

MEMORANDUM

TO: Council and AP Members
FROM: Chris Oliver *Chris*
Executive Director
DATE: April 1, 2006
SUBJECT: Charter Halibut Management

ESTIMATED TIME
8 HOURS

ACTION REQUIRED

- (a) Final action on EA/RIR/IRFA for a regulatory amendment to implement Guideline Harvest Level measures
- (b) Review discussion paper on separate accountability proposal, and take action as necessary
- (c) Receive Charter Halibut Stakeholder Committee report
- (d) Receive status report on State initiatives to manage the charter halibut sector

BACKGROUND

GHL management measures

At this meeting, the Council will take final action on proposed measures to reduce charter halibut harvests to the Guideline Harvest Levels in International Pacific Halibut Commission Regulatory Areas 2C and 3A in the Gulf of Alaska. If action is taken by the Council and subsequently approved by the Secretary of Commerce, the earliest any of the proposed alternatives would be effective is the 2007 charter fishing season. The analysis was distributed in March 2006; the executive summary of the analysis is attached as Item C-6(a).

For Area 2C (Southeast Alaska), alternatives include: (1) no action; (2) limit vessels to one trip per day, prohibit harvest by skipper and crew, and set an annual catch limit of six fish for individual clients; and (3) limit vessels to one trip per day, prohibit harvest by skipper and crew, and set an annual catch limit of five fish for individual clients. Alternative 2 would have reduced harvest in 2004 from 122.2 percent of the GHL to a range of 107.5 and 109.6 percent of the Area's GHL. Alternative 3 would have reduced harvest in 2004 from 122.2 percent of the GHL to a range of 101.3 and 102.7 percent of the Area's GHL. None of the alternatives would have reduced harvests to or below the GHL.

For Area 3A (Southcentral Alaska), alternatives include: (1) no action; (2) limit vessels to one trip per day; and (3) limit vessels to one trip per day and prohibit harvest by skipper and crew. Alternative 2 would have reduced harvest in 2004 from 100.5 percent of the GHL to a range of 94.0 and 96.1 percent of the Area's GHL. Alternative 3 would have reduced harvest in 2004 from 100.5 percent of the GHL to a range of 83.5 and 88.4 percent of the Area's GHL. Both Alternative 2 and Alternative 3 would have reduced harvests below the GHL.

During initial review in February 2006, the Council requested that the analysis include a second method for determining the status of the GHL and to also examine the effects if proposed measures were implemented in 2002 and 2003. The five-year average lessens the sensitivity to annual changes in average halibut weight (it

reduces the overage in Area 2C and increases it in Area 3A), which may be preferred by managers since it mitigates the delayed feedback between when an overage occurs, when it is known to have occurred, and when regulations could be implemented to effect a reduction in harvest.

Separate accountability

During initial review of the GHL analysis in February 2006, the Alaska Longline Fishermen's Association (ALFA) proposed separate accounting of charter and commercial halibut allocations in Areas 2C and 3A. The proposal suggests that removing the direct effect of GHL overages on the commercial sector: 1) facilitates the development of a long term plan by allowing the Council to focus on measures appropriate for the guided sport sector without worrying about spill-over effects on the commercial sector; and 2) promotes stability by noticing all parties that the Council intends to adhere to the GHL number during the interim, and implement post-season restrictions, as necessary.

Council, NOAA, and IPHC staffs have suggested that one action for the Council would be a written request to the IPHC to effect such a change, if it decides to adopt the ALFA proposal. The IPHC action, however, would be restricted to setting a combined fishery catch limit for the charter and commercial sectors, similar to its action for Area 2A (Washington, Oregon, and California) and Area 2B (British Columbia), since it is not authorized to allocate among user groups.

The main issue for the Council in considering this proposal, therefore, is how it would allocate between the commercial and charter sectors. If the Council wished to adopt the ALFA proposal now, it could use the GHLs for each area to set the charter allocation from a combined charter and commercial catch limit determined through the IPHC process, if the administrative record is sufficient to have noticed the public that the GHLs were, in fact, intended to be limiting. The Council may want to assure the IPHC and the user groups that it will manage the charter sector to stay within the GHLs, noting the delayed feedback between an overage year and three to four years later when restrictive measures could be implemented (mechanisms to shorten the delay in implementing effective management measures are being developed). The same issues arise under a percentage allocation. If the Council implemented an IFQ program in the future, increased accounting of individual allocations would assure rare instances of overages of the cumulative charter sector allocation. The revised proposal dated March 29, 2006 is attached as Item C-6(b)(1). The discussion paper will be distributed at the meeting. IPHC comments on this and other items under this agenda are attached as Item C-6 (b)(2).

