

Mike Stock's  
P.O. 2022  
P 99833

→ send the  
Subs Stems and paper  
to  
N



To: Whom it May Concern

RECEIVED  
JAN 13 2007  
N.P.F.R.C.

My name is William Brent. I have lived in Alaska for 34 years. In 1975 I bought 16 acres of land on Wheeler Creek, on the North West side of Admiralty Island.

The property was ~~part~~ part of a 1916 homestead.

In the mid 70's me and my family built a log home while we grew geotic, horse-rubber, and leeks to sell in Juneau, while we subsisted off halibut, salmon, and Deer.

In 1980 island admiralty became admiralty island monument wilderness. At that time "ANLCA"

you see certain rights because we were leaving on private in-holdings inside the monument.

One of these rights, was the right to subsistence. I have lived off of, and put up, halibut, salmon, and Deer on my Wheeler creek property for over 30 years. It is who I am.

I have called your office 1888-586-6822 3 different times and was hung down 3 times, because I did not live in a rural community.

I live on the Wheeler creek property now and vote in Oregon.

I do not receive mail at Wheeler creek, that is why I have a Juneau P.O. Box # 33143.

Please help me get a halibut subsistence permit. Enclosed are some papers that might help me.

Thanks  
William Brent

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

### BOARD OF FISHERIES

ITEM 4(a)

APRIL 2004

FRANK H. MURKOWSKI, GOVERNOR

P.O. BOX 25526  
JUNEAU, AK 99802-5526  
PHONE: (907) 465-4110  
FAX: (907) 465-6094

March 22, 2004

Stephanie Madsen, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501-2252

Re: Subsistence Halibut Appeals

**RECEIVED**  
MAR 25 2004  
N.P.F.M.C.

Dear Stephanie,

The Alaska Board of Fisheries is forwarding its recommendations on the appeals it has received concerning eligibility for subsistence use of halibut. Listed below are the two appeals that were supported by the board:

- Naukati Homeowners Association  
P.O. Box NKI  
Naukati, AK 99950
- David Hashagan, Port Tongass Village  
P.O. Box 8311  
Ketchikan, AK 99901

The board recommend against eligibility for the following names or communities:

- Robert Ellebruch (see inclusion of Naukati Homeowners Association)
- Esther Ronne, Qutekcak Native Tribe
- Donna and Phillip Emerson, Funter Bay
- Wayne and Claudia Williams, Boathouse Cove
- Robert Haeg, Chinitna Bay

The board considered one of these appeals (Robert Ellebruch's) as included in Naukati. The remaining appeals were declining because they were located in non-subsistence use areas.

Respectfully yours,



Diana Cote/ for Ed Dersham,  
Chairman, Alaska Board of Fisheries

Cc: Pete Probasco, USFWAS/OSM

**Index of Halibut Subsistence Tab**  
**for Feb. 15-26, 2004 Area M Meeting**

H-1 Naukati

H-2 Port Tongass Village

H-3 Qutekcak Native Tribe

H-4 Funter Bay

H-5 Boathouse Cove

H-6 Chinitna Bay

H-7 Loring

# ALASKA BOARD OF FISHERIES

## Process for appeals re: Halibut Subsistence Determinations by the North Pacific Fishery Management Council October 2003

### Background

In July 1999, the North Pacific Fishery Management Council (council) requested the Board of Fisheries (board) provide recommendations concerning subsistence use of halibut in Alaska, in order that the council could authorize a subsistence fishery for Pacific halibut. While the board does not have direct authority in regulating the take of halibut, the council recognized the expertise that lies within the state's board system, including the Department of Fish and Game's Subsistence Division, for gathering and providing detailed information. The council requested the board provide recommendations relating to legal gear, daily limits, reporting requirements, customary and traditional use areas of tribes and rural communities, and nonrural area definitions for halibut fishing areas.

The board conducted a number of special hearings in areas around the state to gather public input in order to develop specific recommendations for each region. A copy of the report from the board is available from the board's executive director.

The council took action in October 2000 to define halibut subsistence eligibility. The council's action allowed for the opportunity to include additional communities for which customary and traditional use findings are developed in the future. The council specifically stated that it intended that communities seeking eligibility pursue a finding from the Board of Fisheries (or the Federal Subsistence Board, as suitable) before petitioning the council. The council's final rule took effect April 2003.

At the board/council Joint Protocol Committee meeting in July 2003, the board agreed to develop a process to take up petitions/appeals received concerning halibut subsistence. The process described below describes a method for addressing these appeals.

### Process

#### ***Stage 1: Pending Appeals***

Currently, a number of communities/individuals have appealed to the council for a positive finding of subsistence use of halibut. In order to address these appeals in a timely manner, the following timeline is suggested:

October 2003: Appeals are received by the board.

October 2003 thru January 2004: Board solicits public comment

February 2004: Board makes recommendations on each appeal and forwards those recommendations to the council

**Stage 2: Future Appeals**

August: The board may choose to set a deadline that coincides with the annual agenda change request deadline for appeals to halibut subsistence determinations. Appeals would not be limited to a "regional" call and would be accepted for any area of the state.

October: Board schedules appeals for specific meetings during that cycle

November – March: Board makes recommendations on appeal(s) and forwards those recommendations to the council

Communication with Federal Subsistence Board

In a small number of appeals in areas where the state and federal nonsubsistence use areas differ, the appeal may be addressed by both the Board of Fisheries and the Federal Subsistence Board. In those cases, the council will forward a copy of the appeal to both systems. The Board of Fisheries will forward an informational copy(s) of its recommendations to the Federal Subsistence Board as well as the council.

Naukati Homeowners Association  
PO BOX NKI  
Naukati, AK 99950

RECEIVED  
JUN 19 2003  
BOARDS

CC: North Pacific Fishery Management Council  
State Board of Fisheries  
Federal Subsistence Board  
National Marine Fisheries Society  
Thorne Bay and Craig Ranger Districts

Greetings to all,

While this letter is focusing on the Halibut issue, Naukati as well as the other northern Prince of Wales Island Communities need to be included as eligible rural RESIDENT community's for Customary and Traditional Use of both fish, small and large mammals, fur bearers, and vegetation resources on Northern Prince of Wales Island.

Since its official naming in 1904 by the U.S. Coast & Geodetic Survey after Native abandonment, Naukati has grown from a logging camp to a Department of Natural Resources Land disposal site to a community determined to retain the subsistence life style that captured and kept the families here. Prince of Wales Island is not just a name of a rock with several logging communities' but a life style choice for those who choose to stay and live here along side the Alaskan Native residents. A choice that may sadly, fade soon with our growing populations and paradigm shifts.

Rural subsistence for our residents is a way of life that began around the time the logging outfits were shuffled between Hollis, Thorne Bay, Coffman Cove, Whale Pass, Naukati, and Lab Bay in the 1960-70's. Most local residents that still live on the island have put in their time in every camp during some project or another. Store bought food was expensive and rare. Meat is heavy and expensive to ship and most often shows up rotten when the camp moves so often. The tradition of sharing the harvested halibut, salmon, and deer evolved in the camps among the men, their families, friends and co-workers as every other Thursday was sometimes to long to wait for groceries in the summer and sometimes they did not come at all in the winter. The one day off the loggers, road construction crew, and management had off a week was celebrated in the evening by barbequing the catch of the day and canning or food-saving (vacuum packing) the leftovers to stockpile for the winter when the weather would be horrible.

page 1 of 9

H-1



Beach Asparagus, Bull Kelp, and Goose Tongue was picked and processed for the winter to garnish the main Venison dishes in place of normal store bought vegetables. Transplanted Rhubarb, Strawberries, and Raspberries were mixed with the Blueberries, Huckle Berries, Thimble and Salmon Berries and incorporated into the desserts. Shrimp, Crab, Clams, and Oysters have helped supplement the Halibut, Ling Cod, Snapper, Rock Fish, and Salmon Salt water Diet. Fresh water fishing relaxed everyone and provided the other marine derived nutrients to the inhabitants of this island. Many of the residents of the northern communities do not buy red meat. Chicken is probably the only meat purchased by ~80% of the communities.

The before mentioned customs and traditions that I have experienced are backed by the Alaska Department of Fish and Game report: Subsistence harvest and use of salmon and selected non-salmon species; Southeast Alaska Community Summaries by A. Paige in 2002.

The report sites both the 1990 and 2000 Census and lists **Non-Salmon Fish as the main resource harvested** that year followed by Marine Invertebrates, Land Mammals, Salmon, and last but not least- Vegetation (Figure XIX-3 Naukati Bay Harvest Composition by Resource Category). The survey addressed the time from October 1998 through September 1999 and estimated that "more than 35,388 pounds of wild resources were harvested" and that overall the average household used 536 pounds with about 242 pounds per person being consumed.

Table XIX-3 shows the top ten resources used by the most Households in Naukati Bay, 1998:

Rank	Species	%HH
1	Coho Salmon	82%
2	Dungeness Crab	72%
3	Halibut	70%
4	Deer	68%
5	Berries	68%
6	Wood	60%
7	Shrimp	58%
8	Mushrooms	58%
9	Clams	56%
10	Rockfish	52%

(Paige, A. 2002)

Please remember that these numbers come when the un-employment rate of the logging camps were low or non-existent. In the transition from the logging camp to community since 2000, un-employment rates are extremely high, and a lot of the residents are retired. Many of the residents are venturing into new businesses or commuting to other

communities to work. The community is highly dependent on the rural or Prince of Wales resident subsistence life style that must be managed for sustainability.

The community's are appreciative of the improved access of the Federal roads but apprehensive about the foreseen impact on the survival of a sustainable subsistence life style on North Prince of Wales. The small rural or "resident northerners" are like the resident fish in our streams that do well in the spring and fall but get trampled in the summer and fall by the Anadromous rush for development and search for profit. Increased competition from the southern communities is already being experienced as the roads are improved. Sport fishing continues to send sky scrapers of fish boxes down south. With the improved ferry access there has been an increased amount of Ketchikan visitors to the island that take fish and venison back with them. When the Inter-Island Ferry is built in Coffman Cove, Wrangell and Petersburg will also compete for the dwindling resources . While great for trade and improved communication the access may be disastrous for the present resident hunting and gathering populations, both prey and predator unless we think ahead and manage the existing populations and take the Customary and Traditional Use and our future serious.

And compounding things further, the request from Sea Alaska for a land swap for their already logged land for the Federal Public islands of Heceta, Tuxekan, and Kosciusko further threatens Naukati and the surrounding residents from Edna Bay that reside on Kosciusko. This will interfere with the Naukati Waterfront Plan for the "Gateway to Sea Otter Sound" Eco-Experience, sustainable resource management education, and non-consumptive tourism goals. Currently Non-natives are not allowed to live, subsist, or hunt on the million of acres of native owned land, the majority of it clear-cutted from ridge line to ridge line without any stream buffers, ditch line, or wildlife reserves. What will happen to Naukati and Edna Bay Residents that have hunt and fish those streams, clam the shores, hike and hunt the peaks if customary and traditional use is not allowed?

Please understand our urgency and need to be included under the Customary and Traditional Use for our resources in face of the pending competition with commercial, sport, and native issues.

If you have any questions please feel free to contact Brandy Prefontaine, (907) 629-4274 or email at [BPrefontaine@aol.com](mailto:BPrefontaine@aol.com)

Thank you for your time and consideration,

Page 3 of 9

H-1

**Naukati Homeowners Association**

**Art King, President**

**Art Brown, Vice President**

**Candy Hempel, Secretary**

**Debbie Nichols, Treasurer**

**Brandy Prefontaine, Board Member**

**Bob (Boulder) Prefontaine, Board Member**

**Diane Porter, Board Member**

Page 4 of 9

H-1



UNITED STATES DEPARTMENT OF COMMERCE  
 National Oceanic and Atmospheric Administration  
 National Marine Fisheries Service  
 P.O. Box 21668  
 Juneau, Alaska 99802-1668

July 21, 2003

RECEIVED  
 JUL 23 2003  
 N.P.F.M.C

Mr. Robert J. Ellebruch  
 P.O. Box 385 Naukiti  
 Ketchikan, Alaska 99950

Dear Mr. Ellebruch,

Thank you for your recent letter conveying a petition from your community. The petition states:

We the residents of Naukiti, Alaska located on Prince of Wales Island feel that we should be eligible [*sic*] to participate [*sic*] in the halibut subsistence [*sic*] fishery . . .

and was apparently signed by 59 persons.

Decisions on eligibility to participate in the subsistence halibut fishery are determined in accordance with federal regulations. The policy choices those regulations reflect are made by the North Pacific Fishery Management Council. The Secretary (of Commerce, the parent agency for the National Marine Fisheries Service) does not independently adjust Council recommendations.

Accordingly, by copy of this letter, I am forwarding your petition to the Council for its consideration. I am certain that you will hear from the Council on this matter in due course.

