frankly, we would strongly urge the Council to delay the creation of any special subsistence regulations until Congress and the State have crafted a long term and permanent solution to the existing crisis. We are convinced that the adoption of any of the proposed options is only going to contribute to a further erosion of the state's fisheries management jurisdictions.

Sincerely,



Mike Miller  
President of the Senate



Gail Phillips  
Speaker of the House

MM/GP:rjs

cc: The Honorable Senator Ted Stevens  
The Honorable Senator Frank Murkowski  
The Honorable Representative Don Young  
The Honorable Governor Tony Knowles

## MEMO

Dt: 3/13/97  
To: Senate/House Leadership  
Fr: Ron Somerville *Ron*  
Re: NPFMC Subsistence Halibut Proposals

The attached material includes a North Pacific Fisheries Management Council set of regulatory options for implementing a subsistence halibut fishery in Alaska and the Halibut Subsistence Committee's report to the Council.

The reason for bringing this to the attention of the leadership is to advise you of the expanding subsistence conflicts, despite the fact that Title VIII of ANILCA does not extend to federal waters beyond the state's territorial sea. In addition, this proposal will inevitably set in motion new procedures for creating new subsistence allocations and potentially the commercial sale of subsistence caught resources within the EEZ.

If the leadership wishes to express a position on this issue to the NPFMC, it needs to do that before the April meeting.

### Problems:

1. There is questionable authority for the NPFMC to adopt a racially defined regulatory allocation system.
2. ANILCA subsistence provisions do not extend to federal waters in the EEZ.
3. It is questionable that the adoption of a halibut subsistence regime by the NPFMC will end the subsistence debate. Conceptually, this system will expand to cover all qualified subsistence users and subsistence resources.
4. Some of the data used to justify and identify this fishery are flawed and discriminate against the majority of Alaskans.
5. This creates the potential for the establishment of a commercial market of subsistence caught resources similar to that created in ANILCA.
6. If the Council can adopt this system for halibut, it only seems logical that similar systems can be created for tanner crab, king crab, groundfish and possibly some salmon.
7. At present, the state assists in the enforcement of halibut regulations through the state courts as the Board of Fisheries adopts the halibut regulations by

reference. The State Constitution, however, does not allow discrimination based on race, as is being proposed by the Council. This will create serious enforcement problems throughout the state coastal areas as NMFS enforcement abilities are severely limited.

8. The problems which led to these regulatory problems can more easily and less contentiously be handled by modifying existing regulations (i.e. retention of undersized commercially caught halibut for personal consumption and regulatory changes for specific areas allowing special seasons for specialized methods and means of harvesting for personal consumption).

**Options:**

1. Do nothing.
2. Support all or portions of the proposed subsistence proposal.
3. Oppose the creation of any subsistence halibut system based on race or residency.
4. Request that the NPFMC delay any creation of a new subsistence fishery until some resolution is reached on the conflicts between the federal government and the state over continued state management and potential changes to ANILCA.
5. Provide testimony for the April meeting of the NPFMC suggesting that the Council pursue regulatory changes which provide additional opportunities for harvesting and retaining halibut for personal consumption.

# North Pacific Fishery Management Council

AK 1/4

Richard B. Lauber, Chairman  
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## NEWSLETTER

2/18/97

*Please, note our NEW home page address!*

NPFMC — <http://www.fakr.noaa.gov/npfmc/npfmc.htm>

### February Council Meeting in Anchorage - 126th Plenary Session

The Council's February meeting was kicked off by a joint meeting on February 4 with the Alaska Board of Fisheries. The Board and Council met to discuss groundfish and crab management issues in the waters off Alaska. Details of this and other issues are provided below.

#### Council and Board Ink Protocol

The Council and the Alaska Board of Fisheries have been seeking ways to keep each other informed on cross-jurisdictional issues that impact fisheries in State and Federal waters. In December, after a conference call concerning the Board's latest actions to initiate a State waters Pacific cod fishery in the Gulf of Alaska, both bodies decided it was time to establish a joint committee to develop a protocol for future interactions. The joint committee met in January and then presented their recommended protocol to both bodies. The Board approved it at their late January meeting, and the Council approved the protocol at their meeting last week, after discussions with the Board on Tuesday, February 4.

The protocol covers all fisheries where there are cross-jurisdictional concerns. The Board and Council will meet annually in Anchorage in February to cover all issues of mutual interest. In the meantime, a joint committee composed of three members from each body will meet more often, perhaps quarterly if necessary, to work through issues of mutual concern and keep each other posted on management initiatives by the other. They will also sift through management proposals to determine which might be of interest to the other body. The intent of the protocol is to provide long-term cooperative, compatible management systems that maintain the sustainability of the fisheries resources in State and Federal waters. A copy of the protocol is available at the Council office.

#### IN THIS NEWSLETTER

FEBRUARY COUNCIL MEETING .....	1
COUNCIL/BOF INK PROTOCOL .....	1
NEW AP APPOINTMENT .....	2
SSC ELECTS OFFICERS .....	2
VBA's .....	2
HALIBUT ISSUES .....	3
HALIBUT CATCH SHARING PLAN .....	3
SEABIRD AVOIDANCE .....	3
HALIBUT SUBSISTENCE .....	4
HALIBUT CHARTERBOAT MANAGEMENT .....	5
FEE SYSTEMS FOR IFQ/CDQ PROGRAMS .....	6
LICENSE LIMITATION/CDQ PROGRAM .....	6
ESSENTIAL FISH HABITAT .....	7
DOCUMENTS AVAILABLE .....	7
UPCOMING MEETINGS .....	7
TENTATIVE MEETING SCHEDULE .....	8
FOUR-MEETING OUTLOOK .....	(Attachment I)

**REPORT**  
**HALIBUT SUBSISTENCE COMMITTEE**  
 January 22, 1997

The Halibut Subsistence Committee met in Anchorage on January 22, 1997 to provide to the Council their recommendations for developing halibut subsistence regulations. Committee members Robin Samuelsen (Chairman), Harold Martin, Matt Kookesh, Robert Sundown, Flore Lekanoff, Jack Longan for Theodore Borbridge, Jude Henzler, and David Bill were in attendance. The meeting agenda and documents distributed at the meeting are attached to this report. The Council, IPHC, NOAA GC, NMFS, NMFS Enforcement, ADF&G, and Alaska Department of Law provided staff support.

Jane DiCosimo, Council staff, provided background as to the purpose and goal of the meeting. She related the findings of agency staff at their November 1996 meeting. At the December 1996 Council meeting, the Council indicated its intention to develop regulations to provide for halibut subsistence harvests during 1997 for effect in 1998.

Bob Wolfe, ADF&G Subsistence Division staff, distributed tables and figures of noncommercial halibut harvests by community and Native Group with subsistence halibut uses. The committee adopted the table of rural communities with customary and traditional use of halibut and associated Alaska Native group as developed by the Alaska Board of Fisheries for identifying eligible participants for halibut subsistence harvests. Those Native groups not on the approved list could petition for subsistence privileges.

Dr. Don McCaughran, IPHC staff, discussed a possible revision of the Halibut Convention to separate subsistence from sportfish regulations. He reported that discussions to renegotiate the treaty for other reasons were currently underway. At present, the treaty language does not specifically address subsistence harvests and subsistence users are restricted to sportfish limits of two fish per person per day and rod and reel gear with a limit of two hooks per reel. He also explained that the 32 inch minimum commercial size was imposed by the IPHC to maximize yield in weight and was not imposed for personal use since yield for that sector is maximized in numbers. **The committee recommended that the North Pacific Council encourage the State Department to petition the United States and Canada to amend the Halibut Convention to recognize subsistence rights for aboriginal users.**

The committee discussed the level of halibut removals for subsistence (approximately 300,000 lb) compared with bycatch removals from commercial fishing (approximately 15.5 million lb).

Steve Meyer, NMFS Enforcement, reported that he is required by law to enforce the current halibut commercial and sportfish regulations. The committee noted that the IPHC acknowledged that halibut subsistence harvests did not affect the conservation of the halibut resource. **The committee recommended that the National Marine Fisheries Service not enforce regulations prohibiting halibut subsistence harvests while the Council is developing subsistence regulations.**

The committee described the need and intent for halibut subsistence regulations to allow the continued practice of long-term traditions of fishing halibut for food for their families in a non-commercial manner for non-economic consumption, and defined subsistence as "non-commercial fishing for food."

