

Alaska Board of Fisheries
Resolution #81-93-FB

Subsistence Committee Recommendations
Concerning Personal Use Fishery

1. Prior to the establishment of Alaska's subsistence priority law in 1978, the Board of Fisheries and Game passed regulations recognizing personal use of fish and wildlife resources. These regulations were based on the principle of maximum sustainable yield and allocation in the broad public interest. These allocations were made on the basis of stock, area, historic use patterns, economics and development of the fisheries.
2. Prior to 1978, the term "subsistence" meant personal use in defining one user group as witnessed in Federal regulations prior to Statehood and the State regulations since Statehood.
3. The regulatory history shows restrictions were placed on the more efficient methods and means of harvesting personal use fish (i.e. nets, traps, snagging) when there was a biological concern for the stock or when the demand for that stock required a more inefficient harvest method which better served the broad public interest.
4. In 1978, the definition of subsistence was changed to mean customary and traditional use. In implementing the 1978 Subsistence law, the Board of Fisheries adopted ten criteria which identified customary and traditional uses as the basis for determining what geographical aggregation of persons qualified for a subsistence priority in Cook Inlet.
5. There are presently areas in the State including Cook Inlet where surpluses of fish exist. These surpluses are currently in excess of escapement needs and are not available for harvest by any other user group. Harvesting surplus fish for personal use with more efficient methods is compatible with sound biological management and the broad public interest.
6. There are persons that desire to use more efficient methods (i.e. net fishermen) that may not qualify for a subsistence fishery and therefore cannot participate in a net fishery for personal use.
7. Under the current statutes and regulations, these more efficient net fishermen do not appear to fit into any of the existing user group categories, commercial, sports, or subsistence. It is the intent of the Board that subsistence, commercial, and sport users have a reasonable opportunity to take any surplus before a personal use fishery is allowed.

Therefore, the Board of Fisheries requests the staff of the Department of Fish and Game and the Department of Law to draft regulatory proposals

that would establish a fourth user group termed personal use, and to present their proposals at the March 1982 meeting. The staff should consider the following when drafting the proposals:

1. Areas and times where harvestable surpluses exist
2. Affect on current user groups
3. Management coordination
4. Potential effort
5. Enforceability
6. Other pertinent factors

ADOPTED: Anchorage, Alaska
December 19, 1981

VOTE: 6-1

Nick Szabo
Chairman