Sincerely,

Phil Smith  
 Program Administrator  
 Restricted Access Management

cc: Chris Oliver, Executive Director  
 North Pacific Fishery Management Council  
 605 West 4<sup>th</sup>, Suite 306  
 Anchorage, AK 99501-2522

H-1  
 page 5 of 9



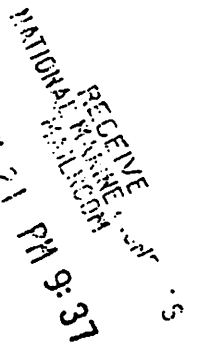
Robert E. Johnson  
Box 385 Naukiti  
Ketchikan AK 99950  
907 629-4119

Thank You

Program

I was dismayed when I learned that Naukiti was not included in the Halibut subsistence program. After making some calls no one could really tell me why when every other community on Prince of Wales Island was eligible. Hoping it was just an oversight I put a petition up at our local store to get some signatures to send to you. Naukiti is a small town on the West side of Prince of Wales with around one hundred residents, were very rural and our economy is slow so the people here could really use this

Dear Sirs



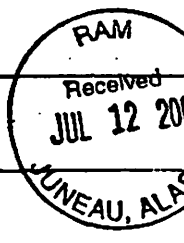
To the National Marine Fisheries Service  
P.O. BOX 21668  
Juneau AK 99802-1668

We the residents of Naukiti, Alaska  
located on Prince of Wales Island feel  
that we should be eligible to participate  
in the Halibut Subsistence fishery  
Respectfully Signed

Robert F Ellebruch	Debra A. Larmann
Randall D. Porter	Lisa Howell
Candy Dempel	John Howell
Jimmie F. Richter	Marie M. Moody
<del>John F. Porter</del>	Scott E. Arrington
Mike Dynd	Dawn Arrington
Barbara Richter	Ernest W. Stillen
Shelley Isabell	Debra Z. Nichols
<del>Mike Porter</del>	Robert Prefontaine
Annissa R. Richter	Clark Crade
Jennifer L. Nichols	Joey Page
Bronck Demey	Scott Wilson
Larry Moody	Dwaine Matton
<del>Mike Porter</del>	John James
Alan J. Jussell	Michael Bowen

H-1

Page 7 of 9



To the National Marine Fisheries Service

P.O. BOX 21668  
Juneau AK 99802-1668

We the residents of Naukiti, Alaska located on Prince of Wales Island feel that we should be eligible to participate in the Halibut subsistence fishery. Respectfully signed

Anne Stewart

Ruth Jones

K. L. Jones Jr.

Hal Jones

John Thompson

John Jones

John Jones

The Jones

John Jones

John Jones

John Jones

John Jones

John Jones

~~John Jones~~

John Jones

Red Howard

John Jones

John Jones

John Jones

John Jones

John Jones

John Jones

John Jones

John Jones

John Jones

Page 8 of 9 H-1



to The National Marine Fisheries Service  
P.O. BOX 21668  
Juneau AK 99802-1668

We the residents of Naukiti, Alaska,  
located on Prince of Wales Island feel  
that we should be eligible to participate  
in the Halibut Subsistence fishery  
Respectfully signed

~~David Metzger~~  
David Metzger



H-1



August 18, 2003

Mr. David Hashagan (Port Tongass Village)  
P.O. Box 8311  
Ketchikan, Alaska 99901

Dear Mr. Hashagen:

I am writing at your request to identify the process to apply for eligibility to fish for halibut under subsistence regulations. As we have discussed, eligible persons are identified in the regulations as: (1) residents of rural communities with customary and traditional uses of halibut; and (2) members of federally recognized Alaska Native Tribes with customary and traditional uses of halibut. The Council did not consider, and the regulations do not permit, subsistence halibut fishing by individuals who are not members of the listed rural communities or Alaska Native Tribes.

During the July 28, 2003 meeting, the Board of Fisheries/North Pacific Council Joint Protocol Committee confirmed the role of the Board in reviewing petitions for eligibility in the federal subsistence halibut program. The Board, Council, and USFWS staffs will confer to identify a plan for the respective agencies to review such petitions. The Board did not offer advice to the Council regarding related issues of eligibility of non-census designated places or communities associated with eligible communities. The use of "subsistence areas" or game management units was suggested for consideration by the Board.

You may wish to confirm that the Board of Fisheries has received your request for an eligibility determination with Ms. Diana Cote, Board Support staff. I believe this issue will be reviewed by the Board at its October 1-3, 2003 work session in Anchorage, and reported on at the Council's October 8-14, 2003 meeting in Anchorage.

Sincerely,

Jane DiCosimo  
Senior Plan Coordinator

cc: Diana Cote

H-2

Pg. 1 of 14



RECEIVED

JUL 17 2003

N.P.F.M.C

DAVE Hashagen

Port Tongass  
900 Box 8311

Ketchikan AK  
99901

#ATTN: David Beriton

Sir. I'm asking you to include  
me in your Subsistence Halibut  
LIST

I live at (Port Tongass) its 52mi  
south of Ketchikan in the mouth of  
Nakat Inlet. at the old Port~~ing~~ Tongass  
village site my Docks + Floats are  
There.

Thank you

Bob E. Harty

Page 3 of 14 H-2

pg. 4 of 14 H-2

3000

check you

we would like to have  
us put on the substance list  
we are apt 53 miles south of  
Ketchikan at Lincoln Channel (Chart #17437)

we are working you today  
as we have been told that (port  
Tongass Village) in ~~is~~ not on  
your substance list.

S:

David Benton

ATTN:

RECEIVED

MAY 28 2003

N.P.F.M.C.

A.K. 99901

Ketchikan

Box 8311

Port Tongass Village 99901

Port Tongass village

1 - OF 3

Supplimental Information  
To Board of Fishines

ATT: Boards support section

ATTn: Diana Cote Executive Director

ATTn: Art Hughes Pub. Tec. II



In Reply To our Telephone call on  
nove 5 2003. For more detailed info.  
on my petition To Board To have  
(Port Tongass village) included on  
The List of villages for subsistence  
eligibty, dm The only Resident,

please find In closed

1 # NOAA. chart # 17437 with village  
site marked (X), NOS survey Date  
1900-1939 (see Inclosed Source chart)  
marked \* ~~at~~ APX 52 miles South  
of Ketchikan  $\frac{1}{2}$  mile north of  
Canada Boarder.

PS 5 of 14 H-2

Inc

2 # ~~state~~ state of Alaska + Corps of  
engineers Permitt + Additional Inform

Inc: 2 state letter.

Corps engine. Permitt Approval  
State approval & ADec eet.

7 pages

PORT LANGRASS VILLAGE

2 of 3

H-2

now a full time Res. of

Port Langrass Villages as from there  
Gillnett + Trap fur from there  
Summer  
Ketchikan for repairs ect. & repair my mail  
at Ketchikan as I have no mail service here

can all my food + brook

the summer + winter halibut

as I have no refrigeration

also salt some for smoking

at a later date. in the year.

I use a short longline for salmon

for Halibut + my Gillnett

my pots for Browns + crab

I have commercial fished salmon

Gillnett (shrimp pot) + trapped from  
my float at Port Langrass site

since aprx 1963 every year. I have  
traped Herrn for the last 10-12 years

I have qualified for all my permits  
when first issued. from long conversation

I have become a full time Res. at Port

Ps. 6 of 14

3 of 3 Port Tongass Village

Village site after I raised my family and they grew up and are ~~on~~ ~~own~~ on their own. I raised them at Getrock Id + Ketchikan then I could be at Port Tongass as it is very remote (good!) and not the best place to have young kids and no school.!! They need to be around other kids

I hope this is enough info for the Board to find ~~me~~ me a Substank Halibut + Salmon Ruel ~~user~~ user + Port Tongass village site  
Shub young  
Dad E. Hughes

PS! Thanks to Diana Cote + art Hughes for walking me through the process of applying

Port ~~Tongass~~  
90 Po Box 8311  
Ketchikan  
AK 99901

D H.

H-2  
Pg. 7 of 14

# STATE OF ALASKA

FRANK H. MURKOWSKI, GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT/PERMITTING  
ALASKA COASTAL MANAGEMENT PROGRAM**

**SOUTHCENTRAL REGIONAL OFFICE**  
550 W 7<sup>th</sup> AVENUE SUITE 1660  
ANCHORAGE, ALASKA 99501  
PH: (907) 269-7470 FAX: (907) 269-3891

**CENTRAL OFFICE**  
302 GOLD STREET  
JUNEAU, ALASKA 99801  
PH: (907) 465-3562 FAX: (907) 465-3075

**PIPELINE COORDINATOR'S OFFICE**  
411 WEST 4<sup>th</sup> AVENUE, SUITE 2C  
ANCHORAGE, ALASKA 99501  
PH: (907) 2857-1351 FAX: (907) 272-3829

[www.alaskacoast.state.ak.us](http://www.alaskacoast.state.ak.us)

October 20, 2003

Mr. David Hashagen  
Port Tongass Village Association  
P.O. Box 23008  
Ketchikan, Alaska 99901

Dear Mr. Hashagen:

**Subject: Lincoln Channel 3 (Net Storage Float)  
State I.D. No. AK 0308-01J  
Proposed Consistency Determination - Concurrence**

The Office of Project Management and Permitting (OPMP) is currently coordinating the State's review of your proposed project for consistency with the Alaska Coastal Management Program (ACMP).

OPMP has developed the enclosed proposed consistency determination, in which the State concurs with your certification that the project is consistent with the ACMP and affected coastal district's enforceable policies.

By copy of this letter, I am informing the U.S. Army Corps of Engineers and State review participants of OPMP's proposed finding. If you have any questions, please contact me at 907-465-4664 or email [joe\\_donohue@dnr.state.ak.us](mailto:joe_donohue@dnr.state.ak.us).

Sincerely,



Joe Donohue  
Project Review Coordinator

Enclosure

H-2  
Pg. 8 of 14



**ALASKA COASTAL MANAGEMENT PROGRAM  
PROPOSED CONSISTENCY DETERMINATION  
CONCURRENCE**

**DATE ISSUED: OCTOBER 20, 2003**

**PROJECT TITLE: LINCOLN CHANNEL 3 (NET STORAGE FLOAT)**

**STATE ID. NO.: AK 0308-01J**

**AFFECTED COASTAL RESOURCE DISTRICT: KETCHIKAN COASTAL DISTRICT**

**DESCRIPTION OF PROJECT SUBJECT TO ACMP REVIEW:**

The project that is the subject of this consistency review is to gain authorization for an existing 20' x 60' float with a plywood deck, supported by 2-foot diameter logs. All wood used in the construction of the proposed float is untreated with the exception of some pressure-treated cross pieces. The float will be secured at the two seaward corners by two 500 lb. anchors at the -60' level, each attached to the float by a 150' chain. The shoreward section of the float is attached by two chains to a one ton 6' x 4' rock anchor below mean high water at the -2.0' tide level. In this position there will be approximately 8' of water under the float so it will not ground at any stage of the tide.

The approximate location is at 54° 44' 48" North, 130° 41' 56" West, Section 24, Township 82 S., Range 98 E., Copper river Meridian, approximately 52 miles southeast of Ketchikan, on the east side of Lincoln Channel adjacent to Sitklan Island, near Dixon Entrance.

The purpose of the float is to provide safe moorage for a fishing boat and as a platform for storing gear.

**Additional Information -**

The permit application currently being made is for an existing float which has been at this location for at least 20 years. On your Department of the Army application you state this float was re-established approximately 25 years ago, and that a similar float was at this site during the 1920 to 1940s interval.

On December 3, 2002 the U.S. Army Corps of Engineers (COE) issued their Public notice for this proposed project, using "Waterway Number: "Tongass Narrows 550", and Reference Number: "1-2002-1058".

Fourteen days ahead of the ACMP "Request for Additional Information" (RFAI) deadline, OPMP received a "Request for Additional Information" from the Office of Habitat Management and Permitting (OHMP) pertaining to the "water line to beach" referenced on Page 1 of the completed "Coastal Project Questionnaire and Certification Statement" (CPO) submitted by the project Agent.

Under the DNR section of the CPQ [Page 6, under Question #6], the Agent answered "no" to both the reference as to whether the operator was planning to "use any fresh water" (and also did not complete the blanks for "Amount", "Source", and "Intended Use"). A number of attempts were made to contact the Agent during this period, however, the cell phone coverage in the Lincoln Channel area is unreliable and contact was not accomplished.

On September 4, 2003 the ACMP review was suspended, and a letter was mailed to the Agent requesting details of the source of the freshwater supplying the proposed float's water line. The agent was contacted by cell phone on approximately September 15, 2003, and during the conversation he explained that the float freshwater line was connected to a system that accessed water from a small spring in the cliffs behind the site; that the water source was not an anadromous stream; the water source was assumed to be a community water supply that had been covered under a previous Water Right issued by the State to a "Mr. Jim Benson". The Agent stated that if the water line was going to be a problem in receiving the permits for the float, the Applicant would remove it from the project, and would deal with it as a separate issue at a later time. (A follow-up of Water Right records at the DNR Water Section office in Juneau found no evidence of such a Water Right recorded in this specific location.)

On September 15, 2003 the ACMP consistency review was restarted following a 12-day suspension, with the water line removed from the State's consistency review. An additional 12 days were added to the ACMP review schedule deadlines.

**SCOPE OF PROJECT REVIEW:**

The scope of this ACMP consistency review included all applications and documentation submitted for federal and State authorizations.

**AUTHORIZATIONS:**

The project must be found consistent with the ACMP before the following Federal and State authorizations may be issued:

U.S. Army Corps of Engineers  
Section 10 and 404, No. 2-2003-0451

Alaska Department of Natural Resources (DNR)  
Tideland Permit LAS 24359

**CONSISTENCY STATEMENT:**

Based on an evaluation of your project by the Alaska Departments of Environmental Conservation, Fish and Game, and Natural Resources (Division of Mining, Land and Water, and Office of Habitat Management and Permitting), the State of Alaska concurs with the consistency certification submitted by Mr. David Hashagen the project Agent (representing the Port Tongass Village Association) - with the removal of the water line from the project description and the incorporation of the two alternative measures recommended by the Office of Habitat Management and Permitting (OHMP).

Ps 10 of 14 H-2

**ELEVATION:**

Pursuant to 6 AAC 50.600, the project applicant, a state resource agency, or an affected coastal resource district that does not concur with this proposed consistency determination may request an elevation of the determination to the DNR Commissioner. A request for elevation must

- (1) be in writing;
- (2) be received by the coordinating agency by 5:00 p.m. within five calendar days after the requestor receives the proposed consistency determination; and
- (3) explain the requestor's concern, including any addition of or modification to an alternative measure identified that would achieve consistency with the enforceable policies of the ACMP.

The applicant, within the five days, also may request an extension of time to consider the alternative measures or additional modifications.

If the applicant or other review participants with elevation rights do not request an elevation or extension within the specified five days, and the applicant adopts the alternative measures, the State will issue a final consistency determination. If the applicant does not request an elevation or extension and does not adopt the alternative measures or propose other modifications to achieve consistency, the State will issue a final objection to the proposed project.

**State permits.** State agencies shall issue permits within five days after OPMP issues the final consistency determination that concurs with the applicant's consistency certification, unless the resource agency considers additional time necessary to fulfill its statutory or regulatory authority.