The committee recommended that eligibility for halibut subsistence be defined as "members of Alaska Native Federally-recognized Tribes with customary and traditional use of halibut." The committee decided to accept as eligible those Tribes that were identified by the Alaska Board of Fisheries as having customary and traditional (CAT) halibut uses (Attachment 2). The Tribes are identified with a specific coastal community. The organized Tribal entity within a community would be responsible for deciding which individual members were eligible from Tribal enrollment. An individual's Tribal membership card and a subsistence permit would qualify.

that person to subsistence fish for halibut from the community in which he/she is enrolled. Using Tribal enrollment would also allow the community to allow members from other Tribes to join their community and fish. Those Tribes not on the BOF list, but with reasonable access to the fishery and that may have a tradition or need to harvest halibut for subsistence may petition for eligibility. The process and criteria for petitioning would be discussed further by the committee at a subsequent meeting. ] x

The committee discussed a proposal to include "other rural residents in areas of Alaska with halibut uses." The committee discussed the opportunities for non-Tribal Alaskans to harvest halibut and concluded that the two fish per day sportfish limit would meet their needs for supplying their families with halibut for food. The determining factor in this conclusion was the stated need to recognize existing, traditional practice at current levels of halibut removals. The management plan for a halibut subsistence program should legalize the current halibut removals and fishing practices by Tribal members. Expansion of subsistence harvests to non-traditional users may create resource concerns within the IPHC regarding increased levels of halibut removals and localized depletion in some rural and urban communities.

The committee recommended that hook-and-line gear (including set and hand-held gear) with a maximum of 60 hooks, along with rod-and-reel gear be allowed as legal halibut subsistence gear. An individual would be limited to one skate of gear up to 1,800 ft long (not including the buoy line), with hooks set 18-20 ft apart, with a legibly marked buoy. More than one fisherman may fish from the same boat. ] x

The committee recommended that no minimum size be imposed for subsistence harvests of halibut. The committee recognized that the levels of halibut subsistence removals, including fish less than 32 inches, compared with commercial and sportfish removals, are not a conservation concern to the IPHC. The committee further recommended that the commercial minimum size regulations be revised to read, "except in Area 4E where halibut under 32 inches caught with authorized commercial halibut gear may be retained for subsistence use." This minimum size exemption would allow for retention of undersized halibut with legal CDQ halibut harvests in Area 4E only, in accordance with local beliefs that releasing any fish is too damaging to the entire stock from which it came. ] x

The committee discussed seasonal and bag limit restrictions for halibut subsistence, but deferred any recommendations to the Council on legal advice that the aforementioned restrictions are within the purview of the IPHC. Interest was expressed for a twelve month season in the Southeast and no bag limit.

The committee recommended that halibut subsistence users be allowed existing levels of bycatch. They recommended unlimited black cod bycatch, noting that there was a black cod subsistence fishery under State designation and that low levels of bycatch occurred in halibut subsistence fishing. They also recommended that halibut subsistence users be allowed to retain rockfish bycatch, and that the Council and State analyze appropriate bycatch levels.

The committee considered a suggestion that monitoring of halibut subsistence removals for stock assessment purposes could be best achieved through cooperative agreements between federal agencies and the Tribes. ] x

The committee discussed trade and barter of subsistence halibut and endorsed and recommended the sharing and exchange (barter) of halibut since this is a vital part of the traditional subsistence halibut fishery, but that the commercial sale of subsistence-caught halibut not be allowed. The committee further indicated an interest in allowing low monetary, non-commercial sale of halibut to legalize current practice of compensating subsistence fishermen for fuel or other fishing expenses in exchange for fish. The Council may wish to consider allowing trade and barter only among Native Tribal members, limiting the monetary exchange, or other limitations.

The committee expressed interest in continuing to meet to provide recommendations to the Council on the development of halibut subsistence regulations.

## Noncommercial Halibut Harvests (Lbs Rd Wt) by Residents of Alaska Rural Places in Areas with Subsistence Halibut Uses

Source: Household Surveys, Division of Subsistence, ADF&G

	<u>Halibut Coastal District</u>	<u>Survey Year</u>	<u>Removed from Commercial Gear</u>	<u>Other Non- Commercial Gear</u>	<u>Rod and Reel Gear</u>	<u>Gear Not Ascertained</u>	<u>Total Halibut Harvest</u>	<u>Estimated Per Capita Harvest</u>
<b>District 2C</b>								
Angoon	2C	1987	2,930	*	13,314		16,244	35
Coffman Cove	2C	1987	172	*	6,821		6,993	38
Craig	2C	1987	3,891	*	17,125		21,016	18
Edna Bay	2C	1987	1,760	*	4,060		5,820	84
Elfin Cove	2C	1987	956	*	1,513		2,470	41
Gustavus	2C	1987	552	*	12,133		12,685	83
Haines	2C	1987	5,809	*	26,190		31,999	20
Hollis	2C	1987	41	*	940		982	12
Hoonah	2C	1987	11,674	*	23,176		34,850	50
Hydaburg	2C	1987	4,127	*	7,929		12,056	32
Hyder	2C	1987	1,351	*	3,584		4,935	63
Kake	2C	1987	4,386	*	13,523		17,909	28
Kasaan	2C	1987	21	*	511		532	13
Klawock	2C	1987	1,265	*	31,955		33,220	42
Klukwan	2C	1987	0	*	193		193	1
Metlakatla	2C	1987	4,095	*	12,442		16,537	11
Meyers Chuck	2C	1987	0	*	3,075		3,075	103
Pelican	2C	1987	5,038	*	13,048		18,086	76
Petersturg	2C	1987	15,596	*	142,902		158,498	42
Point Baker	2C	1987	862	*	766		1,628	47
Port Alexander	2C	1987	708	*	3,695		4,402	41
Port Protection	2C	1987	505	*	2,252		2,757	47
Saxman	2C	1987	141	*	3,352		3,492	13
Sitka	2C	1987	16,418	*	240,708		257,126	32
Skagway	2C	1987	0	*	4,941		4,941	8
Tenakee Springs	2C	1987	608	*	5,257		5,865	52
Thome Bay	2C	1987	13,179	*	11,450		24,628	51
Whale Pass	2C	1987	106	*	1,325		1,431	23
Wrangell	2C	1987	13,963	*	58,600		72,563	25
<b>TOTAL 2C</b>	<b>2C</b>	<b>"</b>	<b>110,156</b>	<b>*</b>	<b>666,779</b>	<b>0</b>	<b>776,934</b>	<b>31</b>
			(Percent Gear)	14.2%	*	85.8%	0.0%	100.0%
			* in 2C, household surveys did not ask about "other non-commercial gear".					
<b>District 3A</b>								
Akhiok	3A	1992	41	1,845	32		1,918	24
Chenega Bay	3A	1992	469	1,973	2,154		4,596	68
Cordova	3A	1991	33,391	154	33,906		67,451	29
Karluk	3A	1990	0	3,273	1,073		4,346	53
Kodiak City	3A	1991	64,164	53,985	274,893		393,042	27
Larsen Bay	3A	1990	4,905	1,882	8,115		14,902	103
Nanwalek	3A	1991	0	1,954	5,856		7,810	48
Old Harbor	3A	1991	2,240	10,575	4,967		17,782	89
Ouzinkie	3A	1990	6,868	3,451	2,951		13,270	66

**Noncommercial Halibut Harvests (Lbs Rd Wt) by Residents of  
Alaska Rural Places in Areas with Subsistence Halibut Uses**