Charter Halibut Stakeholder Committee

The Stakeholder Committee has convened twice since its late January 2006 appointment. In December 2005, the Council tasked the committee with developing two permanent solutions for addressing the reallocation of halibut from the commercial to the charter sectors: 1) percentage allocations; and 2) quota share program. In February 2006, the Council forwarded recommendations from the GHL Committee on interim solutions. An organizational chart of proposed Council action on interim and permanent management solutions is attached as (Item C-6(c)(1)). Two recommendations to the Council regarding interim management actions are ready for review and possible action by the Council at this meeting. The Committee recommended that the Council:

1. Take no action on proposed measures to implement the GHL in April 2006, but instead focus its efforts on a permanent solution. The GHL program was designed on an understanding of a lower halibut biomass with a declining trend. Instead new IPHC model estimates of biomass in Area 2C and 3A demonstrate a higher level of halibut biomass than was believed when the GHL program was adopted. Further, preliminary 2005 charter halibut harvests show a drop in charter harvests in both areas in 2005 relative to final estimates for 2004. Area 3A charter harvest projections indicate that GHL was not exceeded in Area 3A, and the overage in Area 2C dropped to 14% above the GHL in 2005. The anticipated action by ADFG to prohibit captain and crew fish in groundfish fisheries in Area 2C to address declining DSR biomass would lower charter halibut harvests in Area 2C.

2. Take no action on interim management measures (e.g., add a trigger to increase GHL as halibut abundance increases) to focus on permanent solutions.
3. Immediately initiate an analysis of a moratorium on entry into the charter halibut fishery using the December 9, 2005 control date (Item C-6(c)(2)). The Committee recommended that the Council schedule initial and final action in Winter 2006/2007 and have the program implemented no later than the 2008 fishing season.

The Committee plans to meet on April 18-20, 2006 and report its final suite of alternatives, elements, and options for permanent management solutions at the June 2006 Council meeting. The Committee has developed draft alternatives for a percentage allocation and quota share program, but is still working on elements and options for analysis. Committee minutes from its February 2006 meeting are attached as Item C-6(c)(3). March 2006 committee minutes will be distributed this week.

State initiatives

Item C-6(d) contains the final regulatory wording delegating emergency order authority to the Commissioner to prohibit charter operators/crew members from retaining fish and/or limiting the number of fishing lines to the number of paying clients on board the vessel. The Board of Fisheries adopted this language by a 7-0 vote on Thursday, March 23, 2006 in Anchorage. Also, ADF&G staff will update the Council on the State position regarding other charter halibut management initiatives. As summarized for the Stakeholder Committee, the State:

1. is seeking delegation of authority to the State for management of sport halibut fisheries (see Item C-6(e), 1995 legal opinion.)
2. supports moratorium on entry
3. supports percentage allocation in smaller geographies than IPHC regulatory Areas 2C and 3A
4. is developing mechanisms for orderly compensated reallocation from commercial to charter sectors by using fees on guided sport industry ("buyback of QS," or fish stamp required on sport fish license), through State legislation,
5. would not use ADF&G logbooks for in-season management
6. would develop LAMPs

EXECUTIVE SUMMARY

In February 2000, the North Pacific Fishery Management Council (Council) adopted guideline harvest levels (GHL) for the charter halibut fishery in International Pacific Halibut Commission (IPHC) Regulatory Area 2C, Southeast Alaska (1,432,000 lb net weight), and Area 3A, Southcentral Alaska (3,650,000 lb). The GHLs were approved by the Secretary of Commerce and implemented by NOAA Fisheries in September 2003 (68 FR 47256). The 2000 preferred alternative also identified a suite of management measures that were to be triggered in the year following harvests in excess of the GHL(s). Legal review, however, identified concerns with the ability of NOAA Fisheries to “framework” those measures without additional public process. Therefore, proposed GHL management measures were not implemented in regulation. Instead, the Council may initiate a new analysis each time management action is deemed necessary to reduce or increase harvests.