Please note that, in addition to their consistency review, State agencies with permitting responsibilities will evaluate this proposed project according to their specific permitting authorities. Agencies will issue permits and authorizations only if they find the proposed project complies with their statutes and regulations in addition to being consistent with the coastal program. An agency permit of authorization may be denied even though the State concurs with the ACMP. Authorities outside the ACMP may result in additional permit/lease conditions. If a requirement set out in the project description (per 6 AAC 50.265) is more or less restrictive than a similar requirement in a resource agency authorization, the applicant shall comply with the more restrictive requirement. Applicants may not use any State land or water without DNR authorization.

**ADVISORIES:**

Department of Natural Resources / Division of Mining, Land and Water – On August 8, 2003 OPMP received comments from DNR/DMLW as follows: "The Division of Mining, Land and Water has completed a consistency review of the above referenced development project, the mooring of a net storage float located in Lincoln Channel near Ketchikan. The proposed project is to be located on State tide and submerged lands. A DNR Tideland Permit application has been received for the subject project and is identified as LAS 24359.

The proposed activity (gear float) has been in place for several years. The Central/Southern Southeast Area Plan designates the subject area as General Use (Gu). In these tidelands, it is intended that the permitting process will determine the use of tideland sites. Currently one other

Pg. 11 of 14 H-2

float has received State authorization to moor a gear float in this area. Since this float is similar to the already permitted float, it would be reasonable to authorize this float.

Our office concurs with the applicant's certification that the proposed activity complies with and is consistent with the ACMP."

Department of Natural Resources / Office of Habitat Management and Permitting – On October 20, 2003 OPMP received the following comments and recommendations from OHMP: "The applicant proposes to continue the use of a pre-existing 20-foot by 60-foot log float with a plywood deck. The float will be secured at the two seaward corners by two 500-pound anchors at the –60-foot level, each attached to the float by a 150-foot chain. The shoreward section of the float is attached by two chains to a one ton 6-foot by 4-foot rock anchor below mean high water at the –2'tide level.

The original proposal included a "water supplying line" of which the applicant did not give any detail. OHMP submitted a request for additional information (RAI) on August 14, 2003, in order to obtain more detailed information on the "water supplying line". The applicant subsequently modified his proposal and removed the "water supplying line" from the proposed project.

Habitats in the project area that are subject to the Alaska Coastal Management Program (ACMP) include wetlands and tideflats. Each of these habitats must be managed so as to maintain or enhance the biological, physical, and chemical characteristics of the habitat that contribute to its capacity to support living resources. In addition,

- wetlands and tideflats must be managed so as to assure adequate water flow, nutrients, and oxygen levels and avoid adverse effects on natural drainage patterns, the destruction of important habitat, and the discharge of toxic substances.

Pursuant to 6 AAC 50 and 6 AAC 80.130 HABITATS of the Alaska Coastal Management Program (ACMP), OHMP objects to the consistency certification with the ACMP as proposed. Contrary to 6 AAC 80.130(C)(3), grounding of in-water marine structures has the potential to destroy productive tideflats. In addition, wood preservatives such as pentachlorophenol and creosote can be toxic to fish.

However, pursuant to 6 AAC 50 and 6 AAC 80.130 HABITATS of the ACMP, OHMP would find the proposed project consistent with the ACMP provided the following alternative measures are met:

1. No portion of the floating structure shall ground at any tidal stage.
2. No pentachlorophenol preservatives may be used on wooden structures in marine waters. Any other preservatives used on wooden structures, including creosote, must be applied by pressure injection.

RATIONALE: Per 6 AAC 80.130(C)(3), these alternative measures are necessary to minimize physical damage or destruction of productive tideflat habitats, and to avoid discharge of toxic substances.

**(Note: These two alternative measures have been incorporated into the proposed float's project description – refer to "DESCRIPTION OF PROJECT SUBJECT TO ACMP REVIEW" above.)**

This consistency determination may include reference to specific laws and regulations, but this in no way precludes an applicant's responsibility to comply with all other applicable State and federal laws and regulations.

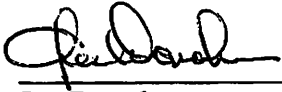
This consistency determination is only for the project as described. If, after issuance of a final consistency determination or response, the applicant proposes any changes to the approved project, including its intended use, prior to or during its siting, construction, or operation, the applicant must contact this office immediately to determine if further review and approval of the modifications to

the project is necessary. Changes may require amendments to the State authorizations listed in this determination or response, or may require additional authorizations.

If the proposed activities reveal cultural or paleontological resources, the applicant is to stop any work that would disturb such resources and immediately contact the State Historic Preservation Office (907-269-8720) and the U.S. Army Corps of Engineers (907-753-2712) so that consultation per section 106 of the National Historic Preservation Act may proceed.

**PROPOSED CONSISTENCY DETERMINATION PREPARED BY:**

Joe Donohue – Project Review Coordinator  
302 Gold Street, Ste. 202  
Juneau, Alaska 99811-0030  
(907) 465-4664

  
\_\_\_\_\_  
Joe Donohue

Pg. 13 of 14 H-2

**ACMP CONSISTENCY EVALUATION  
 "LINCOLN CHANNEL 3" – AK 0308-01J**

Pursuant to the following evaluation, the project as proposed is consistent with all applicable ACMP statewide and affected coastal resource district enforceable policies (see enclosures for the full text of statewide and affected coastal resource district enforceable policies).

<b>STATEWIDE ENFORCEABLE POLICIES</b>
<b>6 AAC 80.040. Coastal Development</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>6 AAC 80.050. Geophysical Hazard Areas</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>6 AAC 80.060. Recreation</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>6 AAC 80.070. Energy Facilities</b>
<b>Evaluation: This standard does not apply to this proposed project.</b>
<b>6 AAC 80.080. Transportation &amp; Utilities</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>6 AAC 80.090. Fish &amp; Seafood Processing</b>
<b>Evaluation: This standard does not apply to this proposed project.</b>
<b>6 AAC 80.100. Timber Harvest &amp; Processing</b>
<b>Evaluation: This standard does not apply to this proposed project.</b>
<b>6 AAC 80.110. Mining &amp; Mineral Processing</b>
<b>Evaluation: This standard does not apply to this proposed project.</b>
<b>6 AAC 80.120. Subsistence</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>6 AAC 80.130. Habitats</b>
<b>Evaluation: Based on responses from review participants this project, as currently proposed and described, meets the criteria and intent of (a)(3), (b), and (c)(3) of this standard.</b>
<b>6 AAC 80.140. Air, Land &amp; Water Quality</b>
<b>(Under new legislation that went into effect May 21, 2003, this standard is now being implemented separately by the Department of Environmental Conservation.)</b>
<b>6 AAC 80.150. Historic, Prehistoric, and Archaeological Resources</b>
<b>Evaluation: Based on responses from review participants this project, as proposed and described, meets the criteria and intent of this standard.</b>
<b>AFFECTED COASTAL RESOURCE DISTRICT ENFORCEABLE POLICIES</b>
<b>Ketchikan Coastal District: Based on the response from the Ketchikan Coastal District, this project, as proposed and described, meets the criteria and intent of the District's enforceable policies. JKD</b>

*Ps. 14 of 14 H-2*

**QUTEKCAK NATIVE TRIBE**

*Changing with the tides, in harmony with our people, land and heritage.*  
P.O. Box 1467, Seward AK 99664 ~ Ph (907) 224-3118 \* Fax (907) 224-5874

May 28, 2003

David Benton, Chairman  
North Pacific Fishery Management Council  
605 West Fourth Avenue, Suite 3306  
Anchorage, Alaska 99501

**RECEIVED**

MAY 28 2003

N.P.F.M.C.

Dear Chairman Benton,

The QutekcaK Native Tribe (QNT) would like to receive a Tribal Halibut Subsistence Permit to assist those tribal members who are not able to perform subsistence activities for themselves. We have discussed our eligibility with Jane Dicosimo and she stated we would need to write to you documenting our customary and traditional use here within the Seward and Resurrection Bay area.

Our Tribal history within the Seward area is well documented even though we are not Federally Recognized Tribe, we are formally organized and are waiting for the Department of Interior to respond to our application.

The QutekcaK Native Tribe was formed in 1972 as the Mount Marathon Native Association. The Seward area Natives are a part of the Chugach Alaska Corporation and received government funding at least sixty years ago as members of the Chugach Native Association. The tribe finally realized it needed to force the world to recognize the existence of a continuing sovereign group and formed the Mount Marathon Native Association (MMNA). The formation of the MMNA was only a paper effort to formally document an already existing Native organization, cohesiveness, ancestral ties, and common bonds of association, use, occupancy and residence.

In regards to our status as "rural residents of a community" we would respectfully, refer to the City of Kodiak, which is ruled as a "rural community". The City of Seward is substantially less in population, only being 2,700 area residents compared to the City of Kodiak at approximately 6,500. The Seward population is inclusive of the Spring Creek Correctional Facility inmates which number approximately 560. Although, we are located on the road system, we are still an isolated community 130 miles south of Anchorage and depend on the availability of a State maintained highway. The cost of living is that of a rural community and can easily be documented.

To try to summarize a thousand year history is difficult at best. We have included with this letter, "The History of the QutekcaK Native Tribe- A Compilation". We do realize

H-3 pg. 1 of 2

this is more information than you would like to receive, but feel it was important to our cause for the Halibut Subsistence Permit.

If you need further information, have questions or concerns, please contact Connie Pavloff, Tribal Administrator at 907-224-3118. We thank you in advance for your time, consideration and assistance in this matter.

Sincerely,  
QUTEKCAK NATIVE TRIBE

*Esther Ronne*

Esther Ronne  
Council President

H-3

pg. 2 of 2



Philip Emerson  
Donna Emerson  
Gabe Emerson  
Megan Emerson  
3 Crab Cove  
Funter Bay, AK 99850-0140

Chairman David Benton  
North Pacific Fisheries Management Council  
605 West 4th Ave., Suite 306  
Anchorage, AK 99501

June 4, 2003

Dear Chairman Benton,

We are a family living in Funter Bay, on the northwest coast of Admiralty Island. We have lived in our own home here since 1972. We are dismayed to discover our participation in the subsistence halibut fishery that has recently been established is blocked by the fact that Funter Bay is not a state recognized community with historical use of halibut for subsistence. We live a subsistence lifestyle, harvesting deer and all kinds of seafood, including halibut, for our own use. We feel it is grossly unfair to exclude a family simply because of the state's lack of recognition of our existence.

We feel it would be right for your council to take whatever action is necessary to allow us and others in a similar situation to participate in this program. Please notify us of any steps we need to take to facilitate this inclusion.

Sincerely,

Donna Emerson  
Phil Emerson  
Gabe Emerson  
Megan Emerson

H-4

Pg. 1 of 1

*Jan*

RECEIVED

AUG 27 2003

North Pacific Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252

N.P.F.M.C

Dear Personage;

In June we applied for a Subsistence Halibut Registration Certificate. Our Application has been denied because we are not residents of Rural Communities listed in 50 CFR Part 300.65 (f) (1) and we are not members of a federally recognized Alaska Native Tribe also listed in 50 CFR Part 300.65 (f)(2).

We are writing to try to get our Cove listed in 50 CFR Part 300.65 (f)(1).. We realize that the Subsistence Certificates are issued to some rural communities, such as Myers Chuck, Hollis, Port Protection, Whale Pass, Point Baker, and Edna Bay to name a few. So our question is what determines rural?

Our physical location is Boathouse Cove, ten miles south of Ketchikan. The only access to our Cove is by boat or float plane. We have no mail service, hence our Post Office Box in Ketchikan. There is no power source to our cove, we have to provide our own power. There is no school ( our cove only has 3 homes) Our 2 children went through all 12 years of schooling by taking correspondence courses. There is no phone access and only in the last 7 years have we had Cell phone access and this is marginal as our cove is on the very edge of the signal. By most standards we are considered remote and ask that you consider us rural..

Boathouse Cove was a wintering place for quite a few trollers in the early years.. They would hole up here to try to make their summer earnings last through the winter to another summer season. They supplemented their food supply by subsistence hunting and fishing. It was the way of life for them.

In conclusion we would like to ask that our Cove be included in the designated rural areas list. We are limited access to Ketchikan by storms and consider our cove to be very rural.

Thank you for your consideration.

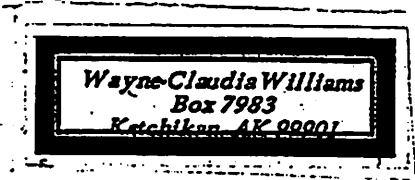
Respectfully;

*Wayne Williams*

Wayne Williams

*Claudia M. Williams*

Claudia M. Williams



H-5

RECEIVED

SEP 10 2003

N.P.F.M.C

Sept. 1, 2003  
Robert J. Haeg  
Chinitna Bay, Via  
P. O. Box 338  
Soldotna, Alaska  
99669-0338

North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska  
99501-2252

DEar Sirs,

This is an appeal for my denial of my halibut subsistence card # 007716 for Robert J. Haeg, which I received from National Oceanic and Atmospheric Administration dated July 29, 2003. I have contacted them as to my situation of mail and they did understand that we don't have regular mail service so were unable to return this at an earlier date.

My home is in Chinitna Bay which is on the North Shore of the Lake Clark National Park and is on the West side of Cook Inlet on the Alaska Peninsula. I have lived year round here since May of 1976 and have used the fishery resources for my living. We have used fish and game for our subsistence since we moved here in 1976. We have subsistence use in the Lake Clark National Park. We feel that the denial of our use of halibut subsistence is a mistake.

There was a mistake made when we applied for this subsistence permit after we were called by National Oceanic and told that if it were possible we could apply right away if we could have the use of a computer. Well we went into city of Soldotna which is 1½ hour flight from our home and had a friend help us thru the use of her computer. The mistake being that Chnitna Bay was not on your list so she thought it best to use King Salmon which appeared to be the closest to us. Then when we sent papers in to them they looked at our PO Box return address that was in Soldotna as we have no POST OFFICE HERE IN CHINITNA BAY...

We do have letter that they sent to us if you need it and we would be happy to try to get it to you. We have no fax machine or computer here so we can not send it that way.

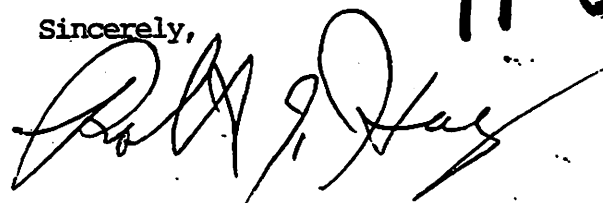
Living as we do we need the use of subsistence especially after the terrible oil spill that ruined almost all of the fishery returns in this area.