Source: Household Surveys, Division of Subsistence, ADF&G

	<u>Halibut</u> <u>Coastal</u>	<u>Survey</u>	<u>Removed from</u>	<u>Other Non-</u>	<u>Rod and</u>	<u>Gear Not</u>	<u>Total Halibut</u>	<u>Estimated</u>
	<u>District</u>	<u>Year</u>	<u>Commercial</u>	<u>Commercial</u>	<u>Reel Gear</u>	<u>Ascertained</u>	<u>Harvest</u>	<u>Per Capita</u>
			<u>Gear</u>	<u>Gear</u>				<u>Harvest</u>
Port Graham	3A	1991	2,212	6,445	3,101		11,758	73
Port Lions	3A	1993	850	2,353	8,065		11,268	63
Seldovia	3A	1991	5,424	100	17,178		22,702	67
Tatitlek	3A	1991	92	852	1,613		2,557	31
Yakutat	3A	1987	3,031	*	29,844		32,875	56
<b>TOTAL 3A</b>	<b>3A</b>	<b>**</b>	<b>123,687</b>	<b>88,842</b>	<b>393,749</b>	<b>0</b>	<b>606,278</b>	<b>32</b>
			(Percent Gear)	20.4%	14.7%	64.9%	0.0%	100.0%
			* In Yakutat, household surveys did not ask about "other non-commercial gear".					
<b>District 3B</b>								
Chignik Bay	3B	1991	8,380	2,701	1,737		12,825	134
Chignik Lagoon	3B	1989	1,237	738	0		1,975	48
Chignik Lake	3B	1991	2,173	1,849	0		4,022	16
Cold Bay	3B	Est				5,920	5,920	
False Pass	3B	1988	1,971	403	1,137		3,511	27
Ivanof Bay	3B	1989	0	1,091	638		1,729	54
King Cove	3B	1992	7,685	1,696	454		9,835	18
Nelson Lagoon	3B	1987					0	0
Perryville	3B	1989	420	5,398	1,506		7,324	63
Sand Point	3B	1992	11,037	12,265	1,427		24,729	31
<b>TOTAL 3B</b>	<b>3B</b>	<b>**</b>	<b>32,904</b>	<b>26,148</b>	<b>6,899</b>	<b>5,920</b>	<b>71,871</b>	<b>35</b>
			(Percent Gear)	45.8%	36.4%	9.6%	8.2%	100.0%
<b>District 4A-D</b>								
Akutan	4A-D	1990	2,926	8,082	548		11,556	114
Atka	4A-D	1994	427	3,949	551		4,926	58
Nikolski	4A-D	1990	0	11,837	0		11,837	244
St. George	4A-D	1994	1,205	4,929	0		6,132	34
St. Paul	4A-D	1994	3,671	49,682	125		58,479	135
Unalaska	4A-D	1994	14,106	12,580	117,226		143,911	79
<b>TOTAL 4A-D</b>	<b>4A-D</b>	<b>**</b>	<b>37,335</b>	<b>91,059</b>	<b>118,449</b>	<b>0</b>	<b>246,841</b>	<b>90</b>
			(Percent Gear)	15.1%	36.9%	48.0%	0.0%	100.0%
<b>District 4E</b>								
Chefomak	4E	Est				12,800	12,800	40
Gambell	4E	**					**	
Mekoryak	4E	Est				7,080	7,080	40
Newtok	4E	Est				8,280	8,280	40
Nightmute	4E	Est				6,120	6,120	40
Savoonga	4E	**					**	
Toksook Bay	4E	Est				16,800	16,800	40
Tununak	4E	1986				40,754	40,754	124
Wales	4E	**					**	
Aleknagik	4E	**					**	
Clark's Point	4E	**					**	
Dillingham	4E	1984					0	0

**Noncommercial Halibut Harvests (Lbs Rd Wt) by Residents of  
Alaska Rural Places in Areas with Subsistence Halibut Uses**

Source: Household Surveys, Division of Subsistence, ADF&G

	Halibut Coastal District	Survey Year	Removed from Commercial Gear	Other Non- Commercial Gear	Rod and Reel Gear	Gear Not Ascertained	Total Halibut Harvest	Estimated Per Capita Harvest
Egegik	4E	1984	0	0	286		286	3
King Salmon	4E	"					"	
Kipruk	4E	"					"	
Kongiganak	4E	"					"	
Levelock	4E	1989		528			528	5
Manokotak	4E	"					"	
Naknek	4E	"					"	
Nome	4E	"					"	
Pilot Point	4E	1987	229	0	70		299	5
Port Heiden	4E	1987	0	197	0		197	2
South Naknek	4E	1992	116	28	0		144	1
Alakanuk	4E	"					"	
Bethel	4E	"					"	
Brevig Mission	4E	"					"	
Chevak	4E	"					"	
Eek	4E	"					"	
Elim	4E	"					"	
Emmonak	4E	"					"	
Golovin	4E	"					"	
Goodnews Bay	4E	"					"	
Hooper Bay	4E	"					"	
Kotik	4E	"					"	
Koyuk	4E	"					"	
Kwigillingok	4E	"					"	
Napakiak	4E	"					"	
Napaskiak	4E	"					"	
Oscarville	4E	"					"	
Plainum	4E	"					"	
Quinnagak	4E	"					"	
Scammon Bay	4E	"					"	
Shaktolik	4E	"					"	
Sheldon Point	4E	"					"	
St. Michael	4E	"					"	
Stebbins	4E	"					"	
Teller	4E	"					"	
Togiak	4E	"					"	
Tuntutuliak	4E	"					"	
Twin Hills	4E	"					"	
Ugashik	4E	1987					0	0
Unalakleet	4E	"					"	
White Mountain	4E	"					"	
<b>TOTAL 4E</b>	<b>4E</b>	<b>"</b>	<b>0</b>	<b>0</b>	<b>286</b>	<b>91,834</b>	<b>92,120</b>	<b>54</b>
		(Percent: Gear)	0.0%	0.0%	0.3%	39.7%	100.0%	

Note: Round Weight (Not Eviscerated, Head On) = Usable Wt (Eviscerated, Head Off) / 7519

## Noncommercial Halibut Harvests (Lbs Rd Wt) by Residents of Alaska Rural Places in Areas with Subsistence Halibut Uses

Source: Household Surveys, Division of Subsistence, ADF&G

	<u>Halibut Coastal District</u>	<u>Survey Year</u>	<u>Removed from Commercial Gear</u>	<u>Other Non- Commercial Gear</u>	<u>Rd and Reel Gear</u>	<u>Gear Not Ascertained</u>	<u>Total Halibut Harvest</u>	<u>Estimated Per Capita Harvest</u>
<b>DISTRICT SUMMARY</b>								
District 2C	2C	**	110,156	*	666,779	0	776,934	31
District 3A	3A	**	123,687	88,842	393,749	0	606,278	32
District 3B	3B	**	32,904	26,148	6,899	5,920	71,871	35
Districts 4A-D	4A-D	**	37,335	91,059	118,449	0	246,841	90
District 4E	4E	**	0	0	286	91,834	92,120	54
<b>TOTAL DISTRICTS</b>		**	<b>304,081</b>	<b>206,049</b>	<b>1,186,162</b>	<b>97,754</b>	<b>1,794,045</b>	<b>36</b>
			(Percent Gear)	16.9%	11.5%	66.1%	5.4%	100.0%

\* In 2C, household surveys did not ask about "other non-commercial gear".

## Alaska Rural Places and Native Groups in Areas with Subsistence Halibut Uses

Source: Alaska Department of Fish and Game

Place	Organized Entity	Halibut Coastal District	Use Pattern
			1 = regular 2 = periodic 3 = undocumented
<b>Alaska Rural Places*</b>			
Angoon	Municipality	2C	1
Coffman Cove	Municipality	2C	1
Craig	Municipality	2C	1
Edna Bay	Census Designated Place	2C	1
Elfin Cove	Census Designated Place	2C	1
Gustavus	Census Designated Place	2C	1
Haines	Municipality	2C	1
Hollis	Census Designated Place	2C	1
Hoonah	Municipality	2C	1
Hydaburg	Municipality	2C	1
Hyder	Census Designated Place	2C	1
Kake	Municipality	2C	1
Kasaan	Municipality	2C	1
Klawock	Municipality	2C	1
Klukwan	Census Designated Place	2C	1
Metlakatla	Census Designated Place	2C	1
Meyers Chuck	Census Designated Place	2C	1
Pelican	Municipality	2C	1
Petersburg	Municipality	2C	1
Point Baker	Census Designated Place	2C	1
Port Alexander	Municipality	2C	1
Port Protection	Census Designated Place	2C	1
Saxman	Municipality	2C	1
Sitka	Municipality	2C	1
Skagway	Municipality	2C	1
Tenakee Springs	Municipality	2C	1
Thorne Bay	Municipality	2C	1
Whale Pass	Census Designated Place	2C	1
Wrangell	Municipality	2C	1
Akhiok	Municipality	3A	1
Chenega Bay	Census Designated Place	3A	1
Cordova	Municipality	3A	1
Karluk	Census Designated Place	3A	1
Kodiak City	Municipality	3A	1
Larsen Bay	Municipality	3A	1
Nanwalek	Census Designated Place	3A	1
Old Harbor	Municipality	3A	1
Ouzinkie	Municipality	3A	1
Port Graham	Census Designated Place	3A	1
Port Lions	Municipality	3A	1
Seldovia	Municipality	3A	1
Tatitlek	Census Designated Place	3A	1