At its October 2005 meeting, the Council reviewed final 2004 halibut charter harvest estimates reported by the Alaska Department of Fish and Game (ADF&G) Sport Fish Division on the status of the first year of fishing under the GHL. The point estimates of harvest exceeded the GHLs by 22 percent in Area 2C and less than 1 percent in Area 3A. In response to the new information, the Council initiated this analysis, which includes management alternatives to reduce halibut charter harvests to the GHLs in both areas.

For each area, the Council is considering three alternative actions.

For Area 2C:

- Alternative 1. No action
- Alternative 2. Limit vessels to one trip per day, *prohibit harvest by skipper and crew*¹, and set an annual catch limit of six fish for individual clients.
- Alternative 3. Limit vessels to one trip per day, *prohibit harvest by skipper and crew*¹, and set an annual catch limit of five fish for individual clients.

For Area 3A:

- Alternative 1. No action
- Alternative 2. Limit vessels to one trip per day.
- Alternative 3. Limit vessels to one trip per day and *prohibit harvest by skipper and crew*¹.

The purpose of the proposed action is to reduce charter halibut harvests in Areas 2C and 3A to the respective GHLs to conform to Council policy. In 2000, the Council adopted GHLs to address allocation issues between the charter sector and commercial users of the halibut resource. They are intended to stop the reallocation from commercial to charter sectors.

The sections below summarize the estimated effect of the alternatives. In February 2006, the Council requested that the analysis include two methods to determine the status of the GHLs, based on recommendations from its GHL Committee and Advisory Panel; the Scientific and Statistical committee did not comment on the second method. The two methods are:

1. Use ADF&G's single year estimates of average per fish weight to calculate the estimated total harvest weight;
2. Use a five-year average of ADF&G's estimates of average harvest weight per fish.

¹ The Alaska Board of Fisheries is scheduled to take action in March 2006 on ADF&G proposals to prohibit retention of all sport fish by skipper and crew and to limit the number of lines on a charter vessel to the number of clients onboard.

The SSC recommended that the first method be expanded to include 2002 and 2003. In its February 2006 minutes, the SSC stated, "Although the trend in charter fishing halibut trips is upward, a comparison of the 2004 findings for two additional years will prove useful when discussing the robustness of the 2004 findings." One effect of using the five-year average is to lessen the sensitivity to annual changes in average halibut weight, which may be preferred by managers since it addresses the negative feedback loop described by the SSC below in the Executive Summary and in more detail in Section 2.7. For example, in Table 1 the 2004 average weight of 20.7 lb was 8.4 percent higher than the 2003 average weight of 19.1 lb in Area 2C. At the same time, total catch by number of halibut in 2004 was 14 percent higher and total catch by weight was 23.9 percent higher. Thus, the increase was driven partially by a sharp increase in average weight per fish that year. The effect of this method is to multiply the number of halibut harvested as reported by the ADF&G Statewide Harvest Survey (SWHS) by 19.5 lb instead of 20.7 lb in Area 2C and 19.3 lb instead of 18.6 lb in Area 3A. Therefore, the status of the GHL would result in a lower overage in Area 2C and a higher overage in Area 3A.

Table 1. Charter halibut harvest, 2000-2004

Year	IPHC Area 2C				IPHC Area 3A			
	Charter-Harvested Halibut	Average Net Weight (lb) per Halibut	Total Charter Halibut Harvest (M lb)	Change from Previous Year	Charter-Harvested Halibut	Average Net Weight (lb) per Halibut	Total Charter Halibut Harvest (M lb)	Change from Previous Year
2000	57,208	19.8	1.132	20.6%	159,609	19.7	3.140	24.0%
2001	66,435	18.1	1.202	6.2%	163,349	19.2	3.132	-0.3%
2002	64,614	19.7	1.275	6.1%	149,608	18.2	2.724	-13.0%
2003	73,784	19.1	1.412	10.7%	163,629	20.7	3.382	24.2%
2004	84,327	20.7	1.750	23.9%	197,208	18.6	3.668	8.5%
5-Year Average	69,274	19.5	1.350	N/A	166,681	19.3	3.211	N/A

Expected Effect of Each Alternative in Area 2C

GHL Calculated Using Direct Average Weight Estimates (Method 1)