We can be reached here at our home in Chinitna Bay by a cell phone which doesn't work in bad weather as we must use a repeater. That number is 398-1866.

This claim of rural residency can be verified by our voter registration, Soldotna, Post Office, and also the Alaska longevity program.

We do hope you will reinstate our halibut subsistence certificate.

Sincerely,

 H-6

copies sent:

RECEIVED

NOV 14 2003

BOARDS

To whom it may concern  
(Board of Fish). I am writing you  
this letter to try & get Loring  
Alaska put on the subsistence  
Halibut permit list. Loring is  
located roughly 30-35 miles north  
of Ketchikan. There are no roads,  
power or water, in short it is  
rural. Loring use to be an old  
cannery town. My father in law  
grew up there & amongst many  
other things, like trapping & hunting  
they use to fish for halibut, I  
know this because he taught me,  
I sein in the summer, shrimp in  
the fall & trap in the winter  
and having a subsistence Halibut  
permit for a little extra food  
would help out a lot.

P.O. Box 5076 Thank You Rex Barber  
Ketchikan AK, 99901 (Loring has no postal service)  
(907) 209-0707

H-7

**A Report to the Alaska Board of Fisheries**  
**on**  
**Subsistence Halibut Fishing Eligibility Appeals, 2004**

**by**  
**Division of Subsistence**  
**Alaska Department of Fish and Game**  
**Juneau, Alaska**

**Alaska Board of Fisheries**  
**Anchorage, Alaska**  
**February 2004**

## Contents

Background .....	1
Southeast Alaska Appeals .....	2
Appendix A List of Rural Communities and Alaska Native Tribes Eligible for Subsistence Halibut Fishing .....	11
Appendix B Maps of Nonsubsistence Areas and Locations of Communities or Areas Submitting Appeals.....	15
Appendix C Customary and Traditional Use Worksheet: Halibut and Bottomfish in Southeast Alaska.....	19

## List of Tables

Table 1.	Source of Subsistence Halibut Eligibility Appeals and Locations .....	2
Table 2.	Estimated Harvest and Use of Bottomfish, Naukati Bay, 1998 .....	5
Table 3.	Top Ten Resources Used by Most Households in Naukati Bay and other Selected Communities with C&T Uses of Halibut and Bottomfish, 1997-2000 .....	6
Table 4.	Estimated Harvest of Bottomfish by Gear Type, Naukati Bay, 1998 .....	7
Table 5.	Estimated Harvest and Use of Bottomfish, Craig, 1997.....	8
Table 6.	Estimated Harvest and Use of Bottomfish, Klawock, 1997.....	9
Table 7.	Estimated Harvest and Use of Bottomfish, Petersburg, 2000 .....	10

---

The Alaska Department of Fish and Game administers all programs and activities free from discrimination on the bases of race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility, or if you desire further information please write to ADF&G, P.O. Box 25526, Juneau, AK 99802-5526; U.S. Fish and Wildlife Service, 4040 N. Fairfield Drive, Suite 300, Arlington, VA 22203, or O.E.O., U.S. Department of the Interior, Washington, DC 20240.

For information on alternative formats for this and other department publications, please contact the department ADA coordinator at (voice) 907-465-4120, (TDD) 907-465-3646, or (FAX) 907-465-2440.

## **Background**

In July 1999, the North Pacific Fishery Management Council (council) requested the Board of Fisheries (board) provide recommendations concerning subsistence use of halibut in Alaska. The board held hearings and provided a report to the council with recommendations regarding legal gear, daily limits, reporting requirements, customary and traditional use areas of tribes and rural communities, and nonrural area definitions for subsistence halibut fishing.

In October 2000 the council defined halibut subsistence harvesting eligibility standards. Eligibility is extended to members of federally-recognized Alaska Native tribes with customary and traditional uses of halibut through board findings and other rural residents of communities with customary and traditional uses of halibut (Appendix A). The council's action allowed for additional communities to request positive customary and traditional use findings for subsistence halibut. Specifically, the board has been designated as the entity to receive, review, and make recommendations to the council on appeals for eligibility for subsistence halibut fishing.

The list of communities and areas that the council found is eligible to subsistence fish for halibut was derived from positive c & t findings for halibut and bottomfish made by the board prior to the McDowell decision in December 1989. After that decision, state regulations direct the Boards of Fisheries and Game to determine whether each fish stock or game population in subsistence use areas of the state is subject to customary and traditional uses. Hence, the focus of the c & t determination process is not on communities or areas that conduct the use, but on the pattern of uses of that stock or population. Although the council has used a community-based approach, there is nothing preventing the board from nominating areas, such as remote homesteads for eligibility for subsistence halibut. It is reasonable to find that individuals or families in remote locations within the subsistence use areas of the state practice the same patterns of use as nearby communities that have customary and traditional uses, and as such should qualify for subsistence halibut fishing eligibility.

In October 2003, the Board received a total of seven appeals from Southeast and Southcentral communities and individuals requesting positive customary and traditional use findings for halibut. One community submitted more than one appeal and one person provided information multiple times to support his appeal. Table 1 lists appeals, with the appeal number (e.g. H-1) and whether the community or area is situated in the nonsubsistence use area and the fishing district adjacent to the community or area. Nonsubsistence use area and other maps showing the locations of communities or areas submitting appeals are attached as Appendix B.

None of the groups or communities submitting appeals is a federally recognized tribe. Discussion and analysis will include only those appeals generated from outside of the nonsubsistence use area. Therefore, appeals from the Emerson family within the Juneau borough nonsubsistence area, the Williams family and from Loring, both within the Ketchikan borough nonsubsistence area, the Haeg family from within the Anchorage-Matsu-Kenai Nonsubsistence Area, and the Qutekcak tribe, which is not a federally-recognized tribe and located in Seward, also within the Anchorage-Matsu-Kenai Nonsubsistence Area will not be addressed in this analysis. Nonsubsistence area boundaries are set by the Joint Boards of Fisheries and Game.

Table 1. Source of Subsistence Halibut Eligibility Appeals and Location

Appeal No.	Community/Group/Individual (Former Numbers)	Location-In or Not In Nonsubsistence Area (Fishing District)
H-1	(H-1, H-7) <b>Naukati</b> ; a community petition by the Homeowners' Association (H-1); and another by 59 residents (H-7)	North Prince of Wales Island outside the nonsubsistence areas (3-C)
H-2	(H-2, H-3, H-4, H-11) <b>Old Port Tongass Village site</b> ; David Hashagan	52 miles south of Ketchikan outside of the nonsubsistence areas (1-B)
H-3	(H-5) <b>Qutekcak Tribe</b> ; an Alaska Native non-profit organization	Seward, within a nonsubsistence area
H-4	(H-6) <b>Funter Bay</b> ; Emerson Family	NW Admiralty Island within a nonsubsistence area (12-B)
H-5	(H-8) <b>Boathouse Cove</b> ; Williams Family	10 miles south of Ketchikan within a nonsubsistence area (1-F)
H-6	(H-9) <b>Chinitna Bay</b> ; Haeg Family	Cook Inlet within a nonsubsistence area
H-7	(H-10) <b>Loring</b> ; a cannery site	10 miles north of Ketchikan within a nonsubsistence area (1-E)

### **Southeast**

Five appeals for subsistence halibut eligibility from one community and four individuals or families in Southeast were received. Three are within nonsubsistence areas and two outside the nonsubsistence areas. A c & t worksheet for halibut and bottomfish in Southeast Alaska is in Appendix C. This was the basis for board findings on c & t uses of halibut and bottomfish and subsequently for the community-based list the council found was eligible for subsistence halibut fishing.

Previous board decisions have found that there are customary and traditional uses of bottomfish, including halibut in some parts of Southeast Alaska. In winter 1989, the board made c & t determinations covering all Southeast Alaska communities for all fisheries. The Board determined that there were positive c & t subsistence uses for residents of the following 12 communities: Angoon, Craig, Haines, Hoonah, Hydaburg, Kake, Kasaan, Klawock, Klukwan, Saxman, Sitka, and Yakutat. The board also made negative or no c&t determinations regarding all fish stocks for the following 17 communities: Coffman Cove, Edna Bay, Elfin Cove, Gustavus, Hollis, Hyder, Meyers Chuck, Pelican, Petersburg, Point Baker, Port Alexander, Port Protection, Skagway, Tenakee Springs, Thorne Bay, Whale Pass, and Wrangell, or for residents living outside named communities. The Board did not consider subsistence use by Metlakatla. Basically, the board made positive findings for communities that had predominantly Alaska Native populations, and made either negative or no findings for communities that were predominantly non-Native.

In 1989 the board chair encouraged communities and individuals to return to the board at subsequent meetings to refine customary and traditional use determinations.



Customary and traditional findings by community were repealed in spring 1993, due to constitutional challenges of the rural preference of the subsistence priority law. At its spring 1993, meeting the board reauthorized subsistence regulations for Southeast Alaska, reestablishing subsistence fisheries that had existed prior to passage of the 1992 State of Alaska subsistence law for the Yakutat and Southeast Areas. The new regulations do not include reference to communities and do not permit subsistence fishing in nonsubsistence areas.

Since 1993, the board has made other c & t findings in Southeast Alaska. At its March 1995 meeting the Board recognized that fishing for salmon and other species, including bottomfish and halibut, near Pt. Baker and Port Protection qualified as c & t uses. At its January 2003 meeting the board recognized that fishing for salmon and other species, including bottomfish and halibut near Wrangell and Petersburg qualified as c & t uses.

A resident (David Hashagan-H-2)) of Southeast Alaska living on a float house in Nakat Inlet (Section 1-B) near the abandoned village of Old Port Tongass submitted an appeal to the council requesting a customary and traditional use finding for halibut and rockfish. The department has no harvest or pattern of use data for this area. However, the surrounding area supports stocks subject to c & t uses. As mentioned, after its 1989 findings in Southeast, the board had invited public input to refine c & t use findings when the McDowell decision modified the c & t determination focus from communities and areas, to stocks subject to c & t uses. It is conceivable that this area has similar patterns of use as the larger area that is determined to have c & t uses.

Residents of Naukati Bay (H-1) submitted an appeal requesting a customary and traditional use finding for halibut and rockfish in Section 3-C. Naukati Bay is located on the west coast of Prince of Wales Island in Southeast Alaska. The bay was "named 'Naukatee Bay' in 1904 by the U.S. Coast & Geodetic Survey, who recorded it as the local Indian name. Naukati Bay was originally established as a logging camp and later settled as a Department of Natural Resources land disposal site. Until recently the community derived most of its jobs and income from logging. Employment is seasonal. Two community non-profit associations have been organized for planning and local issue purposes. Naukati is accessed primarily by float plane or from the Prince of Wales Island North Island Road.

Naukati Bay appears in the U.S. Census of Population for the first time in 1990, with a population of 93. Its population reached a high of 170 in 1998, followed by a decline to 135 in 2000. There were 60 households in Naukati Bay in 2000 with an average household size of 2.25 people. The median age of population in Naukati Bay in 2000 was 36.6 years. The 2000 census reported an Alaska Native population of 9.6 percent.

The Alaska Department of Fish and Game, Division of Subsistence conducted household surveys of harvest and use of wild resources in Naukati Bay in 1998. The pattern of harvest and use in Naukati Bay is similar to Craig, Klawock, and Petersburg (Tables 3 through 7), communities that are eligible for subsistence halibut use under council regulations. In 1998, 36 of Naukati households harvest halibut, 42 percent harvested rockfish, 2.0 percent harvested sablefish (black cod), and 22 percent harvested lingcod (Table 2). The mean household harvest in 1998 showed that halibut with the highest production by weight at 70.9 pounds, followed by rockfish at 60

pounds., sablefish (black cod) at 0.2 pounds, and lingcod at 8.3 pounds (Table 2). The 1998 survey showed that all of the halibut and rockfish harvested by residents of Naukati were taken with rod and reel tackle (Table 4). Survey data indicate that sharing is common in Naukati. While 36 percent of households reported harvesting halibut, 70 percent reported using it; 46 percent received halibut and 20 percent shared halibut with those outside of their household (Table 2).

Bottomfish continue to be part of a wide range of resources used in Naukati, including salmon, deer, and shellfish. The top ten resources used by the most households in Naukati included halibut, the third-most important resource which 70 percent of the households reporting use. Rockfish was the 10<sup>th</sup> most used resource with 52 percent of the households reporting use (Table 3). This use is comparable to the communities of Craig, Klawock, and Petersburg, which all have positive c & t uses of halibut in state and council regulations.