**Alaska Rural Places and Native Groups  
in Areas with Subsistence Halibut Uses**

Source: Alaska Department of Fish and Game

Place	Organized Entity	District	Use Pattern
			Halibut Coastal
Yakutat	Municipality	3A	1 = regular 2 = periodic 3 = undocumented
Chignik Bay	Municipality	3B	1
Chignik Lagoon	Census Designated Place	3B	1
Chignik Lake	Census Designated Place	3B	1
Cold Bay	Municipality	3B	1
False Pass	Municipality	3B	1
Ivanof Bay	Census Designated Place	3B	1
King Cove	Municipality	3B	1
Nelson Lagoon	Census Designated Place	3B	1
Perryville	Census Designated Place	3B	1
Sand Point	Municipality	3B	1
Akutan	Municipality	4A-D	1
Atka	Municipality	4A-D	1
Nikolski	Census Designated Place	4A-D	1
St. George	Municipality	4A-D	1
St. Paul	Municipality	4A-D	1
Unalaska	Municipality	4A-D	1
Chefomak	Municipality	4E	1
Gambell	Municipality	4E	1
Mekoryak	Municipality	4E	1
Newtok	Census Designated Place	4E	1
Nightmute	Municipality	4E	1
Savoonga	Municipality	4E	1
Toksook Bay	Municipality	4E	1
Tununak	Census Designated Place	4E	1
Wales	Municipality	4E	1
Aleknagik	Municipality	4E	2
Clark's Point	Municipality	4E	2
Dillingham	Municipality	4E	2
Egegik	Municipality	4E	2
King Salmon	Census Designated Place	4E	2
Kipnuk	Census Designated Place	4E	2
Kongiganak	Census Designated Place	4E	2
Levelock	Census Designated Place	4E	2
Manokotak	Municipality	4E	2
Naknek	Census Designated Place	4E	2
Nome	Municipality	4E	2
Pilot Point	Municipality	4E	2
Port Heiden	Municipality	4E	2
South Naknek	Census Designated Place	4E	2
Alakanuk	Municipality	4E	3
Bethel	Municipality	4E	3
Brevig Mission	Municipality	4E	3

## Alaska Rural Places and Native Groups in Areas with Subsistence Halibut Uses

Source: Alaska Department of Fish and Game

Place	Organized Entity	Halibut Coastal District	Use Pattern	
			1 = regular	2 = periodic 3 = undocumented
Chevak	Municipality	4E		3
Eek	Municipality	4E		3
Elim	Municipality	4E		3
Emmonak	Municipality	4E		3
Golovin	Municipality	4E		3
Goodnews Bay	Municipality	4E		3
Hooper Bay	Municipality	4E		3
Kotlik	Municipality	4E		3
Koyuk	Municipality	4E		3
Kwigillingok	Census Designated Place	4E		3
Napakiak	Municipality	4E		3
Napaskiak	Municipality	4E		3
Oscarville	Census Designated Place	4E		3
Platinum	Municipality	4E		3
Quinhagak	Municipality	4E		3
Scammon Bay	Municipality	4E		3
Shaktolik	Municipality	4E		3
Sheldon Point	Municipality	4E		3
St. Michael	Municipality	4E		3
Stebbins	Municipality	4E		3
Teller	Municipality	4E		3
Togiak	Municipality	4E		3
Tuntutuliak	Census Designated Place	4E		3
Twin Hills	Census Designated Place	4E		3
Ugashik	Census Designated Place	4E		3
Unalakleet	Municipality	4E		3
White Mountain	Municipality	4E		3
<b>Alaska Native Groups**</b>				
Angoon	Angoon Community Association	Tlingit	2C	1
Craig	Craig Community Association	Tlingit	2C	1
Haines	Chilkoot Indian Association	Tlingit	2C	1
Hoonah	Hoonah Indian Association	Tlingit	2C	1
Hydaburg	Hydaburg Cooperative Association	Haida	2C	1
Juneau	Aukcuan Traditional Council***	Tlingit	2C	1
Juneau	Central Council Tlingit & Haida Indian Tribes	Tlingit-Haida	2C	1
Juneau	Douglas Indian Association	Tlingit	2C	1
Kake	Organized Village of Kake	Tlingit	2C	1
Kasaan	Organized Village of Kasaan	Haida	2C	1
Ketchikan	Ketchikan Indian Corporation	Tlingit	2C	1
Klawock	Klawock Cooperative Association	Tlingit	2C	1
Klukwan	Chilkat Indian Village	Tlingit	2C	1

**Alaska Rural Places and Native Groups  
in Areas with Subsistence Halibut Uses**

Source: Alaska Department of Fish and Game

Place	Organized Entity	Halibut Coastal District	Use Pattern	
			1 = regular	
			2 = periodic	
			3 = undocumented	
Metlakatla	Metlakatla Indian Community, Annette Island Reserve	Tsimshian 2C		1
Petersburg	Petersburg Indian Association	Tlingit 2C		1
Saxman	Organized Village of Saxman	Tlingit 2C		1
Sitka	Sitka Tribe of Alaska	Tlingit 2C		1
Skagway	Skagway Village	Tlingit 2C		1
Wrangell	Wrangell Cooperative Association	Tlingit 2C		1
Akhiok	Native Village of Akhiok	Alutiq 3A		1
Chenega Bay	Native Village of Chanega	Alutiq 3A		1
Cordova	Native Village of Eyak	Eyak-Alutiq 3A		1
Karluk	Native Village of Karluk	Alutiq 3A		1
Kenai	Kenaitze Indian Tribe	Dena'ina 3A		1
Kenai	Village of Salamatoff	Dena'ina 3A		1
Kodiak City	Lesnoi Village (Woody Island)	Alutiq 3A		1
Kodiak City	Native Village of Afognak	Alutiq 3A		1
Kodiak City	Shoonaq' Tribe of Kodiak***	Alutiq 3A		1
Larsen Bay	Native Village of Larsen Bay	Alutiq 3A		1
Nanwalek	Native Village of Nanwalek	Alutiq 3A		1
Niniichik	Niniichik Village	Dena'ina 3A		1
Old Harbor	Village of Old Harbor	Alutiq 3A		1
Ouzinkie	Native Village of Ouzinkie	Alutiq 3A		1
Port Graham	Native Village of Port Graham	Alutiq 3A		1
Port Lions	Native Village of Port Lions	Alutiq 3A		1
Seldovia	Seldovia Village Tribe	Dena'ina-Alutiq 3A		1
Tatittek	Native Village of Tatittek	Alutiq 3A		1
Yakutat	Yakutat Tlingit Tribe	Tlingit 3A		1
Chignik Bay	Native Village of Chignik	Alutiq 3B		1
Chignik Lagoon	Native Village of Chignik Lagoon	Alutiq 3B		1
Chignik Lake	Chignik Lake Village	Alutiq 3B		1
False Pass	Native Village of False Pass	Aleut 3B		1
Ivanof Bay	Ivanoff Bay Village	Alutiq 3B		1
King Cove	Agdaagux Tribe of King Cove	Aleut 3B		1
King Cove	Native Village of Belkofski	Aleut 3B		1
Nelson Lagoon	Native Village of Nelson Lagoon	Aleut-Alutiq 3B		1
Perryville	Native Village of Perryville	Alutiq 3B		1
Sand Point	Pauloff Harbor Village	Aleut 3B		1
Sand Point	Native Village of Unga	Aleut 3B		1
Sand Point	Qagan Toyagungin Tribe of Sand Point Village	Aleut 3B		1
Akutan	Native Village of Akutan	Aleut 4A-D		1
Atka	Native Village of Atka	Aleut 4A-D		1
Nikolski	Native Village of Nikolski	Aleut 4A-D		1

