

MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Jane DiCosimo
NPFMC Fishery Biologist

DATE: February 1, 2001

SUBJECT: Halibut Subsistence

In October 2000, the North Pacific Fishery Management Council defined subsistence for Pacific halibut in waters off Alaska. It adopted a rural standard for defining eligibility as defined primarily by the Alaska Board of Fisheries which includes 116 communities with a finding of customary and traditional (C&T) use of halibut. It further included members of 118 Alaska federally recognized Tribes with a finding of C&T use of halibut who: 1) reside in or move to an urban area and will be allowed to return to their area of tribal membership to fish; and/or 2) live in an area that has become or in the future becomes urban and will be allowed to fish in any designated rural area. It added Adak due to the unique circumstances related to its resettlement. The Council also included the definition of rural under the Alaska National Interest Land Claims Act and will also consider recommendations on eligible communities by the Federal Subsistence Board.

Legal gear was defined as set and hand-held gear of not more than 30 hooks, including longline, handline, rod and reel, spear, jigging and hand-troll gear. It added Savoonga and Gambell to the existing coastal western Alaska communities (Area 4E) who already may retain halibut less than 32 inches under the community development quota (CDQ) fishery. Legal-sized halibut caught while commercially fishing statewide must be counted against individual fishing quotas, but not against CDQs. Sale was prohibited, but trade was limited to an annual maximum of \$400 per fisherman. Non-monetary trade was allowed with anyone. Daily limits of 20 halibut per fisherman per day were adopted for most waters, except for Area 4E and the Pribilof Islands (Area 4C) which have no limits. Cooperative agreements between Tribal, the State of Alaska, Federal government and other entities may be developed for harvest monitoring and other management issues.

The Council requested that in June 2001, the Alaska Board of Fisheries recommend changes to the proposed regulations for gear, daily limits, reporting requirements, C&T designations for Tribes or rural communities and non-rural area definitions for halibut fishing areas. Those recommendations would be tasked to staff for development of a trailing regulatory analysis that will reexamine the biological, social, and economic impacts of the those recommendations. If adopted by the Council, the regulatory amendment will be forwarded to the Secretary of Commerce for approval and implementation.

Council staff is also in consultation with staff of the US Fish and Wildlife Service and National Park Service who have jurisdiction for managing halibut in waters off ANILCA and Tongass National Forest, respectively. Our aim is to conform the different sets of regulations for halibut subsistence use where possible.



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

TAB II
FEBRUARY 2001
Supplemental

JAN 19 2001

RECEIVED

JAN 29 2001

N.P.F.M.C

Mr. David Benton
Chairman, North Pacific
Fishery Management Council
605 West 4th Avenue
Anchorage, Alaska 99501-2252

Dear Mr. Benton:

Thank you for your letter regarding the close working relationship between the North Pacific Fishery Management Council and the State of Alaska Board of Fisheries (Board). I understand the importance of funding cooperative efforts with the State of Alaska. I also recognize that the Board may face fiscal constraints in carrying out its work.

One potential source of Federal funding for the Board may be the National Oceanic and Atmospheric Administration's National Marine Fisheries Service, under the Saltonstall-Kennedy (S-K) Grant Program. The S-K Program provides financial assistance on a competitive basis for research and development projects to benefit the U.S. fishing industry (commercial and recreational). Proposals are solicited using funding priorities, eligibility requirements, and selection criteria published in the Federal Register. Information on the S-K Program is available through the Internet on www.nmfs.noaa.gov/sfweb/skhome.html.

I appreciate both your efforts and those of the Board to provide for effective conservation and management of Alaska fisheries.

Sincerely yours,

Norman Y. Mineta

North Pacific Fishery Management Council

David Benton, Chairman
Chris Oliver, Acting Executive Director

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November 21, 2000

The Honorable Norman Mineta
Secretary of Commerce
Herbert C. Hoover Building
14th & Constitution Avenue NW
Washington, DC 20230

Dear Secretary Mineta:

The North Pacific Fishery Management Council has an important working relationship with the State of Alaska Board of Fisheries (Board). Because the fisheries and marine resources under our respective jurisdictions are closely related, we need to insure that this inter-jurisdictional cooperation and coordination continues. Of most recent importance are management programs we are developing with regard to the Pacific halibut fisheries off Alaska. By international treaty, the International Pacific Halibut Commission (IPHC) and the Secretary share management responsibility for this fishery, with the Council responsible for any allocative management recommendations. Unlike other fisheries, this jurisdiction extends all the way to the beach, with no state waters fishery recognized. We have recently approved several management actions with regard to the halibut fisheries, affecting commercial, sport charter, and subsistence users.

Because of the nature of the Board process, that body is better suited to address many of the specific details of management of the halibut fisheries, particularly as those details relate to harvest of halibut at the Alaska coastal community level. As such we have deferred development of some management measures, requesting the Board to develop recommendations which will in turn come back to the Council for final approval. Examples include development of local area management plans (LAMPs) to address local area conflicts among all user groups, which would be developed by the Board and submitted to the Council process for approval and promulgation of regulations. Most recently the Council approved standards for subsistence use of halibut. As part of that action, the Council requested the Board to further develop specific recommendations on a regional basis for such things as legal gear, retention allowances, etc. The Board has agreed to work on both of these issues, in addition to their already full agenda of State fisheries issues.

We wanted you to be aware of the high degree of cooperation being exhibited by the Board, and the extra burden this puts on their process at a time when they are experiencing funding shortfalls. Because of the significant additional burden this places on their process, we wanted to convey our concerns over their recent funding situation, and request that you consider providing funding to the Board to assist in this cooperative effort. On behalf of the Council I want to also express our appreciation for your support of strong conservation and management of our Nation's fisheries.

Sincerely,


David Benton
Chairman

cc: AK, WA, OR Congressional Delegations
Tony Knowles, Governor, State of Alaska
Dan Coffey, Chairman Alaska Board of Fisheries