**Table 2. Estimated Harvest and Use of Bottomfish, Naukati Bay, 1998**

Resource Name	Percentage of Households					Pounds Harvested			Amount Harvested	
	Use	Attempt	Harv	Recv	Give	Total	Mean HH	Percapita	Total	Mean HH
All Resources	98.0	94.0	94.0	90.0	66.0	35,387.56	536.18	241.52		
Fish	96.0	76.0	72.0	62.0	54.0	17,820.63	270.01	121.63		
Cod	2.0	2.0	2.0	0.0	2.0	9.90	0.15	0.07	19.80	0.30
Pacific Tom Cod	2.0	2.0	2.0	0.0	2.0	9.90	0.15	0.07	19.80	0.30
Flounder	2.0	2.0	2.0	0.0	0.0	3.96	0.06	0.03	1.32	0.02
Unknown Flounder	2.0	2.0	2.0	0.0	0.0	3.96	0.06	0.03	1.32	0.02
Greenling	34.0	24.0	24.0	10.0	12.0	568.66	8.62	3.88	106.92	1.62
Lingcod	32.0	22.0	22.0	10.0	10.0	548.86	8.32	3.75	87.12	1.32
Rock Greenling	4.0	4.0	4.0	0.0	2.0	19.80	0.30	0.14	19.80	0.30
Halibut	70.0	38.0	36.0	46.0	20.0	4,678.08	70.88	31.93		
Rockfish	52.0	42.0	42.0	16.0	10.0	3,954.72	59.92	26.99	1,054.68	15.98
Black Rockfish	6.0	6.0	6.0	0.0	0.0	158.40	2.40	1.08	105.60	1.60
Red Rockfish	50.0	40.0	40.0	16.0	10.0	3,796.32	57.52	25.91	949.08	14.38
Sablefish (black cod)	2.0	2.0	2.0	0.0	0.0	14.65	0.22	0.10	3.96	0.06

SOURCE: Alaska Department of Fish and Game, Division of Subsistence, Household Survey, 1999

Table 3. Top Ten Resources Used by the Most Households in Naukati, and Other Selected Communities with Customary and Traditional Uses of Halibut and Bottomfish, 1997-2000\*

	Species in Rank Order for Naukati	% of HH in Naukati (1998)	Species in Rank Order for Klawock	% of HH in Klawock (1997)	Species in Rank Order for Craig	% of HH in Craig (1997)	Species Rank Order for Petersburg	% of HH in Petersburg (2000)
1	Coho Salmon	82.0%	<b>Halibut</b>	<b>85.8%</b>	<b>Halibut</b>	<b>80.9%</b>	<b>Halibut</b>	<b>69.6%</b>
2	Dungeness Crab	72.0%	Deer	71.7%	Deer	75.7%	Dungeness Crab	65.6%
3	<b>Halibut</b>	<b>70.0%</b>	Sockeye salmon	68.9%	Coho Salmon	64.2%	Chinook Salmon	63.2%
4	Deer	68.0%	Coho Salmon	67.9%	Dungeness Crab	63.6%	Berries	55.2%
5	Berries	68.0%	Berries	67.9%	Berries	61.8%	Deer	40.0%
6	Wood	60.0%	Chinook Salmon	60.4%	<b>Rockfish</b>	<b>58.4%</b>	Coho Salmon	39.2%
7	Shrimp	58.0%	Dungeness Crab	54.7%	Chinook Salmon	57.2%	King Crab	35.2%
8	Mushrooms	58.0%	<b>Rockfish</b>	<b>52.8%</b>	Shrimp	55.5%	Clams	32.8%
9	Clams	56.0%	Shrimp	46.2%	Sockeye Salmon	54.9%	Shrimp	32.8%
10	<b>Rockfish</b>	<b>52.0%</b>	Herring Spawn on Kelp	43.4%	Wood	37.0%	Tanner Crab	26.4%

\* The year indicates the survey year.

Table 4. Estimated Harvest of Bottomfish by Gear Type, Naukati Bay, 1998

	Harvest Units	Subsistence Gear		Removed From Commercial Catch		Rod and Reel		Any Method	
		Total	HH Mean	Total	HH Mean	Total	HH Mean	Total	HH Mean
Bottomfish	pounds	0.00	0.00	0.00	0.00	9,229.97	139.85	9,229.97	139.85
Pacific Cod (gray)	pounds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Pacific Tom Cod	pounds	0.00	0.00	0.00	0.00	9.90	0.15	9.90	0.15
Unknown Cod	pounds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Unknown Flounder	pounds	0.00	0.00	0.00	0.00	3.96	0.06	3.96	0.06
Lingcod	pounds	0.00	0.00	0.00	0.00	548.86	8.32	548.86	8.32
Rock Greenling	pounds	0.00	0.00	0.00	0.00	19.80	0.30	19.80	0.30
Halibut	pounds	0.00	0.00	0.00	0.00	4,678.08	70.88	4,678.08	70.88
Black Rockfish	pounds	0.00	0.00	0.00	0.00	158.40	2.40	158.40	2.40
Red Rockfish	pounds	0.00	0.00	0.00	0.00	3,796.32	57.52	3,796.32	57.52
Unknown Rockfish	pounds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sablefish (black cod)	pounds	0.00	0.00	0.00	0.00	14.65	0.22	14.65	0.22
Buffalo Sculpin	pounds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Red Irish Lord	pounds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Table 5. Estimated Harvest and Use of Bottomfish, Craig, 1997

Resource Name	Percentage of Households						Pounds Harvested	Mean HH	Per capita	Amount Harvested	
	Use	Att	Harv	Recv	Give	Total	Total			Mean HH	
All Resources	98.8	91.3	90.2	91.3	70.5	409,242.03	673.09	231.96			
Fish	96.0	79.8	78.0	73.4	58.4	224,288.53	368.90	127.13			
Cod	8.7	5.2	5.2	3.5	2.9	1,856.26	3.05	1.05	664.23	1.09	
Pacific Cod	6.4	3.5	3.5	2.9	2.9	1,630.71	2.68	0.92	509.60	0.84	
Pacific Tom Cod	1.2	1.2	1.2	0.0	0.0	12.30	0.02	0.01	24.60	0.04	
Walleye Pollock	1.2	1.2	1.2	0.0	0.6	152.53	0.25	0.09	108.95	0.18	
Unknown Cod	1.2	0.6	0.6	0.6	0.0	60.73	0.10	0.03	21.09	0.03	
Flounder	2.3	2.3	2.3	0.0	0.0	105.43	0.17	0.06	35.14	0.06	
Unknown Flounder	2.3	2.3	2.3	0.0	0.0	105.43	0.17	0.06	35.14	0.06	
Greenling	32.9	26.0	25.4	10.4	14.5	5,759.83	9.47	3.26	1,047.31	1.72	
Kelp Greenling	0.6	0.6	0.6	0.0	0.0	42.17	0.07	0.02	42.17	0.07	
Lingcod	32.9	26.0	25.4	10.4	14.5	5,601.68	9.21	3.18	889.16	1.46	
Rock Greenling	2.9	2.3	2.3	0.6	0.0	115.98	0.19	0.07	115.98	0.19	
Hallbut	80.9	52.0	46.2	49.1	35.3	54,115.51	89.01	30.67			
Perch	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.00	
Sea Perch	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.00	
Unknown Perch	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	0.00	
Rockfish	58.4	42.2	41.0	24.3	19.1	15,651.68	25.74	8.87	4,762.08	7.83	
Black Rockfish	14.5	12.1	12.1	2.9	2.9	1,855.63	3.05	1.05	1,237.09	2.03	
Red Rockfish	55.5	39.3	38.2	23.1	16.8	12,806.66	21.06	7.26	3,201.66	5.27	
Unknown Rockfish	4.0	3.5	3.5	1.2	0.6	989.39	1.63	0.56	323.33	0.53	
Sablefish	8.7	4.0	3.5	5.2	1.7	1,066.28	1.75	0.60	288.18	0.47	

SOURCE: Alaska Department of Fish and Game, Division of Subsistence, Household Survey, 1998

Table 6. Estimated Harvest and Use of Bottomfish, Klawock, 1997

Resource Name	Percentage of Households				Pounds Harvested		Amount Harvested		Mean HH
	Use	Att	Harv	Recv	Give	Total	Mean HH	Percapita	
All Resources	100.0	92.5	90.6	94.3	77.4	271,071.05	894.62	320.36	
Fish	97.2	76.4	75.5	81.1	62.3	154,669.55	510.46	182.80	
Cod	2.8	1.9	1.9	0.9	1.9	496.81	1.64	0.59	177.23
Pacific Cod	0.9	0.0	0.0	0.9	0.9	0.00	0.00	0.00	0.00
Pacific Tom Cod	0.9	0.9	0.9	0.0	0.0	2.86	0.01	0.00	5.72
Walleye Pollock	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00
Unknown Cod	0.9	0.9	0.9	0.0	0.9	493.95	1.63	0.58	171.51
Flounder	1.9	1.9	1.9	0.9	0.0	42.88	0.14	0.05	14.29
Unknown Flounder	1.9	1.9	1.9	0.9	0.0	42.88	0.14	0.05	14.29
Greenling	29.2	22.6	22.6	7.5	4.7	2,528.05	8.34	2.99	437.35
Lingcod	29.2	22.6	22.6	7.5	4.7	2,485.17	8.20	2.94	394.47
Rock Greenling	0.9	0.9	0.9	0.0	0.0	42.88	0.14	0.05	42.88
Haitbut	85.8	50.9	48.1	50.9	38.7	35,390.97	116.80	41.83	5.72
Perch	0.9	0.9	0.9	0.0	0.0	5.72	0.02	0.01	5.72
Sea Perch	0.9	0.9	0.9	0.0	0.0	5.72	0.02	0.01	5.72
Unknown Perch	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00
Rockfish	52.8	41.5	41.5	15.1	13.2	7,954.44	26.25	9.40	2,781.31
Black Rockfish	8.5	7.5	7.5	1.9	1.9	1,775.12	5.86	2.10	1,183.42
Red Rockfish	50.0	37.7	37.7	15.1	9.4	5,488.30	18.11	6.49	1,372.08
Unknown Rockfish	2.8	2.8	2.8	0.0	1.9	691.01	2.28	0.82	225.82
Sablefish	3.8	1.9	1.9	1.9	0.9	84.61	0.28	0.10	22.87

SOURCE: Alaska Department of Fish and Game, Division of Subsistence, Household Survey, 1998

Table 7. Estimated Harvest and Use of Bottomfish, Petersburg, 2000

Resource Name	Percentage of Households						Pounds Harvested Total	Mean HH	Percapita	Amount Harvested	
	Use	Att	Harv	Recv	Give	Total				Mean HH	Total
All Resources	93.6	80.8	77.6	80.8	43.2	475,321.38	444.23	161.42	475,321.38	lbs	444.23
Fish	89.6	62.4	58.4	70.4	36.8	301,580.36	281.85	102.42	301,580.36	lbs	281.85
Cod	14.4	7.2	7.2	8.0	1.6	5,204.48	4.86	1.77	1,626.40	ea.	1.52
Pacific Cod (gray)	12.8	7.2	7.2	6.4	1.6	5,204.48	4.86	1.77	1,626.40	ea.	1.52
Pacific Tom Cod	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	ea.	0.00
Walleye Pollock (whiting)	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	ea.	0.00
Unknown Cod	1.6	0.0	0.0	1.6	0.0	0.00	0.00	0.00	0.00	ea.	0.00
Flounder	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	ea.	0.00
Greenling	6.4	4.8	4.8	1.6	1.6	4,422.10	4.13	1.50	701.92	ea.	0.66
Lingcod	6.4	4.8	4.8	1.6	1.6	4,422.10	4.13	1.50	701.92	ea.	0.66
Rock Greenling	0.0	0.0	0.0	0.0	0.0	0.00	0.00	0.00	0.00	ea.	0.00
Halibut	72.0	39.2	33.6	49.6	17.6	55,973.84	52.31	19.01			
Perch	0.8	0.0	0.0	0.8	0.8	0.00	0.00	0.00	0.00	ea.	0.00
Sea Perch	0.8	0.0	0.0	0.8	0.8	0.00	0.00	0.00	0.00	ea.	0.00
Rockfish	26.4	16.0	15.2	12.8	2.4	8,423.04	7.87	2.86	2,105.76	ea.	1.97
Black Rockfish	3.2	3.2	3.2	0.0	0.0	1,369.60	1.28	0.47	342.40	ea.	0.32
Red Rockfish	23.2	12.8	12.0	12.0	2.4	5,855.04	5.47	1.99	1,463.76	ea.	1.37
Unknown Rockfish	2.4	1.6	1.6	0.8	0.0	1,198.40	1.12	0.41	299.60	ea.	0.28
Sablefish (black cod)	17.6	4.0	4.0	13.6	4.0	2,533.76	2.37	0.86	633.44	ea.	0.59

SOURCE: Alaska Department of Fish and Game, Division of Subsistence, Household Survey, 1998



**Attachment 1: 50 CFR 300.65(f)(1) Rural Resident**

A person is eligible to harvest subsistence halibut if he or she is a rural resident of a community with customary and traditional uses of halibut listed in the following table and has a valid SHARC issued by NMFS:

**SUBSISTENCE HALIBUT RURAL RESIDENT**

<b>Halibut Regulatory Area 2C</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Angoon	Municipality
Coffman Cove	Municipality
Craig	Municipality
Edna Bay	Census Designated Place
Elfin Cove	Census Designated Place
Gustavus	Census Designated Place
Haines	Municipality
Hollis	Census Designated Place
Hoonah	Municipality
Hydaburg	Municipality
Hyder	Census Designated Place
Kake	Municipality
Kasaan	Municipality
Klawock	Municipality
Klukwan	Census Designated Place
Metlakatla	Census Designated Place
Meyers Chuck	Census Designated Place
Pelican	Municipality
Petersburg	Municipality
Point Baker	Census Designated Place
Port Alexander	Municipality

Port Protection	Census Designated Place
Saxman	Municipality
Sitka	Municipality
Skagway	Municipality
Tenakee Springs	Municipality
Thorne Bay	Municipality
Whale Pass	Census Designated Place
Wrangell	Municipality
<b>Halibut Regulatory Area 3A</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Akiok	Municipality
Chenega Bay	Census Designated Place
Cordova	Municipality
Karluk	Census Designated Place
Kodiak City	Municipality
Larsen Bay	Municipality
Nanwalek	Census Designated Place
Old Harbor	Municipality
Ouzinkie	Municipality
Port Graham	Census Designated Place
Port Lions	Municipality
Seldovia	Municipality
Tatitlek	Census Designated Place

Yakutat	Municipality
<b>Halibut Regulatory Area 3B</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Chignik Bay	Municipality
Chignik Lagoon	Census Designated Place
Chignik Lake	Census Designated Place
Cold Bay	Municipality
False Pass	Municipality
Ivanof Bay	Census Designated Place
King Cove	Municipality
Nelson Lagoon	Census Designated Place
Perryville	Census Designated Place
Sand Point	Municipality
<b>Halibut Regulatory Area 4A</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Akutan	Municipality
Nikolski	Census Designated Place
Unalaska	Municipality
<b>Halibut Regulatory Area 4B</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Adak	Census Designated Place
Atka	Municipality

<b>Halibut Regulatory Area 4C</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
St. George	Municipality
St. Paul	Municipality
<b>Halibut Regulatory Area 4D</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Gambell	Municipality
Savoonga	Municipality
Diomedes (Inalik)	Municipality
<b>Halibut Regulatory Area 4E</b>	
<b>Rural Community</b>	<b>Organized Entity</b>
Alakanuk	Municipality
Aleknegik	Municipality
Bethel	Municipality
Brevig Mission	Municipality
Cheformak	Municipality
Chevak	Municipality
Clark's Point	Municipality
Council	Census Designated Place
Dillingham	Municipality
Eek	Municipality
Egegik	Municipality
Elim	Municipality
Emmonak	Municipality
Golovin	Municipality
Good News Bay	Municipality