**Alaska Rural Places and Native Groups  
in Areas with Subsistence Halibut Uses**

Source: Alaska Department of Fish and Game

Place	Organized Entity	Halibut Coastal District	Use Pattern	
			1 = regular	
			2 = periodic	
			3 = undocumented	
St. George	Pribilof Islands Aleut Communities of St. Paul Island & St. George Islands	Aleut	4A-D	1
St. Paul	Pribilof Islands Aleut Communities of St. Paul Island & St. George Islands	Aleut	4A-D	1
Unalaska	Qawalingin Tribe of Unalaska	Aleut	4A-D	1
Chefomak	Village of Chefomak	Yup'ik	4E	1
Gambell	Native Village of Gambell	Siberian Yup'ik	4E	1
Mekoryak	Native Village of Mekoryak	Cup'ik	4E	1
Newtok	Newtok Village	Yup'ik	4E	1
Nightmute	Native Village of Nightmute	Yup'ik	4E	1
Nightmute	Umkumiute Native Village	Yup'ik	4E	1
Savoonga	Native Village of Savoonga	Siberian Yup'ik	4E	1
Toksook Bay	Native Village of Toksook Bay	Yup'ik	4E	1
Tununak	Native Village of Tununak	Yup'ik	4E	1
Wales	Native Village of Wales	Inupiat	4E	1
Aleknagik	Native Village of Aleknagik	Yup'ik	4E	2
Clark's Point	Village of Clark's Point	Yup'ik	4E	2
Dillingham	Native Village of Dillingham	Yup'ik	4E	2
Dillingham	Native Village of Ekuik	Yup'ik	4E	2
Egegik	Egegik Village	Alutiq-Yup'ik	4E	2
Egegik	Village of Kanatak	Alutiq-Yup'ik	4E	2
Kipnuk	Native Village of Kipnuk	Yup'ik	4E	2
Levelock	Levelock Village	Yup'ik	4E	2
Manokotak	Manokotak Village	Yup'ik	4E	2
Naknek	Naknek Native Village	Alutiq-Yup'ik	4E	2
Nome	King Island Native Community	Inupiat	4E	2
Nome	Nome Eskimo Community	Inupiat	4E	2
Pilot Point	Native Village of Pilot Point	Alutiq-Yup'ik	4E	2
Port Heiden	Native Village of Port Heiden	Autic	4E	2
South Naknek	South Naknek Village	Alutiq-Yup'ik	4E	2
Alakanuk	Village of Alakanuk	Yup'ik	4E	3
Bethel	Onksaramut Native Village	Yup'ik	4E	3
Brevig Mission	Native Village of Brevig Mission	Inupiat	4E	3
Chevak	Chevak Native Village	Cup'ik	4E	3
Council	Native Village of Council	Inupiat	4E	3
Eek	Native Village of Eek	Yup'ik	4E	3
Elim	Native Village of Elim	Yup'ik	4E	3
Emmonak	Chukonawick Native Village	Yup'ik	4E	3
Emmonak	Emmonak Village	Yup'ik	4E	3
Golovin	Chirik Eskimo Community	Inupiat-Yup'ik	4E	3
Goodnews Bay	Native Village of Goodnews Bay	Yup'ik	4E	3
Hooper Bay	Native Village of Hooper Bay	Cup'ik	4E	3
Hooper Bay	Native Village of Pamiut	Cup'ik	4E	3

**Alaska Rural Places and Native Groups  
in Areas with Subsistence Halibut Uses**

Source: Alaska Department of Fish and Game

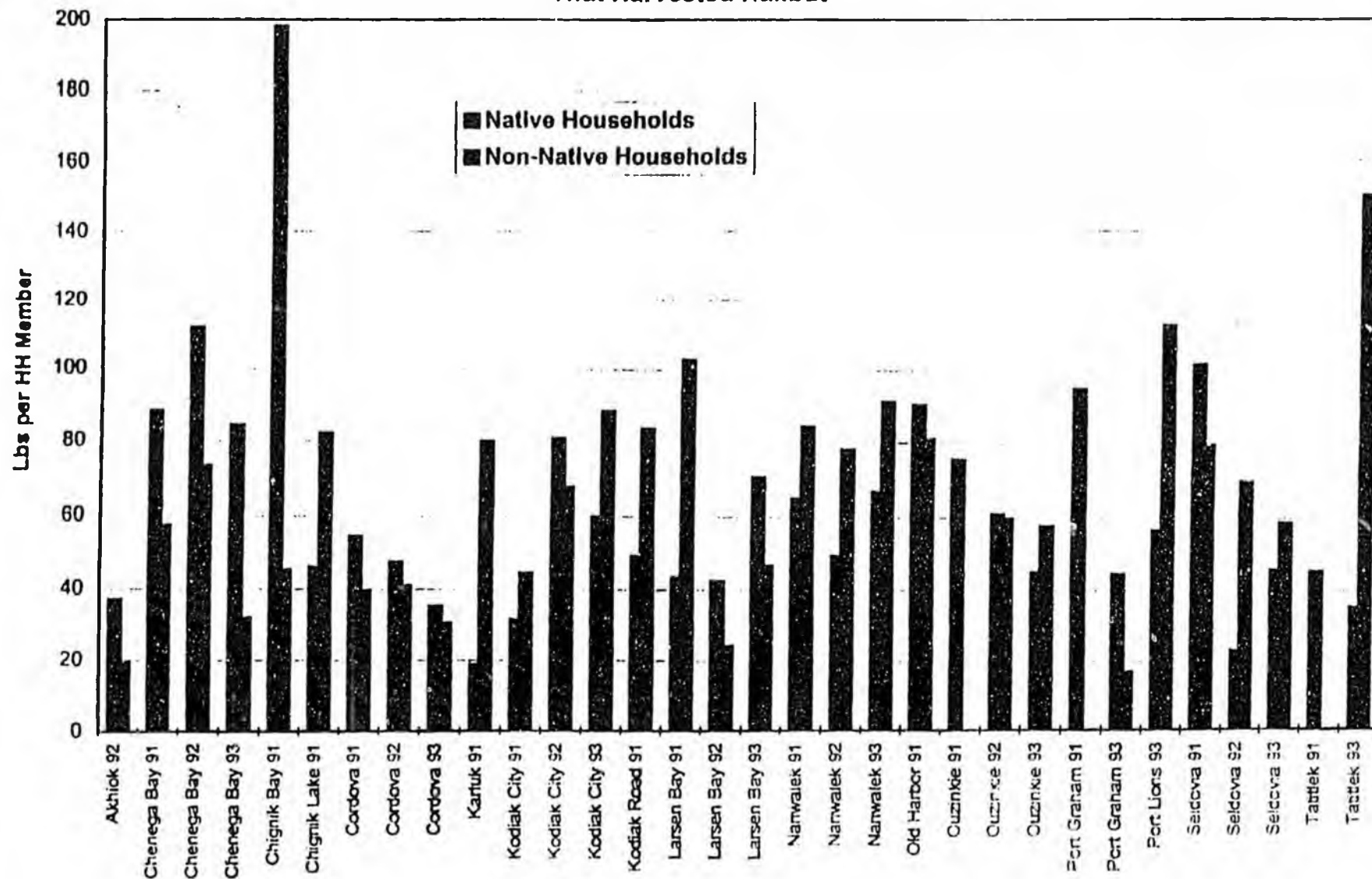
Place	Organized Entity	Halibut Coastal District	Use Pattern	
			1 = regular	2 = periodic
			3 = undocumented	
Kongiganak	Native Village of Kongiganak	Yup'ik 4E		3
Kotlik	Native Village of Hamilton	Yup'ik 4E		3
Kotlik	Village of Bill Moore's Slough	Yup'ik 4E		3
Kotlik	Village of Kotlik	Yup'ik 4E		3
Koyuk	Native Village of Koyuk	Inupiat 4E		3
Kwigillingok	Native Village of Kwigillingok	Yup'ik 4E		3
Napakiak	Native Village of Napakiak	Yup'ik 4E		3
Napaskiak	Native Village of Napaskiak	Yup'ik 4E		3
Oscarville	Oscarville Traditional Village	Yup'ik 4E		3
Platinum	Platinum Traditional Village	Yup'ik 4E		3
Quinhagak	Native Village of Kwinhagak	Yup'ik 4E		3
Scammon Bay	Native Village of Scammon Bay	Yup'ik 4E		3
Shaktoolik	Native Village of Sha'ktoolik	Inupiat-Yup'ik 4E		3
Sheldon Point	Native Village of Sheldon's Point	Yup'ik 4E		3
Solomon	Village of Solomon	Inupiat 4E		3
St. Michael	Native Village of Saint Michael	Yup'ik 4E		3
Stebbins	Stebbins Community Association	Yup'ik 4E		3
Teller	Native Village of Mary's Igloo	Inupiat 4E		3
Teller	Native Village of Teller	Inupiat 4E		3
Togiak	Traditional Village of Togiak	Yup'ik 4E		3
Tuntutuliak	Native Village of Tuntutuliak	Yup'ik 4E		3
Twin Hills	Twin Hills Village	Yup'ik 4E		3
Ugashik	Ugashik Village	Alutiq-Yup'ik 4E		3
Unalakleet	Native Village of Unalakleet	Inupiat-Yup'ik 4E		3
White Mountain	Native Village of White Mountain	Inupiat 4E		3

\* Places where subsistence (wild food harvest and use) is a principal characteristic of the community's economy and way of life.