Method 1 includes the Council's recommendation to expand the analysis of 2004 data to include 2002 and 2003, as suggested by the SSC. Proposed management measures under Alternatives 2 and 3 would reduce charter industry halibut harvest. However, long-term growth trends likely have increased harvests to such a level that even Alternative 3 (the most restrictive alternative) is not guaranteed to have reduced harvests to the GHL level in 2004, if they were in effect then. In 2002 and 2003, the proposed alternatives would have reduced area charter halibut harvest to levels at or below the GHL (Table 2). However, it is most useful to focus on the results using 2004 data given long-term growth rates, and it is unlikely that future industry harvests would be below this level given an annualized growth rate of 5.5 percent over the last decade. Alternative 3 would have come close to reducing 2004 harvests to the GHL. Additionally, note the following:

- The effect of Alternative 1, the no action alternative, depends in part on pending action by the Alaska Board of Fisheries (BOF) in March 2006. The State already limits the number of lines fished by Area 2C charter operations equal to the number of clients. This limit, however, does not constrain skippers and crew when a client is not fishing during a trip. Originally, ADF&G submitted a proposal to prohibit retention of fish by skippers and crew in all waters managed by the State. ADF&G submitted a revised proposal at the February 2006 BOF meeting, which instead would provide the ADF&G Commissioner with emergency order authority to enact the proposed measures (Proposal 400, see Appendix I), rather than permanently in regulation by the BOF. If enacted under either approach, an indirect result under the no action alternative would have been reduced harvest between 3.3 and 4.5 percent. If these measures had been in place in 2004, the charter harvest would have been between

118.1 and 116.7 percent of the GHL. Given this new approach, it is less clear that proposed BOF action should be considered under the status quo, since what measures will be implemented by the Commissioner for 2006 will not be known at the time of final action by the Council in April 2006. Note that the Council may still choose to adopt a complementary Federal regulation regarding harvest retention by crew to ensure that the regulation stays in place for duration to be determined by the Council. On the other hand, the Council may choose to not adopt a complementary action to avoid the more time-consuming process of amending Federal regulations when it might choose to lift the prohibition.

It remains unclear what criteria will be used by the ADF&G to determine when and where action will be implemented since the State will not have either average weights or numbers of fish in-season. Halibut charter operators will again be required to report harvests in 2006, but the State has reported that these data should be verified by SWHS data (which for 2006 logbooks would not occur until Fall 2007). Further, Proposal 400 remains controversial since it would apply to all charter operations, and not just limited to halibut. Therefore, salmon charter operators would in a sense “pay” by reduced retention for any charter halibut GHL overages. *The simplest approach to evaluate the effects of Alternative 1 is for the Council to assume no action is taken by the State, since pending action was unknown when this document was released and may remain unknown at the time of Council final action.*

Table 2. Effect of alternatives of charter industry halibut harvest (2004) in Area 2C (Method 1)

Category	Management Measure/Effect (Reduction in %)	Alt. 1	Alt. 2		Alt. 3	
			Lower-Bound	Upper Bound	Lower-Bound	Upper Bound
Management Component	One Trip Per Day (2002)	N/A	0.4%	0.9%	0.4%	0.9%
	One Trip Per Day (2003)	N/A	0.4%	0.9%	0.4%	0.9%
	One Trip Per Day (2004)	N/A	0.3%	0.6%	0.3%	0.6%
	No Harvest by Skipper & Crew	N/A	3.3%	4.5%	3.4%	4.6%
	6 Fish Annual Limit (2002)	N/A	8.3%	8.3%	N/A	N/A
	6 Fish Annual Limit (2003)	N/A	7.5%	7.5%	N/A	N/A
	6 Fish Annual Limit (2004)	N/A	7.0%	7.0%	N/A	N/A
	5 Fish Annual Limit (2002)	N/A	N/A	N/A	13.7%	13.7%
	5 Fish Annual Limit (2003)	N/A	N/A	N/A	13.1%	13.1%
	5 Fish Annual Limit (2004)	N/A	N/A	N/A	12.2%	12.2%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	1.275	1.120	1.100	1.050	1.030
	Harvest as Percent of GHL	89.0%	78.2%	76.8%	73.3%	71.9%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	1.412	1.250	1.230	1.170	1.150
	Harvest as Percent of GHL	98.6%	87.3%	85.9%	81.7%	80.3%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	1.750	1.570	1.540	1.472	1.450
	Harvest as Percent of GHL	122.2%	109.6%	107.5%	102.8%	101.3%

Source: Northern Economics, Inc. estimates based ADF&G Logbook and Statewide Harvest Survey Data.