Hooper Bay	Municipality
King Salmon	Census Designated Place
Kipnuk	Census Designated Place
Kongiganak	Census Designated Place
Kotlik	Municipality
Koyuk	Municipality
Kwigillingok	Census Designated Place
Levelock	Census Designated Place
Manokotak	Municipality
Mekoryak	Municipality
Naknek	Census Designated Place
Napakiak	Municipality
Napaskiak	Municipality
Newtok	Census Designated Place
Nightmute	Municipality
Nome	Municipality
Oscarville	Census Designated Place
Pilot Point	Municipality
Platinum	Municipality
Port Heiden	Municipality
Quinhagak	Municipality
Scammon Bay	Municipality
Shaktoolik	Municipality
Sheldon Point (Nunam Iqua)	Municipality
Shishmaref	Municipality
Solomon	Census Designated Place
South Naknek	Census Designated Place

St. Michael	Municipality
Stebbins	Municipality
Teller	Municipality
Togiak	Municipality
Toksook Bay	Municipality
Tuntutuliak	Census Designated Place
Tununak	Census Designated Place
Twin Hills	Census Designated Place
Ugashik	Census Designated Place
Unalakleet	Municipality
Wales	Municipality
White Mountain	Municipality

**Attachment 2: 50 CFR 300.65(f)(2) Alaska Tribal Entity**

A person is eligible to harvest subsistence halibut if he or she is a member of an Alaska Native tribe with customary and traditional uses of halibut listed in the following table and has a valid SHARC issued by NMFS:

**SUBSISTENCE HALIBUT ALASKA NATIVE TRIBE**

<b>Halibut Regulatory Area 2C</b>	
<b>Place with Tribal Headquarters</b>	<b>Organized Tribal Entity</b>
Angoon	Angoon Community Association
Craig	Craig Community Association
Haines	Chilkoot Indian Association
Hoonah	Hoonah Indian Association
Hydaburg	Hydaburg Cooperative Association
Juneau	Aukquan Traditional Council
	Central Council Tlingit and Haida Indian Tribes
	Douglas Indian Association
Kake	Organized Village of Kake
Kasaan	Organized Village of Kasaan
Ketchikan	Ketchikan Indian Corporation
Klawock	Klawock Cooperative Association
Klukwan	Chilkat Indian Village
Metlakatla	Metlakatla Indian Community, Annette Island Reserve
Petersburg	Petersburg Indian Association
Saxman	Organized Village of Saxman
Sitka	Sitka Tribe of Alaska
Skagway	Skagway Village
Wrangell	Wrangell Cooperative Association

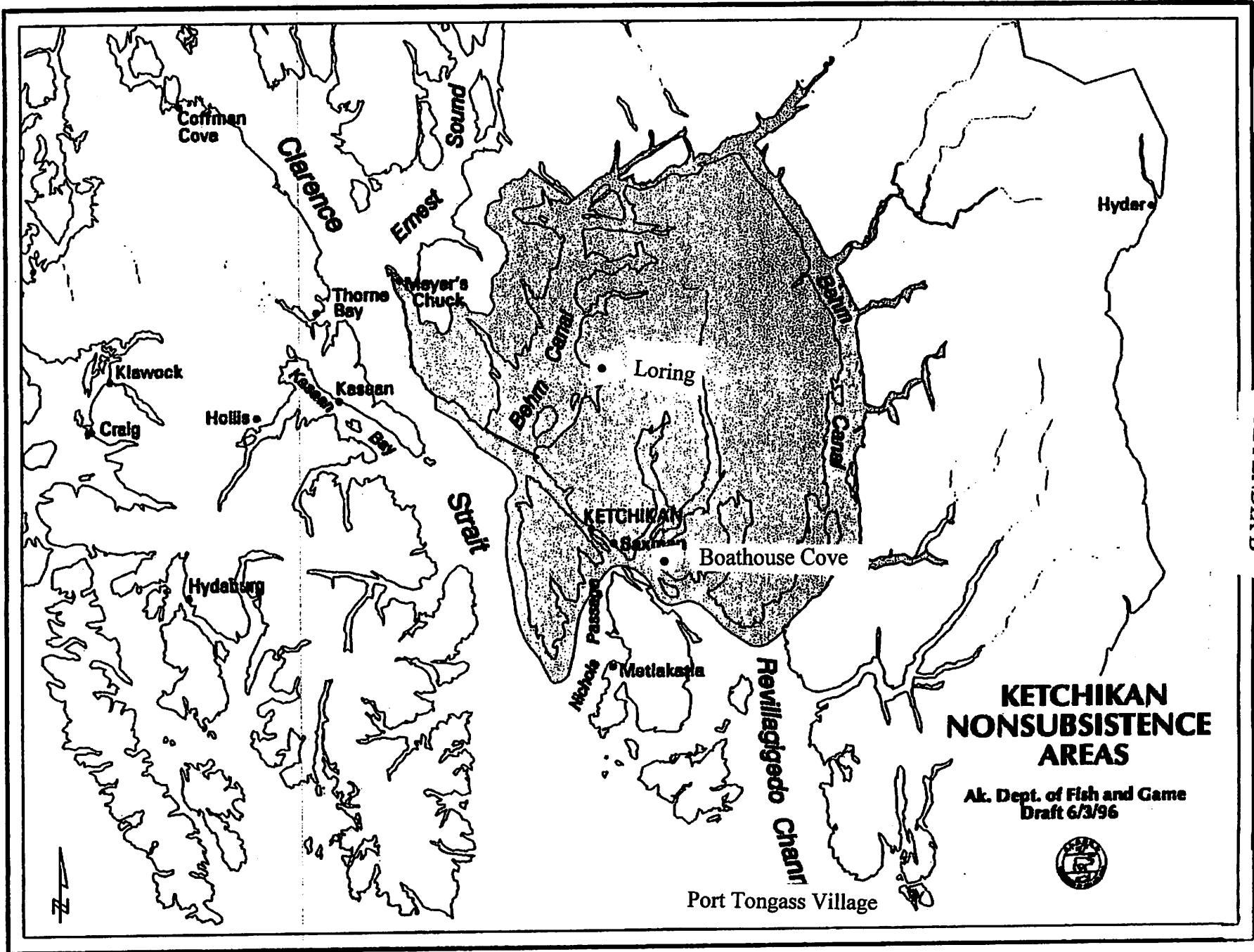
<b>Halibut Regulatory Area 3A</b>	
<b>Place with Tribal Headquarters</b>	<b>Organized Tribal Entity</b>
Akhiok	Native Village of Akhiok
Chenega Bay	Native Village of Chanega
Cordova	Native Village of Eyak
Karluk	Native Village of Karluk
Kenai-Soldotna	Kenaitze Indian Tribe
	Village of Salamatoff
Kodiak City	Lesnoi Village (Woody Island)
	Native Village of Afognak
	Shoonaq' Tribe of Kodiak
Larsen Bay	Native Village of Larsen Bay
Nanwalek	Native Village of Nanwalek
Ninilchik	Ninilchik Village
Old Harbor	Village of Old Harbor
Ouzinkie	Native Village of Ouzinkie
Port Graham	Native Village of Port Graham
Port Lions	Native Village of Port Lions
Seldovia	Seldovia Village Tribe
Tatitlek	Native Village of Tatitlek
Yakutat	Yakutat Tlingit Tribe
Place with Tribal Headquarters	Organized Tribal Entity

<b>Halibut Regulatory Area 3B</b>	
<b>Place with Tribal Headquarters</b>	<b>Organized Tribal Entity</b>
Chignik Bay	Native Village of Chignik
Chignik Lagoon	Native Village of Chignik Lagoon
Chignik Lake	Chignik Lake Village
False Pass	Native Village of False Pass
Ivanof Bay	Ivanoff Bay Village
King Cove	Agdaagux Tribe of King Cove
	Native Village of Belkofski
Nelson Lagoon	Native Village of Nelson Lagoon
Perryville	Native Village of Perryville
Sand Point	Pauloff Harbor Village
	Native Village of Unga
	Qagan Toyagungin Tribe of Sand Point Village
<b>Halibut Regulatory Area 4A</b>	
<b>Place with Tribal Headquarters</b>	<b>Organized Tribal Entity</b>
Akutan	Native Village of Akutan
Nikolski	Native Village of Nikolski
Unalaska	Qawalingin Tribe of Unalaska
<b>Halibut Regulatory Area 4B</b>	
<b>Place with Tribal Headquarters</b>	<b>Organized Tribal Entity</b>
Atka	Native Village of Atka

Halibut Regulatory Area 4C	
Place with Tribal Headquarters	Organized Tribal Entity
St. George	Pribilof Islands Aleut Communities of St. Paul Island & St. George Island
St. Paul	
Halibut Regulatory Area 4D	
Place with Tribal Headquarters	Organized Tribal Entity
Gambell	Native Village of Gambell
Savoonga	Native Village of Savoonga
Diomede (Inalik)	Native Village of Diomede (Inalik)
Halibut Regulatory Area 4E	
Place with Tribal Headquarters	Organized Tribal Entity
Alakanuk	Village of Alakanuk
Aleknagik	Native Village of Aleknagik
Bethel	Orutsararmuit Native Village
Brevig Mission	Native Village of Brevig Mission
Chefornak	Village of Chefornak
Chevak	Chevak Native Village
Clark's Point	Village of Clark's Point
Council	Native Village of Council
Dillingham	Native Village of Dillingham
	Native Village of Ekuk
	Native Village of Kanakanak
Eek	Native Village of Eek
Egegik	Egegik Village
	Village of Kanatak

Elim	Native Village of Elim
Emmonak	Chuloonawick Native Village
	Emmonak Village
Golovin	Chinik Eskimo Community
Goodnews Bay	Native Village of Goodnews Bay
Hooper Bay	Native Village of Hooper Bay
	Native Village of Paimiut
King Salmon	King Salmon Tribal Council
Kipnuk	Native Village of Kipnuk
Kongiganak	Native Village of Kongiganak
Kotlik	Native Village of Hamilton
	Village of Bill Moore's Slough
	Village of Kotlik
Koyuk	Native Village of Koyuk
Kwigillingok	Native Village of Kwigillingok
Levelock	Levelock Village
Manokotak	Manokotak Village
Mekoryak	Native Village of Mekoryak
Naknek	Naknek Native Village
Napakiak	Native Village of Napakiak
Napaskiak	Native Village of Napaskiak
Newtok	Newtok Village
Nightmute	Native Village of Nightmute
	Umkumiute Native Village
Nome	King Island Native Community
	Nome Eskimo Community
Oscarville	Oscarville Traditional Village

Pilot Point	Native Village of Pilot Point
Platinum	Platinum Traditional Village
Port Heiden	Native Village of Port Heiden
Quinhagak	Native Village of Kwinhagak
Scammon Bay	Native Village of Scammon Bay
Shaktoolik	Native Village of Shaktoolik
Sheldon Point (Nunam Iqua)	Native Village of Sheldon Point
Shishmaref	Native Village of Shishmaref
Solomon	Village of Solomon
South Naknek	South Naknek Village
St. Michael	Native Village of Saint Michael
Stebbins	Stebbins Community Association
Teller	Native Village of Mary's Igloo
	Native Village of Teller
Togiak	Traditional Village of Togiak
Toksook Bay	Native Village of Toksook Bay
Tuntutuliak	Native Village of Tuntutuliak
Tununak	Native Village of Tununak
Twin Hills	Twin Hills Village
Ugashik	Ugashik Village
Unalakleet	Native Village of Unalakleet
Wales	Native Village of Wales
White Mountain	Native Village of White Mountain