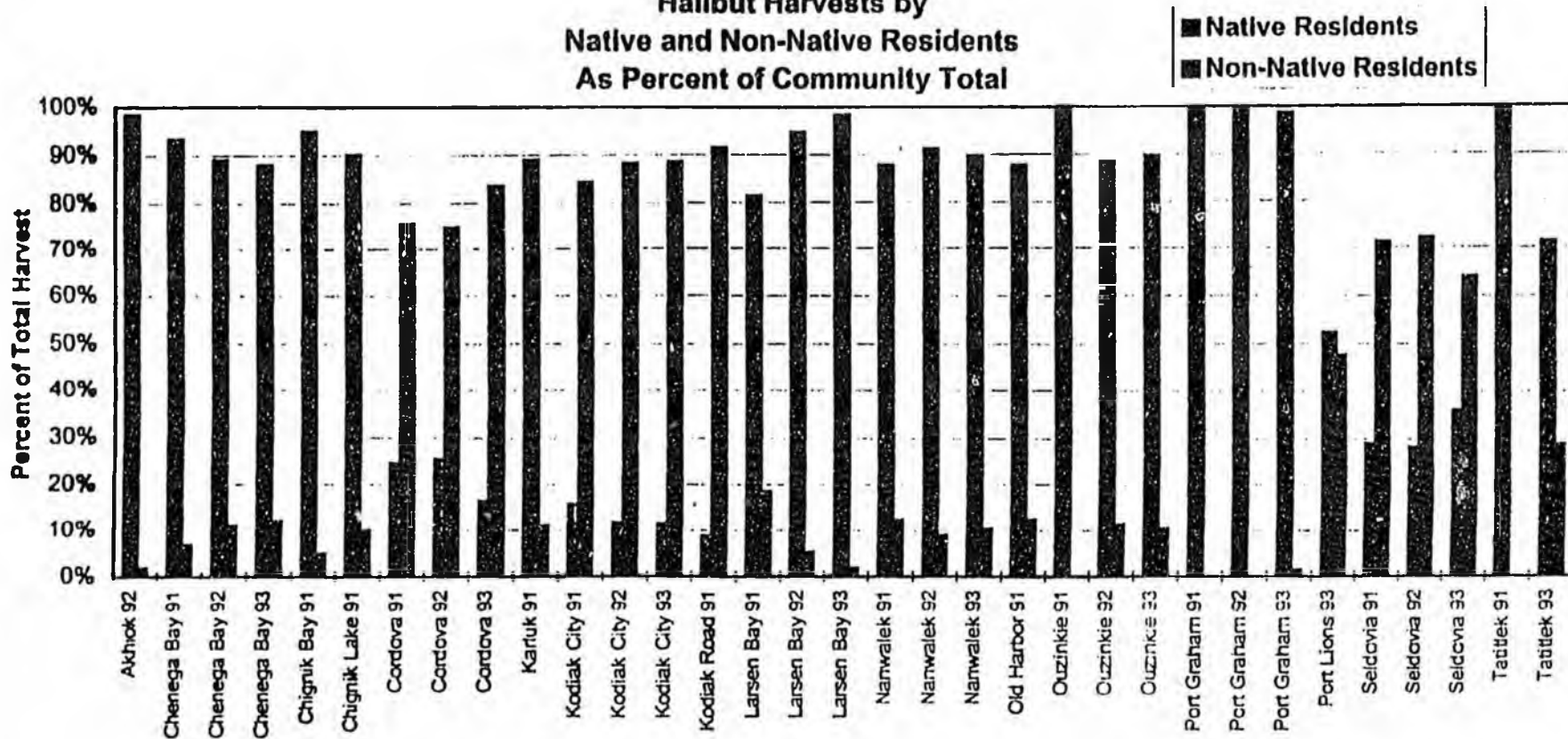
\*\* Indian entities recognized and eligible to receive services from the United States Bureau of Indian Affairs, cf., Federal Register, February 16, 1995, v. 60, no. 32, p. 9249-9255.

\*\*\* Applying for recognized status.

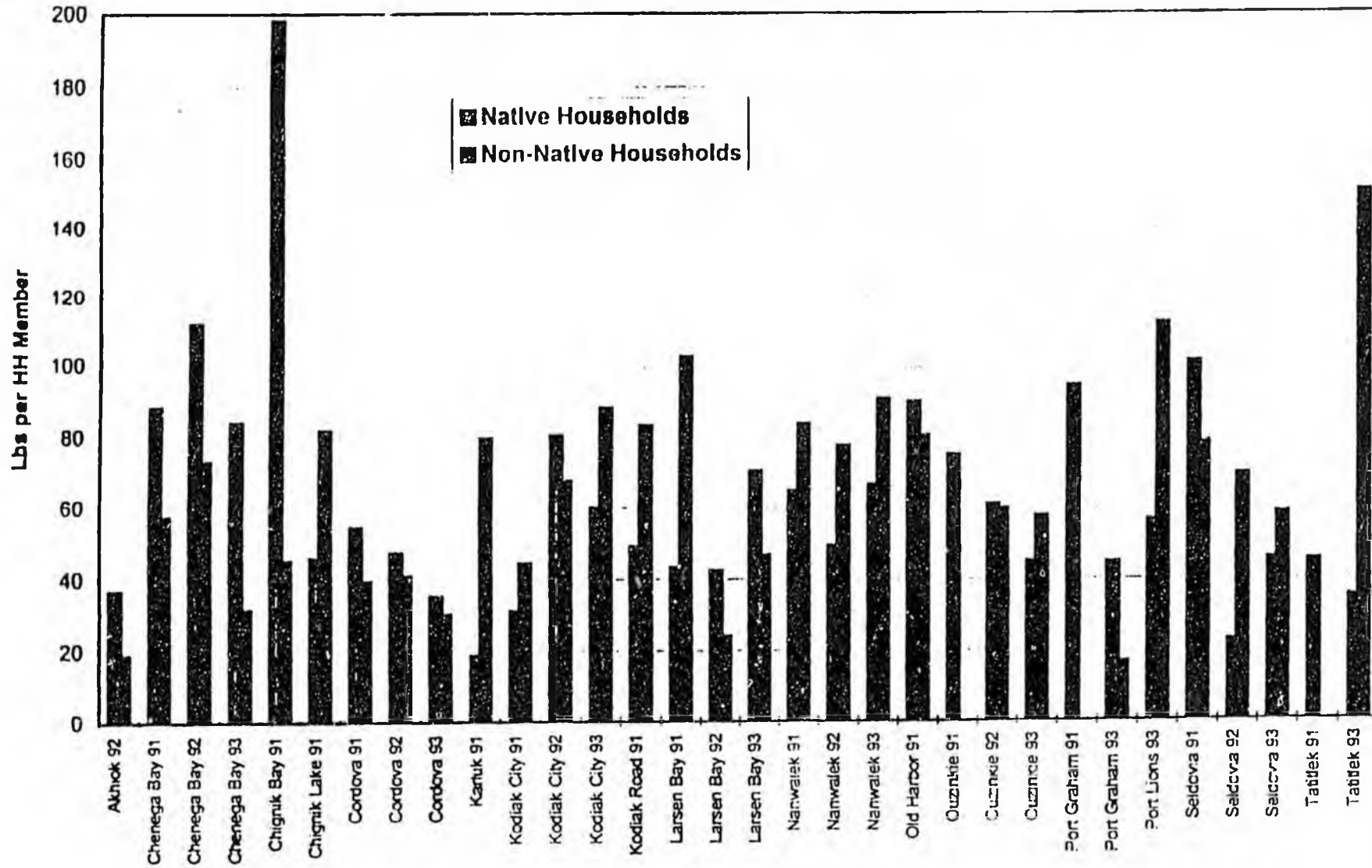
**Mean Halibut Harvests by  
Native and Non-Native Households  
That Harvested Halibut**