- Alternative 2 would limit vessels to one trip per day, eliminate harvest by crew members, and place an annual limit of six fish on charter clients. This alternative would have reduced harvest in 2004 from 122.2 percent of the GHL to a range of 107.5 and 109.6 percent of the Area’s GHL. In 2002, this alternative would have reduced harvest to a range of 76.6 and 78.2 percent of the GHL from 89.0 percent, while in 2003 this alternative would have reduced harvest to a range of 85.9 and 87.3 percent of the GHL from 98.6 percent. While this alternative could slow growth in the long run, it is likely that charter industry harvest would remain above the GHL and continue its long-term growth trend. While this alternative would reduce harvest in the short-term, charter industry harvest would likely remain above the GHL as they were in 2004 and likely continue a long-term growth trend in harvest levels. Industry interviews indicated that the banning of multiple trips per day was unlikely to

significantly reduce harvest, but would economically affect operators who rely on that business model to stay in business. These same interviews indicated that the institution of a six fish annual bag limit would economically affect those charter operators who are currently providing experiences longer than three days in length through increased marketing costs and lower margins. In the long-term, the result of these effects could be a transfer of pressure from inside passage communities (e.g., Petersburg and Wrangell), which rely on halibut in the summer months to those facing the Gulf of Alaska (e.g., Sitka), which have greater access to a variety of species. This alternative could also lead to increased pressure on alternative species or increased time spent conducting non-fishing activities. The elimination of harvest by crew members was widely supported by charter operators during the interviews and is not expected to cause significant economic losses to the industry. Note that if the BOF approved ADF&G Proposal 400 and the Commissioner prohibit halibut retention by skipper and crew, then no additional harvest reduction is achieved by Council action to implement that component of Alternative 2—the end result is the same regardless of which political entity effects the harvest reduction. However, State action is unknown at the time of release of the analysis and may remain unknown at the time of Council final action.

- Alternative 3 would limit vessels to one trip per day, eliminate harvest by crew members, and place an annual limit of five fish on charter clients. This alternative would have reduced harvest in 2004 from 122.2 percent of the GHL to a range of 101.3 and 102.7 percent of the area's GHL. In 2002 and 2003, the alternative would have reduced area harvest to a range of 71.9 and 73.3 percent and between 80.3 and 81.7 percent, respectively. While in 2004 these management measures would have reduced harvest to nearly the level of the current GHL, any growth in harvest would again lead to a larger difference between the GHL and harvest levels. While this alternative would reduce harvest to a level close to the GHL, it is likely that charter industry harvest would remain slightly above the GHL and continue a long-term growth trend in harvest levels. Alternative 3 would have all of the same economic effects as Alternative 2, but would also result in additional economic effects for charter operators and lodges that book anglers for stays longer than two days in duration because a 5-fish limit is the functional equivalent of a two-day limit of 4 fish since few anglers would pay the same amount for half the daily bag limit. In the long term, the result of these effects could be a transfer of pressure from inside passage communities (e.g., Petersburg and Wrangell) which have limited access to species other than halibut during July and early August to those facing the Gulf of Alaska (e.g., Sitka and Prince of Wales Islands) where anglers have the option of substituting other species for halibut.

GHL Calculated Using Five-Year Average Weight Estimates – Area 2C (Method 2)

Method 2 incorporates the recommendation of the Council to use a five-year average weight estimate and to examine three years of data instead of just 2004 (Table 3). The use of five-year average halibut weights changes the net results using 2004 data, but does not substantively change the results as reported using the average annual halibut weights for 2002 and 2003. For example, a one-year estimate of halibut harvest weight under Alternative 3 would have reduced charter harvests to a range of 71.9 and 81.7 percent of the area GHL in 2002 and 2003. Using five-year average weights under Alternative 3, the harvests would have been between 76.1 and 77.5 percent of the GHL in 2002 and 78.9 and 81.0 percent in 2003. Thus, the use of five-year average weights reduced the variability of the estimates by smoothing year-to-year variations in halibut weight. However, the use of five-year average weights does not change the practical results in 2002 and 2003, such that both alternatives would have resulted in harvest reductions and overall harvest levels below the GHL.