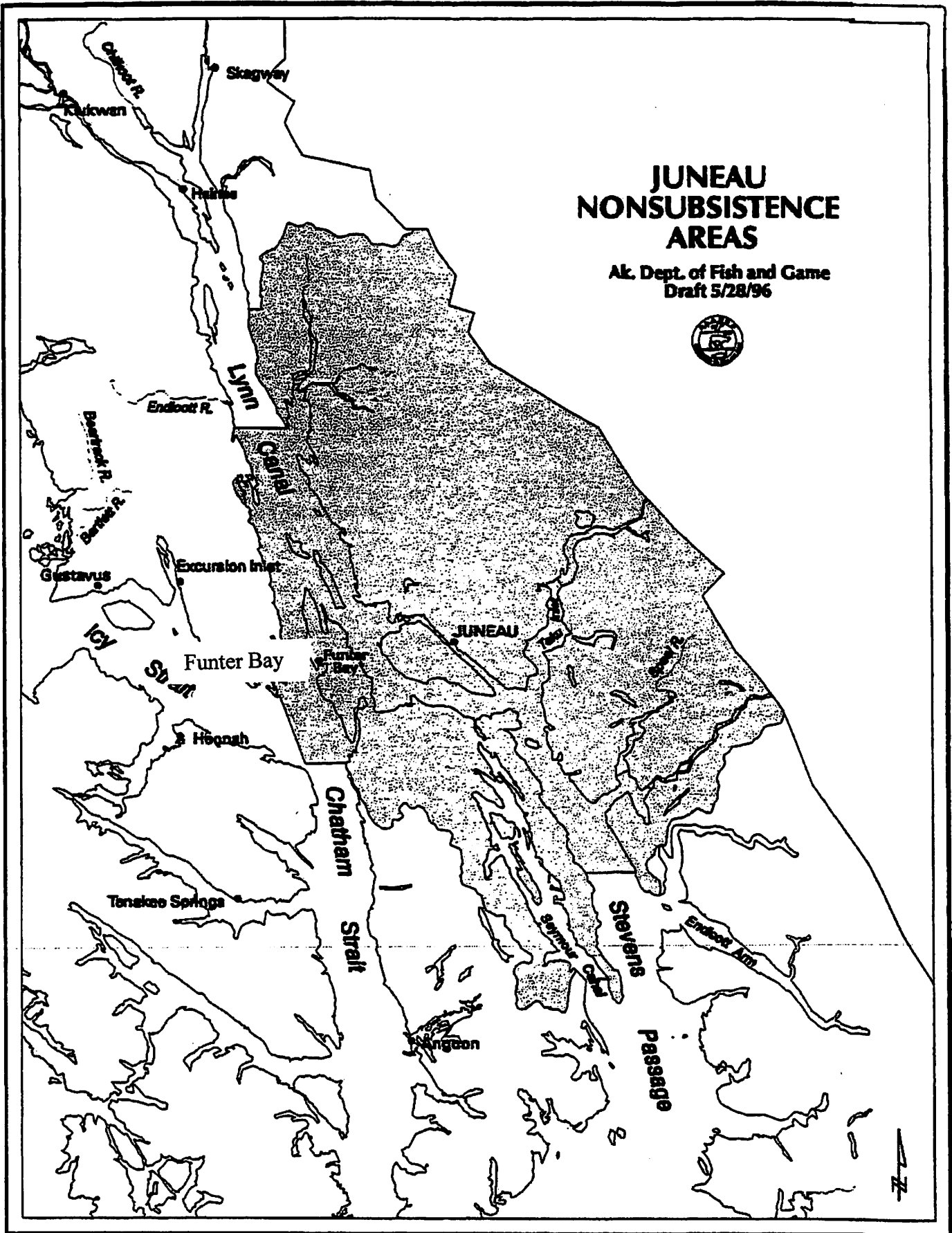
**KETCHIKAN  
NONSUBSISTENCE  
AREAS**

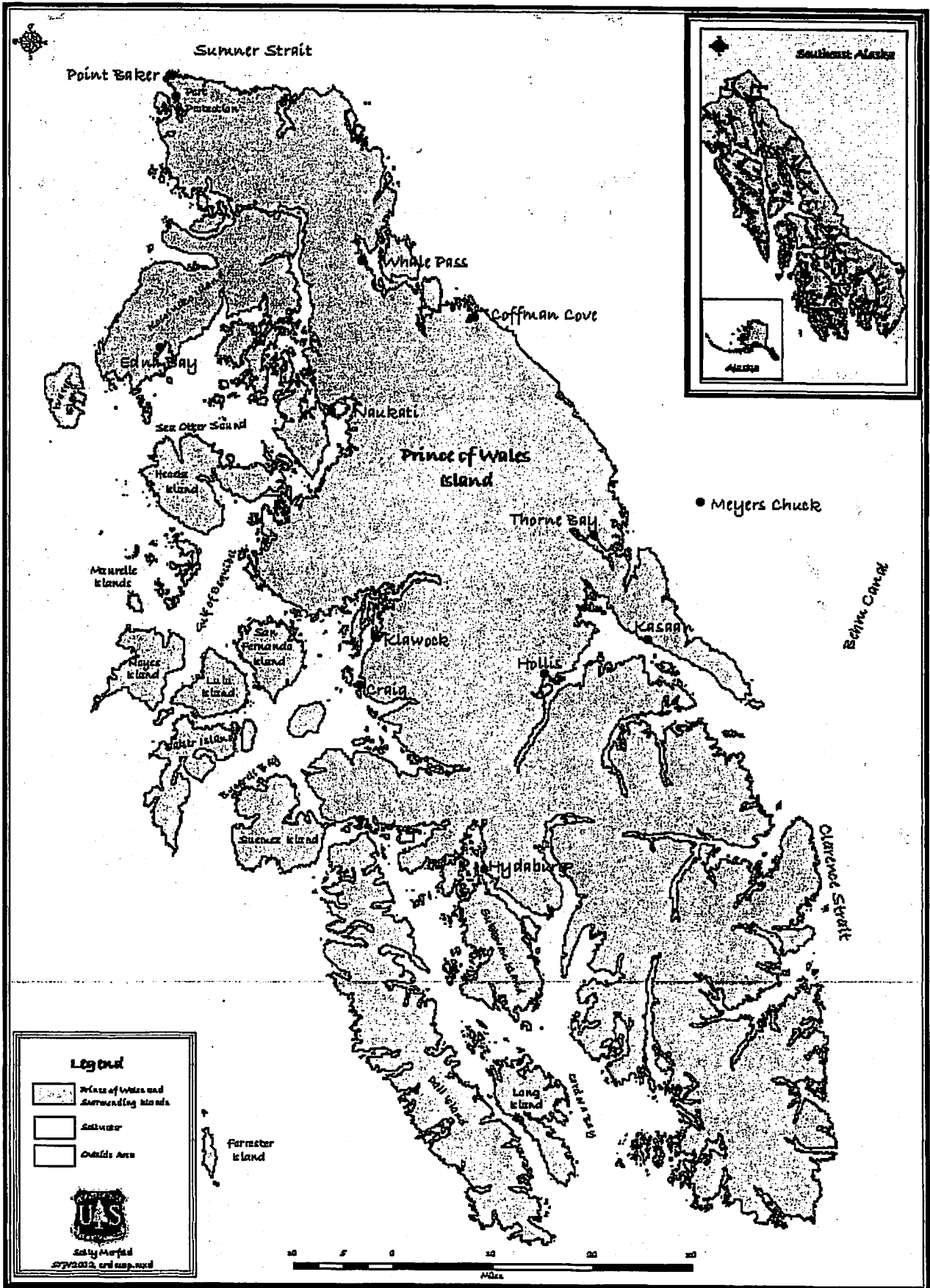
Ak. Dept. of Fish and Game  
Draft 6/3/96

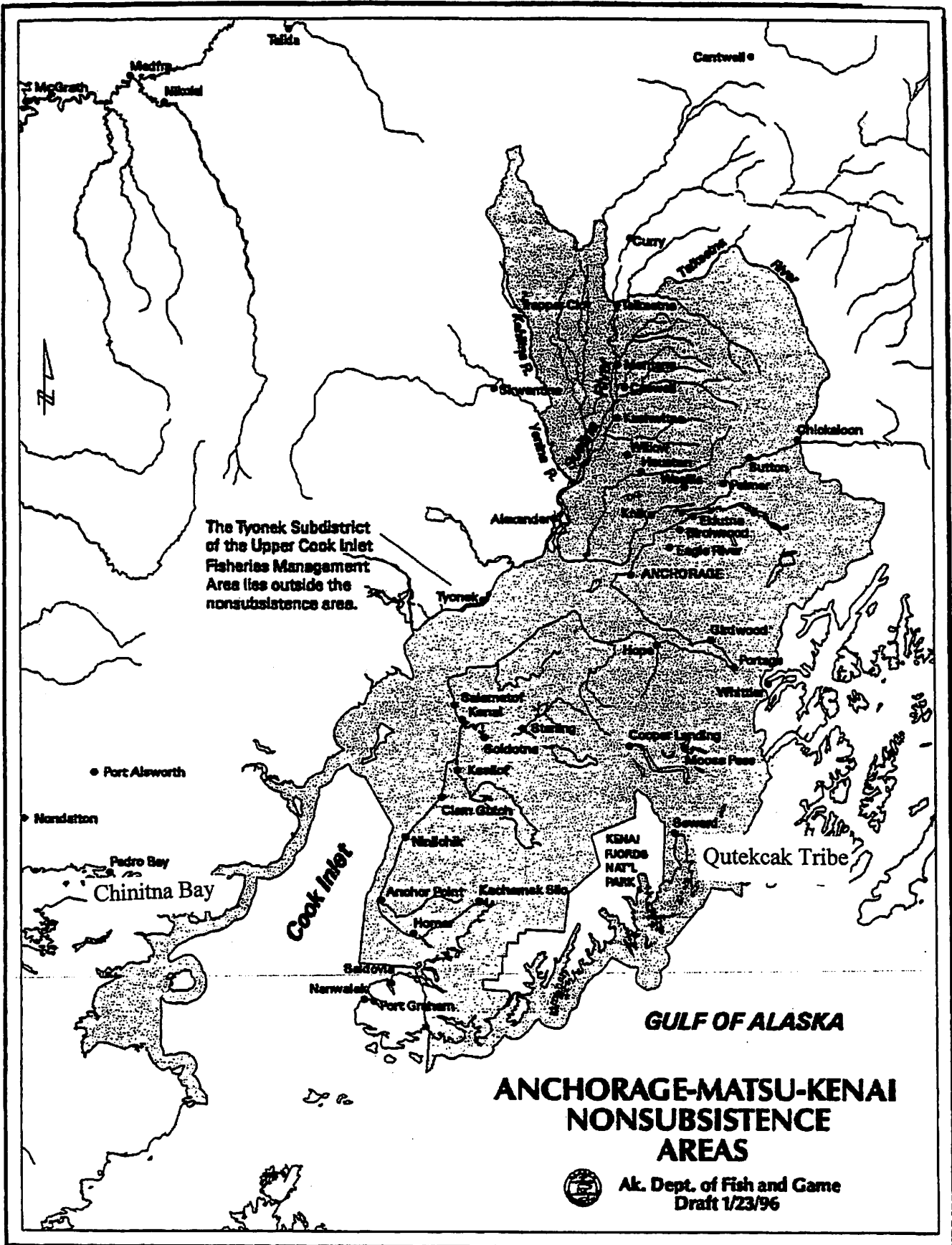


# JUNEAU NONSUBSISTENCE AREAS

Al. Dept. of Fish and Game  
Draft 5/28/96









## APPENDIX C:

### CUSTOMARY AND TRADITIONAL USE WORKSHEET

#### Halibut and Bottomfish in Southeast Alaska

Prepared by the Division of Subsistence, Region I

Alaska Department of Fish and Game

Alaska Board of Fisheries, Anchorage Alaska

February 23, 2004

This worksheet contains background information on the uses of bottomfish, including halibut, *Hippoglossus stenolepis*; cod (Pacific grey cod), *Gadus macrocephalus*; black cod or sablefish, *Anoplopoma fimbria*; and ling cod, *Ophiodon elongatus*, rockfish (red snapper, *Sebastes ruberrimus*; black rockfish, *Sebastes melanops*); flatfish (eg., flounder, *Platichthys stellatus*), and greenling, *Hexagrammos sp.* in Southeast Alaska. The Board of Fisheries requires this information in order to determine whether there are "customary and traditional" (subsistence) uses of these species in this area. Previous Board of Fisheries decisions have found that there are customary and traditional uses of bottomfish in some parts of Southeast Alaska; this worksheet considers two areas Section 1-A and 3-C where the Board of Fisheries has not made positive customary and traditional decisions. It is intended that the information in this worksheet be supplemented by any written and oral public testimony provided during the board meeting.

**1. Length and consistency of use** (a long-term consistent pattern of noncommercial taking, use, and reliance on the fish stock that has been established over a reasonable period of time of not less than one generation, excluding interruption by circumstances beyond the users' control, such as unavailability of the fish caused by migratory patterns).

Bottomfish have been important food fish utilized by the Tlingit, Haida, and Tsimshian in Southeast Alaska since before historic contact. This indigenous use has continued to the present (Stewart 1977). Archeological excavations have found the bones of halibut, rockfish, cod of various species, and sculpin (family *cottidae*) in prehistoric village sites (de Laguna 1960:92). Along with salmon, principal fish mentioned as being harvested and used by the area's residents were halibut, cod, and rockfish (Grinnell 1899:138-139; Krause 1956 [1885]:60, 120-24; Boas 1966 [1895]: 3; de Laguna 1960:116; 1972:401-2; Rousselot et al. 1988: 152-3). Specialized gear and harvest methods were developed by the Tlingit, Haida, and Tsimshian for harvesting bottomfish, examples of which are retained in museum collections (Stewart 1977).

The use of bottomfish for food has continued in Southeast Alaska communities during the historic period, along with certain modifications of fishing techniques introduced by Euro-American settlers. This non-commercial use of bottomfish for food has continued alongside the development of commercial bottomfish fisheries. Currently, halibut are particularly targeted, while fishing for rockfish, especially red snapper, and lingcod also takes place. Flounder, sole, greenling, and sculpin are less commonly harvested.

## **2. Seasonality** (a pattern of taking or use recurring in specific seasons of each year).

Many of the bottomfish species are available in the waters of southeast throughout all seasons, and they were harvested in open water at various times during the year, scheduled around the more seasonally restricted harvests of migrating species (especially salmon). The most intensive time for fishing bottomfish was in late winter and early spring, especially March and April and during fall when salmon species were not as abundant in local waters (de Laguna 1972:401; Oswalt 1966:305).

## **3. Means and Methods of Harvest** (A pattern of taking or use consisting of methods and means of harvest which are characterized by efficiency and economy of effort and cost).

Historically, hooks and lines of various types were the primary methods for harvesting bottomfish used by the Tlingit, Haida, and Tsimshian. Lures and spears were used for certain shallow-water bottomfish (de Laguna 1960, 1972; Drucker 1955: plate 3; Krause 1956:121; Niblack 1890:289, plates 30-31; Oswalt 1966:305; Rousselot et al 1988:154; Spencer and Jennings 1965:176; Stewart 1977: 28-67).

Four major types of hooks were used for harvesting bottomfish in Southeast Alaska: (1) Steam-bent wooden U-shaped hooks of various sizes were used for harvesting cod, rockfish, halibut, and other bottomfish, especially in the southern portions of southeast by the Haida and Tsimshian. The U-shaped hooks were made of wood tipped with slender bone (and later iron) barbs, sometimes with bone or stone shanks. (2) Carved, V-shaped hooks were used for harvesting halibut, rockfish, cod, and other bottomfish, especially in the northern portions of southeast by the Tlingit. The V-shaped hooks were made of two wood arms, fitted and lashed, and tipped with a bone or iron barb. (3) Jig or trolling hooks were used in Southeast Alaska for hooking cod and rockfish in deep water, and were constructed of wood shanks with a bone or iron barb. (4) Bi-pointed throat gorges were used for harvesting bottom feeders such as halibut and flounder. All four types of hooks were commonly set as single hooks, in pairs with rig spreaders, or as multiple hooks along long lines (skates). Sets were made to place the hook on or above the bottom. The hooks were typically baited with octopus or whole small fish. Set hooks were attached to wood or bladder floats, and were weighted with sinker stones. Sets were checked from open boats. Before linen, cotton, hemp, and, much later, synthetic line became available locally, line was made of a variety of materials, including spruce root and sinew in the northern part of the region, and bull kelp, nettle fiber, and cedar bark fiber in the southern part of the region. In addition, jigs and trolling hooks and throat gorges were jigged and trolled from canoes, with long leader made from doeskin, cedar bark twine, porcupine quill, or human hair; hooks were sunk deep for various cod species and rockfish with heavy sinker stones (Wolfe 1989).