### Hallbut Harvests by Native and Non-Native Residents As Percent of Community Total

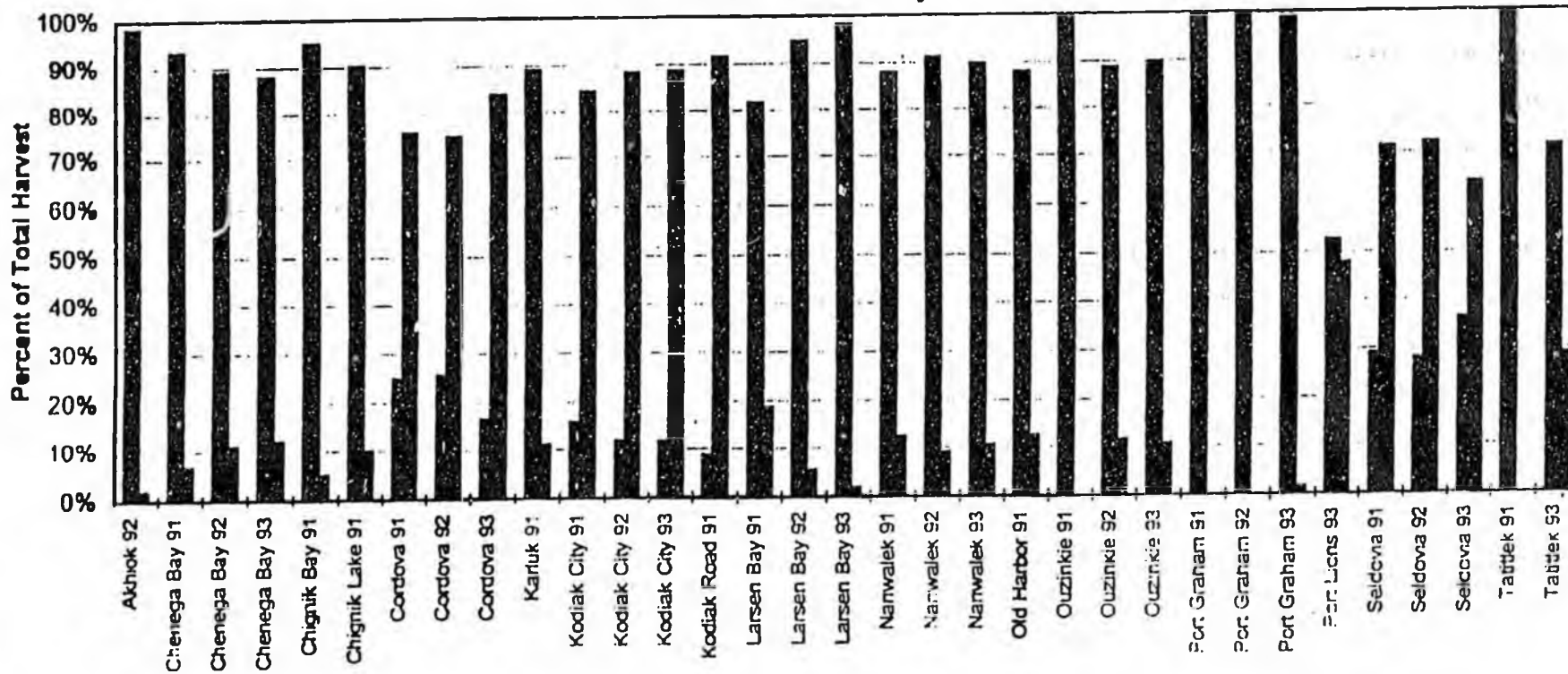


**Mean Halibut Harvests by  
Native and Non-Native Households  
That Harvested Halibut**



**Hallbut Harvests by  
Native and Non-Native Residents  
As Percent of Community Total**

■ Native Residents  
■ Non-Native Residents



## SOUTHEAST NATIVE SUBSISTENCE COMMISSION

320 West Willoughby Avenue, Suite 300

Juneau, Alaska 99801

### CONCEPTS

- Subsistence halibut. "Subsistence use of halibut" refers to the noncommercial harvest and use of halibut for food by Alaska Natives and other rural residents in areas of Alaska with halibut uses.
- Eligibility. Alaska Natives and other rural residents in areas with halibut uses.
- Rural residents are persons whose principal domicile is in a rural Alaska area.
- Rural areas for the purpose of subsistence halibut regulations are areas where subsistence (wild food production and use) is a principal characteristic of the area's economy and way of life.
- Gear. Hook and line gear (including set and hand-held gear), with a maximum of 50 hooks.
- Special provisions. The commercial sale of subsistence-caught halibut is not allowed. The noncommercial sharing and exchange of subsistence-caught halibut is allowed.
- Permits. Subsistence permits may be required in particular areas if necessary for identifying subsistence fishers or special area provisions.
- Local area management plans. Local area management plans may be developed on an area basis to deal with special management issues such as local stock depletion.

# KIPNUK TRADITIONAL COUNCIL

Box 57 • KIPNUK, ALASKA 99614  
(907) 898-5515 • FAX (907) 898-5240

## HALIBUT REGULATION PROPOSAL

In absence of subsistence regulations on the halibut fishery in and around the Cape Avinoff region and after having observed a National Marine Fisheries Enforcement Officer in Toksook Bay this past season, the Kipnuk Traditional Council, on behalf of the local commercial and subsistence fishermen, want to submit the following proposal to be seriously considered to become part of the Commercial Halibut Regulations for the Cape Avinoff Region subsistence halibut fishermen in particular:

1. No limit on number of hooks to be used. (Sportfishing regulations should not be used to develop subsistence regulations.)
2. No bag limit for subsistence caught halibut. (Sportfishing regulations should not be used to develop subsistence regulations.) Traditional and culture methods are used by families in our villages to determine how much they need for subsistence purposes, and should not be regulated because of these present conditions.
3. Subsistence catch of halibut should not be considered a part of the Commercial fishery established quota.

### REASONS:

1. Traditionally, our people use three hook lines and many still make traditional hooks although some use regular 1 hook rod and reel.
2. Weather is not always reliable and every trip counts, especially to catch as many halibuts they can catch. The halibut (both dried and frozen) is one of the main food groups gathered by local residents besides herring.
3. With commercially caught herring and halibut being the main economic resource for our community, we do not want subsistence caught halibut to be counted as part of the quota for commercial halibut fishing.

### CONCLUSION:

Our resolution and its supplement that we submitted to IPHS, NPFS through Coastal Villages Fishing Cooperative is self explanatory and can be used for reference on this proposal. Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under a term, 'subsistence clause.'

**NOTE:** The Kipnuk Traditional Council is submitting this proposal in conjunction and agreement with the Toksook Bay Traditional Council. Our proposal is identical to the proposal submitted by the Toksook Bay Traditional Council, because our way of life is the same. We are closely related as families of the coast, with the same language with traditions and cultures that have a concern for the natural resources we depend on for food. Thank-you for considering our proposal.

# NATIVE VILLAGE OF TUNUNAK

Tununak IRA Council  
P.O. Box 77  
Tununak, Alaska 99681  
(907)652-6527 / Fx. 652-6011

## Halibut Regulation Proposal

In absence of subsistence regulations on halibut fishery in and around Nelson Island region and after having encountered a National Marine Fisheries Enforcement Officer in just past summer season, the Native Village of Tununak, on behalf of the local commercial and subsistence fishermen, want following suggestive ideas to be seriously considered to become part of the Commercial Halibut Regulation for Nelson Island Region subsistence halibut fishermen in particular:

1. No limit on number of hooks to be used. (Sportfishing regulations should not be used to develop subsistence regulations)
2. No bag limit for subsistence caught halibut. (Sportfishing regulations should not be used to develop subsistence regulations)
3. Not count subsistence catch as part of quota.

### REASONS:

1. Traditionally, our people use three hook lines and many still make traditional hooks although some use regular 1 hook rod and reels, many prefer 3 hook lines for jigging.
2. Weather is not always reliable and every trip counts especially to catch as many halibut they can catch. The halibut (both dried and frozen) is the main food gathered by local residents besides herring fish.
3. With commercial herring and halibut being the main economic source for our community, we do not want subsistence caught halibut to be counted as part of the quota for commercial halibut fishing.

### CONCLUSION:

Our resolution and its supplement that we submit to IPHS, NPFS through Coastal Villages Fishing Cooperative is self explanatory and can be used for reference on this proposal. Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under "subsistence clause."

NATIVE VILLAGE OF MEKORYUK  
INDIAN REORGANIZATION ACT COUNCIL  
P.O. Box 66  
Mekoryuk, Alaska 99630  
(907) 827-8828  
Fax (907) 827-8133

**MEKORYUK NATIVE COMMUNITY**

**HALIBUT REGULATION PROPOSAL**

In absence of subsistence regulations and halibut fishery in and around Nunivak Island region. On behalf of the local commercial and subsistence fishermen, want the following suggestive ideas to be seriously considered to become part of the Commercial Halibut Regulations for Nelson Island Region subsistence halibut fishermen in particulars:

1. No limit on number of hooks to be used. (Sports fishing regulations should not be used to develop subsistence regulations).
2. Not count subsistence catch as part of the quota.

**REASONS:**

1. Traditionally, our people use two hook line and many still make traditional hooks although some use regular hook rod and reel, many prefer three-hook lines (jigging).
2. Weather is not always reliable and every trip counts especially to catch as many halibuts they can catch. The halibut (both dried and frozen) is the main food gathered by local residents.
3. With commercial halibut being the main economic source for our community, we do not want subsistence caught halibut to be counted as part of the quota for commercial halibut fishing.

**CONCLUSION:**

Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under "subsistence clause."

**PAST PRESIDENTS**

Moses Nayiruk • Peter Smith, Sr. • Tom Dotomain • Jesse Moses • Walter Amos • George K. Whitman, Sr.  
Edward J. Shavings Sr. • George King, Sr. • Henry J. Shavings • Joseph David, Sr. • Jerry David, Sr.