The effect of using the five-year average weight on 2004 data is substantially different. Because the 2004 estimated of average halibut harvest weight (20.7 lb) is higher than the five-year average weight (19.5 lb), the estimate of the 2004 charter halibut harvest drops 6.1 percent (i.e., from 1.750 M lb to 1.643 M lb). This also changes the 2004 charter harvest estimate as a percentage of GHL (i.e., from 122.2 percent to 114.7 percent). The net result of using the five-year average is that Alternative 2 would have reduced charter halibut harvest to a level very near, but slightly above, the GHL in 2004. Alternative 3 would have reduced charter halibut harvest to a range of 95.0 and 96.4 percent of the GHL; a level below the GHL. Thus, the net effect of the use

of five-year average weight estimates is two-fold in Area 2C: (1) it is less sensitive to annual changes in halibut weights; and (2) it changes the evaluation of the alternatives using 2004 data.

Table 3. Effect of alternatives of charter industry halibut harvest (2004) in Area 2C (Method 2)

Category	Management Measure/Effect (Reduction in %)	Alt. 1	Alt. 2		Alt. 3		
			Lower-Bound	Upper Bound	Lower-Bound	Upper Bound	
Management Component	One Trip Per Day (2002)	N/A	0.4%	0.9%	0.4%	0.9%	
	One Trip Per Day (2003)	N/A	0.4%	0.9%	0.4%	0.9%	
	One Trip Per Day (2004)	N/A	0.3%	0.6%	0.3%	0.6%	
	No Harvest by Skipper & Crew	N/A	3.3%	4.5%	3.4%	4.6%	
	6 Fish Annual Limit (2002)	N/A	8.3%	8.3%	N/A	N/A	
	6 Fish Annual Limit (2003)	N/A	7.5%	7.5%	N/A	N/A	
	6 Fish Annual Limit 2004)	N/A	7.0%	7.0%	N/A	N/A	
	5 Fish Annual Limit (2002)	N/A	N/A	N/A	13.7%	13.7%	
	5 Fish Annual Limit (2003)	N/A	N/A	N/A	13.1%	13.1%	
	5 Fish Annual Limit (2004)	N/A	N/A	N/A	12.2%	12.2%	
	Effect in 2002	Estimated Harvest with Restrictions (M lb)	1.350	1.190	1.170	1.110	1.090
		Harvest as Percent of GHL	94.3%	83.1%	81.7%	77.5%	76.1%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	1.395	1.240	1.210	1.160	1.130	
	Harvest as Percent of GHL	97.4%	86.6%	84.5%	81.0%	78.9%	
Effect in 2004	Estimated Harvest with Restrictions (M lb)	1.643	1.470	1.440	1.380	1.360	
	Harvest as Percent of GHL	114.7%	102.7%	100.6%	96.4%	95.0%	

Source: Northern Economics, Inc. estimates based ADF&G Logbook and Statewide Harvest Survey Data.

Expected Effect of Each Alternative in Area 3A

In 2004, the charter halibut harvest was reported to be 100.5 percent of the 3.65 M pound GHL. The proposed alternatives are likely to reduce Area 3A charter harvests below the GHL.² However, charter halibut harvests have a long-term, but highly variable growth pattern. Thus, Alternative 3 would likely provide the longest time period before charter halibut harvests approach the GHL in the future because it reduces overall harvest the most.

- Alternative 1, the no action alternative, would not reduce current harvest levels or change current charter halibut trends without independent action by the Alaska Board of Fisheries or ADF&G as described for Area 2C. If the State (either BOF or ADF&G) adopts the retention prohibition, then an indirect result of Alternative 1 would be a minimum reduction in harvest of between 7.7 and 10.5 percent. If such a prohibition had been made in 2004 the charter halibut harvest would have been under the GHL by approximately seven to ten percent. ADF&G can not estimate harvest reduction associated with a separate proposal to limit the number of lines to the number of clients onboard due to uncertainty of fishing behavior by anglers and crew. However, Alternative 1 would not reduce current harvest levels further and harvests would likely continue their current trends of long-term growth if ADF&G's proposals are not accepted by the BOF.