Lures, spears, and leisters also were used for taking bottomfish, although this was less common than fishing with hooks. Wooden carved cod lures were pushed to the bottom with a pole and released. Cod following the rising lure were speared near the surface. Small fish such as tomcod, herring, and lingcod were cut, filled with pebbles, and used as lures on a line to attract cod to the surface, where they were speared. Spears and leisters were used for harvesting flounder by fishers wading in shallow mud flats and sand bars, and for taking flounder through the ice at

river mouths. Small hand-held bag nets were also used in shallow water for capturing bottomfish. Also, flounder were sometimes taken in shallow water with beach seine nets (Wolfe 1989).

With the settlement of Southeast Alaska by fishers from the continental U.S., these techniques underwent modifications by the early 20<sup>th</sup> century. Initially, hooks were made incorporating iron, copying traditional designs. Eventually, manufactured metal hooks replaced wood and bone hooks, and linen replaced local fiber for line. The traditional hooking techniques for bottomfish continued, including set hooks, set long lines, jigging, and trolling. The attachment of hand-held lines to poles and rods, with and without reels, became a common method during the early part of the 20<sup>th</sup> century. When commercial bottomfish fisheries were developed, fishers involved in commercial harvest commonly retained some bottomfish for home use, or used commercial gear outside the commercial season for home use, practices which continue today (Wolfe 1989).

Currently, as in the past, most non-commercial rockfish and cod are taken with baited hooks on weighted lines. Lines are set with floats, held by hand, or attached to a pole with a reel. Halibut are taken with baited hooks on weighted lines. Most fishing for these species uses rod and reel gear. Although set lines (skates) were not allowed in regulation in the past for the non-commercial harvest of halibut, the gear has been used by some fishers.

**4. Geographic Area** (The area in which the noncommercial, long-term, and consistent pattern of taking, use, and reliance upon the fish stock or game population has been established).

Historically, most bottomfish were harvested in relatively deep, open marine waters of the bays and passages, and in ocean waters near the main winter settlement. Seasonal moves to camps nearer to halibut and cod fishing areas did occur (de Laguna 1972). Fishing areas were accessed by open boats, canoes in the prehistoric and early historic period; skiffs and larger watercraft during the late historic period. Some bottomfish were taken in shallow waters of bays and river mouths.

For some households involved in commercial fishing, some bottomfish retained for home use may be harvested in commercial fishing areas more distant from the home community.

**5. Means of Handling, Preparing, Preserving and Storing** (a means of handling, preparing, preserving and storing fish which has been traditionally used by past generations, but not excluding recent technological advances where appropriate).

In the early historic period, most of the catch of bottomfish by Tlingit, Haida, and Tsimshian was eaten fresh. Halibut, cod, and rockfish were also thinly cut, dried, and smoked over racks for later use, especially in northern southeast (de Laguna 1972:402; Stewart 1977:145). Most fish for human consumption was boiled in wooden or woven containers into which hot stones were dropped. Fish also were roasted and steamed and eaten with seal and hooligan oil (Stewart 1977:129).

Currently most bottomfish continue to be used fresh or fresh frozen in southeast communities.

**6. Intergenerational Transmission** (a pattern of taking or use which includes the handing down of knowledge of fishing or hunting skills, values, and lore from generation to generation).

Halibut, flounder, and cod were among the fish mentioned as being released into the world by Raven from a floating bentwood box, according to a Tlingit origin story known widely in Southeast Alaska (Swanton 1909, Stewart 1977: 13). Catching large bottomfish from canoes was an activity infused with traditional lore and techniques, such as enlisting spirit helpers, talking to halibut lines and hooks to let the fish bite, carving floats and hooks into the shapes of various powerful animal spirits, and singing songs while hauling up fish (Swanton 1908:452, 458; Stewart 1977:46, 161-177).

New generations of harvesters learn the skills needed to harvest, process, and prepare bottomfish species from observation of others and participation with elder relatives or community residents in subsistence activities. Much is taught and learned both in Native and non-Native communities through stories describing salmon lore and fishing skills. In traditional Tlingit and Haida cultures, young boys learned most of their hunting and fishing skills from their mother's brothers and older members of their own clan (Oberg 1973 [1933]:32). Fishing skills and locations continue to be learned from uncles, as well as from other relatives and elders in contemporary Native society.

**7. Distribution and Exchange** (a pattern of taking, use, and reliance where the harvest effort or products of that harvest are distributed or shared, including customary trade, barter, and gift-giving).

Historically, the fish produced by the Tlingit, Haida, and Tsimshian were shared and consumed among large extended family groups who traced common ancestry through lineages and clans, and who resided within spacious/collective wooden clan houses. Large quantities of food also was prepared and given away by the headmen of the extended families in elaborate feasts and ceremonies to publicly demonstrate and validate rank, status, and prestige within the social group. The Tlingit, Haida, and Tsimshian were avid traders, fish and fish oil were primary trade items (Oswalt 1966:305). The giving and receiving of fish between families is still practiced in many communities of southeast. Recent department survey data show the statistical extent of sharing bottomfish.

**8. Diversity and Economic, Cultural, Social, and Nutritional Elements** (a pattern that includes taking, use, and reliance for subsistence purposes upon a wide variety of the fish and game resources and that provides substantial economic, cultural, social, and nutritional elements of the subsistence way of life).

Marine fish were the mainstay of the economies of Southeast Alaska communities at historic contact. They were harvested along with other fish (salmon, herring, and eulachon), marine invertebrates, seal, deer, black bear, and a number of other plant and animal species. The historic fish harvests of Southeast Alaska were so large and reliable, that they were the basis for the development of the complex non-agrarian Northwest Coast culture characterized by large

populations, sedentary villages, social stratification, and elaborate art and ceremonial systems (Spencer and Jennings 1965:168).

Bottomfish continue to be part of a wide range of resources used in most communities, including salmon, deer, and shellfish. Recent department survey data shows the range of fish and wildlife resources used by Southeast Alaska communities.

#### References Cites

- Betts, Martha F., Robert F. Schroeder, Thomas Thornton, and Ann-Marie Victor. 1994, (Revised 1999). Subsistence Resource Use Patterns in Southeast Alaska: Summaries of Thirty Communities. Alaska Department of Fish and Game, Division of Subsistence, Juneau, Alaska.
- Boas, Franz. 1966 [1895] The Indian Tribes of the North Pacific Coast, in Tom McFeat (ed) Indians of the North Pacific Coast, University of Washington Press, Seattle, p. 1-7 (originally from The Social Organization and Secret Societies of the Kwakiutal Indians, Reports of the United States National Museum, Washington D.C., 1895)
- de Laguna, Frederica. 1960. The Story of a Tlingit Community: A Problem in the Relationship between Archeological, Ethnological, and Historical Methods. Smithsonian Institution, Bureau of American Ethnology, Bulletin No. 172.
- 1972 Under Mount Saint Elias, The History and Culture of the Yakutat Tlingit, Smithsonian Institution Press, Washington D.C.
- Drucker, Philip. 1955. Indians of the Northwest Coast. The Natural History Press, New York.
- Grinnell, George Bird. 1986 [1899]. Natives of the Alaska Coast Region in John Burroughs and John Muir et al, Alaska The Harriman Expedition, 1899. Dover Publications, Inc. New York, p. 137-183.
- Krause, Aurel. 1956 [1885]. The Tlingit Indians. University of Washington Press, Seattle.
- Niblack, Albert P. 1890. The Coast Indians of Southern Alaska and Northern British Columbia, Annual Report of the Smithsonian Institution, 1887-88, U.S. Government Printing Office, Washington.
- 
- Oswalt, Wendell. 1966. The Tlingit: Salmon Fishermen of the Northwest, in This Land Was Theirs, A Study of the North American Indian, John Wiley and Sons, Inc., New York, p. 291-343.
- Rouselot, Jean-Loup, William W. Fitzhugh, and Aron Crowell. 1988. Maritime Economies of the North Pacific Rim, in William W. Fitzhugh and Aron Crowell (ed) Crossroads of Continents, Cultures of Siberia and Alaska, Smithsonian Institute Press, Washington, p. 151-182.
- Spencer, Robert F. and Jesse D. Jennings. 1965. The Northwest Coast, in The Native Americans, Harper and Row, Publishers, New York, p. 168-212.
- Stewart, Hilary. 1977. Indian Fishing. Early Methods on the Northwest Coast. Seattle, University of Washington Press.

Swanton, John 1908 Social Conditions, Beliefs, and Linguistic Relationship of the Tlingit Indians. Bureau of American Ethnology, 26th Annual Report, 1904-1905, Washington.

1909 Tlingit Myths and Legends.

Wolfe, Robert J. 1989. Historic Methods for Harvesting Non-Commercial Bottomfish in Southeast Alaska. Report to the Alaska Board of Fisheries, Division of Subsistence, Alaska Department of Fish and Game, Juneau, Alaska, January 1989.

Alaska Department of Fish and Game, Division of Subsistence, Juneau, Alaska, Community Profile Database 2002.

# Halibut Subsistence Management

At its October 2003 meeting, the Council chose to take no action to include Ninilchik and Happy Valley to the list of eligible communities for halibut subsistence fishing. The Council determined that those communities do not meet the State criteria to be deemed rural, which is the primary basis for inclusion in the program. Findings that Ninilchik met Federal criteria for rural and had a halibut customary and traditional use determination from US Fish and Wildlife Service (USFWS) staff was not sufficient cause to be added to the list because those communities would not be deemed rural by the Council. To clarify additional potential USFWS determinations, the Council will request that the Federal Subsistence Board (and not USFWS staff) provide halibut customary and traditional use determinations for individual, petitioning communities that qualify as rural by the Council. Currently, US Fish and Wildlife Services staff interpret Board findings for larger geographic areas, which meet Federal criteria for rural and customary and traditional use of fish, rather than specifically for halibut for a community.

The Council also received a report from the Alaska Board of Fisheries, which set up a process during its October work session to address appeals concerning eligibility. The Council requested, and the Board agreed to provide, recommendations for any communities that seek to be included on the Council's list of eligible communities for subsistence use of halibut. Appeals have been received by several communities that did not make the Council's original list, and a small population of individuals who are homesteaders in areas of the State with less than 25 people. These petitioners were not identified as residing in an eligible community and were passed over by the eligibility process. Board members agreed to hear appeals during this year's cycle and will take public testimony during its February 2004 meeting. Additionally, the Board will schedule appeals for specific meetings during future cycles and make recommendations on appeals and forward those recommendations to the Council. The Council would then schedule a subsequent analysis of whether to add the recommended community to the list.

The Council also clarified its intent regarding some aspects of the proposed rule for implementing its April 2002 preferred alternative for amending the program. The Council approved submitting the following actions to the Secretary of Commerce for approval and implementation. Publication of the proposed rule may occur before the end of 2003.

1. Remove gear restrictions in IPHC Areas 4C, 4D, and 4E to mirror the absence of harvest levels in those areas.
2. Legal size halibut may be retained for subsistence use by residents of eligible Area 4C, 4D, and 4E communities while CDQ fishing on their own vessels.
3. The gear limit is no more than 3 times the per person hook limit on a single unit of gear set or retrieved from a vessel provided there are at least 3 permit holders on board.
4. In Area 2C, reduce the gear and harvest restrictions to a vessel limit of 30 hooks and 20 fish. Stacking of gear and proxy fishing are not permitted. A community harvest permit (CHP) program would be allowed in Area 2C, except the Sitka LAMP, because of these additional restrictions.

5. The Cook Inlet non-subsistence use area southern boundary would be set at 59°30.40'N.
6. Longline fishing would be prohibited in a four nautical mile radius extending south from Low Island at 57°00'42" N and 135°36'34" W (inside the Sitka LAMP area).
7. A ceremonial, cultural, or educational harvest permit system would be implemented for Alaska Native Tribes that are eligible for halibut subsistence to conduct cultural/educational camps and for ceremonial purposes. The permit would be limited to a harvest of 25 fish.

Those actions from the April 2002 preferred alternative will be rescheduled for Council action in October 2004. The following actions would analyze 5, 10, and 30 hooks to address rockfish and ling cod bycatch. Note that staff interpreted Council intent to also reschedule action for the community harvest permit program for Area 3A, as the CHP is intrinsically linked to proposed reductions in the gear limit and imposition of an annual limit.

1. 10 hooks, 20 fish annual limit, and CHP program in Kodiak road zone and Chiniak Bay.
2. 10 hooks, no annual limit, and CHP program in Prince William Sound.
3. 10 hooks, no annual limit, and CHP program in Cook Inlet.
4. Sitka local area management plan (LAMP):  
During 9/1 to 5/31, 30 hooks/vessel, power hauling allowed, and 10 halibut/day/vessel; and  
During 6/1 to 8/31, 15 hooks/vessel, no power hauling, no proxy, no stacking, and 5 halibut/day/vessel.

The Council also initiated new analyses of the following proposed amendments to the regulations for review and action in 2004:

1. Possession limits of none or two daily bag limits.
2. Allow use of charter vessels or adopt the State of Alaska definition of charter vessels to enhance enforcement of prohibition of their use for subsistence halibut fishing.
3. Revise the \$400 customary trade limit to either \$100 or no cash trade.
4. Revise the proposed 3 permit stacking limit to either 1 or 2 per vessel.
5. Add community harvest, ceremonial, cultural, or educational harvest permit systems in non-subsistence use areas by Alaska Native Tribes whose traditional fishing grounds are located within these areas. The permit would be limited to a harvest of 20 fish per day.

## Commercial Halibut/Sablefish IFQ proposals

The Council scheduled a review of recommendations regarding proposed amendments to the commercial halibut and sablefish individual fishing quota program (IFQ) from the IFQ Implementation and Cost Recovery Team and Advisory Panel for the December Council meeting. Nineteen proposals were reviewed by the team. Those that were recommended for consideration by the Council were integrated into those approved by the Council in 2000 for analysis but were never tasked to staff due to the press of other business. The team grouped the proposed