# Nightmute Traditional Council

P.O. Box 90021  
Nightmute, AK 99690  
(907)647-6215 Fax(907)647-6112

## HALIBUT REGULATION PROPOSAL

In absence of subsistence regulations on halibut fishery in and around Nelson Island region and after having encountered a National Marine Fisheries Enforcement Officer in just past summer season, the Nightmute Traditional Council, on behalf of the local commercial and subsistence fishermen, want following suggestive ideas to be seriously considered to become part of the Commercial Halibut Regulations for Nelson Island Region subsistence halibut fishermen in particular:

1. No limit on number of hooks to be used. (Sport fishing regulations should not be used to develop subsistence regulation.)
2. No bag limit for subsistence caught halibut. (Sport fishing regulations should not be used to develop subsistence regulations)
3. Not count subsistence catch as part of the quota.

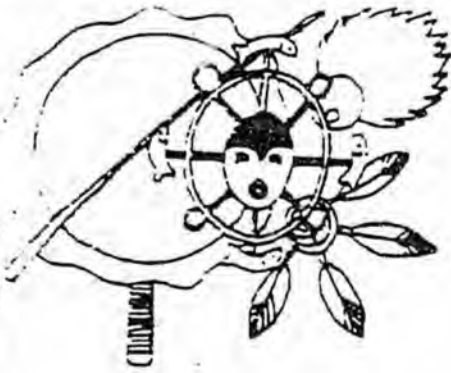
### REASON:

1. Traditionally, our people use three hook line and many still take traditional hooks although some used regular hook rod and reel, many prefer three-hook lines. (jigging)
2. Weather is not always reliable and every trip counts especially to catch as many halibuts they can catch. The halibut (both dried and frozen) is the main food gathered by local residents besides herring fish.
3. With commercial herring and Halibut being the main economic source for our community, We do not want subsistence caught halibut to be counted as part of the quota for commercial halibut fishing.

### CONCLUSION:

Our resolution and its supplement that we submit to NPS, NPS through Coastal Village Fishing Cooperative is self explanatory and can be used for reference on this proposal.

Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under "subsistence clause."



# Toksook Bay Traditional Council

TOKSOOK BAY NATIVE COMMUNITY

## HALIBUT REGULATION PROPOSAL

In absence of subsistence regulations on halibut fishery in and around Nelson Island region and after having encountered a National Marine Fisheries Enforcement Officer in just past summer season, the Toksook Bay Traditional Council, on behalf of the local commercial and subsistence fishermen, want following suggestive ideas to be seriously considered to become part of the Commercial Halibut Regulations for Nelson Island Region subsistence halibut fishermen in particular:

1. No limit on number of hooks to be used. (Sportfishing regulations should not be used to develop subsistence regulations)
2. No bag limit for subsistence caught halibut. (Sportfishing regulations should not be used to develop subsistence regulations)
3. Not count subsistence catch as part of the quota.

### REASONS:

1. Traditionally, our people use three hook line and many still make traditional hooks although some used regular 1 hook rod and reel, many prefer three-hook lines. (jigging)
2. Weather is not always reliable and every trip counts especially to catch as many halibuts they can catch. The halibut (both dried and frozen) is the main food gathered by local residents besides herring fish.
3. With commercial herring and halibut being the main economic source for our community, we do not want subsistence caught halibut to be counted as part of the quota for commercial halibut fishing.

### CONCLUSION:

Our resolution and its supplement that we submit to NPS, NPS through Coastal Village Fishing Cooperative is self-explanatory and can be used for reference on this proposal. Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under "subsistence clause".

# Newtok Traditional Council

P O Box 5545 • NEWTOK, ALASKA 99550 • Telephone (907)237-2314 • Fax (907)237-2428

## HALIBUT REGULATION PROPOSAL

In absence of subsistence regulations on halibut fishery in and around Nelson Island region and after having encountered a National Marine Fisheries Enforcement Officer in just this past summer season, the Newtok Traditional Council, on behalf of the local commercial and subsistence fishermen, want following suggestive ideas to be seriously considered to become part of the Commercial Halibut Regulations for Nelson Island Region subsistence halibut fishermen, in particular

1. No limit on number of hooks to be used. (Sportfishing regulations should not



2. No bag limit for subsistence caught halibut. (Sportfishing regulations should not be used to develop subsistence regulations).
3. Not count subsistence catch as part of the quota.

### Reasons:

1. Traditionally, our people use three hook line and many still make traditional hooks although some used regular hook rod and reel, many prefer three-hook lines. (jigging)
2. Weather is not always reliable and every trip counts especially to catch as many halibuts they can catch. The halibut (both dried and frozen) is the main food gathered by local residents besides herring fish.
3. With commercial herring and halibut being the main economic source for our community, we do not want subsistence caught halibut to be counted as part of the quotas for commercial halibut fishing.

### CONCLUSION:

Our resolution and its supplement that we submit to IPHS, NPFS through Coastal Village Fishing Cooperative is self-explanatory and can be used for reference on this proposal. Therefore, on behalf of the local fishermen, both commercial and subsistence, we recommend that our proposal be seriously considered to become part of the Commercial Halibut Regulation under "subsistence clause"

**Title: Halibut as a Customary and Traditional Subsistence Resource of  
Alaska Natives**

Submitted by Southeast Native Subsistence Commission

WHEREAS, halibut is a customary and tradition resource for Alaska Natives; ancient Tlingit halibut hooks were designed to allow only harvestable-sized fish to be taken; and

WHEREAS, halibut continue to be a vital subsistence food source in coastal Native communities, an essential food at cultural celebrations, and important for sharing with elders and others who cannot harvest for themselves; and

WHEREAS, ANILCA Title VIII provides for the harvesting of fish and wildlife resources for subsistence usage in a non-wasteful manner; and

WHEREAS, Natives have been cited for harvesting halibut because of exceeding the bag limit of two fish per day and for using a long line with multiple hooks; and

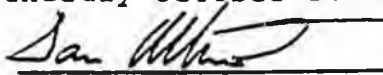
WHEREAS, these regulations are not reflective of Native communities' customary and traditional methods, means, bag limits, and sharing; and

WHEREAS, these regulations are ethnocentric and have been difficult to change, due to lack of action from the concerned government agencies: the State of Alaska, National Marine Fisheries Service, the North Pacific Fisheries Management Council, and the International Pacific Halibut Commission.

NOW, THEREFORE, BE IT RESOLVED that the General Assembly of the Alaska Federation of Natives respectfully request that managing agencies recognize and acknowledge that halibut is a customary and traditional subsistence resource and that they allow Alaska Natives to use efficient means of harvest, including multiple hooks, rod and reel, and long line gear.

BE IT FURTHER RESOLVED, that this resolution be sent to the State of Alaska Board of Fisheries, to the National Marine Fisheries Service, to the North Pacific Fisheries Management Council, and the International Pacific Halibut Commission.

Approved for submission by participants at the Bering Sea  
Fishermen's Association workshop on Wednesday October 16th @ 1 P.M.

  
Attest: Dan Albrecht, Program Director  
Bering Sea Fishermen's Ass'n

10 MATI KIBKESH	WESTIK
Co/Dept.	Co.
Phone #	Phone #
Fax #	Fax #

Sixty-First Annual General Assembly  
CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA  
April 17-20, 1996  
Juneau, Alaska

Resolution 96-13

Title: HALIBUT IS A CUSTOMARY & TRADITIONAL SUBSISTENCE RESOURCE OF ALASKA NATIVES  
Submitted by: Angoon T&H Community Council

WHEREAS, halibut is a customary and traditional resource for Alaska Natives; ancient Tlingit halibut hooks were designed to allow only harvestable-sized fish to be taken; and

WHEREAS, ANILCA provides for the harvesting of fish and wildlife resources for subsistence usage in a non-wasteful manner; and

WHEREAS, Natives have been cited for harvesting halibut because of exceeding the bag limit and for using a long line with multiple hooks; and

WHEREAS, Natives have had to endure regulations that only allow 2 halibut and a hand-held line with two hooks; and

WHEREAS, these regulations are not reflective of Native communities' customary and traditional methods, means and bag limits; and

WHEREAS, these regulations are ethnocentric and are difficult to change, due to lack of action from both the State and the International Pacific Halibut Commission (IPHC) which will not address this issue until the State does.

NOW, THEREFORE, BE IT RESOLVED that the General Assembly of Tlingit and Haida Central Council respectfully request the assistance of Alaska's delegation in Washington D.C. to amend the Northern Pacific Halibut Act, "To recognize and acknowledge halibut as a customary and traditional subsistence resource, and to assure subsistence harvesting of halibut by Alaska Natives is protected."

BE IT FURTHER RESOLVED that the Central Council also request the Board of Fisheries endorse this resolution with a follow-up letter of support.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Southeast Native Subsistence Commission, the International Pacific Halibut Commission, Board of Fisheries,