Note that both ADF&G staff and charter operators have stated that the 2005 harvest in Area 3A is likely to be under the GHL. Charter halibut operators indicated that the 2004 harvest was boosted by the diversion of tourism activities away from interior Alaska to Southcentral Alaska because of interior wildfires. Thus, it is likely that under the no action alternative, and without State action,

² Note that any of the component measures analyzed for this area would reduce harvest below the GHL.

harvest levels in Area 3A may slip below the GHL in 2005 and Council action may be delayed for a short period before growth in tourism and the charter fleet pushes harvest above the GHL, warranting the Council to initiate a new analysis of these same measures in the future if the Council makes no further changes to the management of the charter sector.

- Alternative 2 would limit vessels to one trip per day. This alternative would have reduced harvest in 2004 from 100.5 percent of the GHL to a range of 94.0 and 96.1 percent of the GHL. This alternative would have reduced harvests in 2002 to a range of 71.2 and 72.3 percent of the GHL from 74.6 percent, while it would have reduced harvest to a range of 87.9 and 89.4 percent of the GHL from 92.7 percent in 2003. Charter halibut operators reported that the effect of this measure could be very short-term as the response of operators using the multi-trip per day or overnight trip business models would likely increase the number of boats operated and work to ensure that boats now operated at voluntary less-than-capacity levels are operated at full capacity. Additionally, the effect of the alternative likely is overestimated even without the adaptations above, because of excess capacity in the Southcentral charter fleet, whereby a portion of displaced clients are likely to find seats with operators currently using the one-trip-per day business model. Charter halibut operators reported that the effect of this measure could be very short-term as the response of operators using the multi-trip per day or overnight trip business models would likely increase the number of boats operated and work to ensure that boats now operated at voluntary less-than-capacity levels are operated at full capacity.

Alternative 3 would limit vessels to one trip per day and eliminate harvest by crew members. It would have reduced harvest in 2004 from 100.5 percent of the GHL to a range of 83.5 and 88.4 percent of the GHL (Table 4). It would have reduced harvest to a range of 63.4 and 66.6 percent of the GHL from 74.6 percent in 2002, while it would have reduced harvest to a range of 78.2 and 82.3 percent of the GHL from 92.7 percent in 2003. As with Alternative 2, the reduction associated with restrictions on the number of trips per day is likely to be overestimated by this analysis and short-lived. The majority of the reduction comes from the elimination of crew harvests³. Charter halibut operators reported that the latter measure is likely to be the most effective,

Table 4. Effect of alternatives of charter halibut harvest in Area 3A (Method 1)

Category	Management Measure/Effect	Alt. 1	Alt. 2		Alt. 3	
			Lower-Bound	Upper Bound	Lower-Bound	Upper Bound
Management Components	One Trip Per Day (2002)	N/A	3.1%	4.5%	3.1%	4.5%
	One Trip Per Day (2003)	N/A	3.5%	5.1%	3.5%	5.1%
	One Trip Per Day (2004)	N/A	4.4%	6.4%	4.4%	6.4%
	No Harvest by Skipper & Crew	N/A	N/A	N/A	7.7%	10.5%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	2.720	2.640	2.600	2.430	2.310
	Harvest as Percent of GHL	74.6%	72.3%	71.2%	66.6%	63.4%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	3.380	3.260	3.210	3.010	2.860
	Harvest as Percent of GHL	92.7%	89.4%	87.9%	82.3%	78.2%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	3.670	3.510	3.430	3.230	3.050
	Harvest as Percent of GHL	100.5%	96.1%	94.0%	88.4%	83.5%

Source: Northern Economics, Inc. estimates based ADF&G Logbook and Statewide Harvest Survey Data.

³ When not outlining the full text of specific alternatives, this report uses the term "crew harvest" to denote harvest by skippers, deck hands, and others working on charter vessels. Additionally, this analysis defines a trip as actively being on the water and fishing with paying clients during a calendar day. For example, a vessel leaving Wednesday night and returning on Thursday morning and actively fishing with paying clients on both days is defined as having taken a trip on both Wednesday and Thursday. No further activity would be permitted on Thursday under the one trip per day limit.

have the greatest long-term effect, and have the least economic effect on charter operators. This may suggest that charter operators would prefer elimination of crew harvests as a preferred method to achieve the GHL. Some had recommended that the one-trip per day limit be removed from the alternative, as having too great a negative effect on certain operations when the necessary reduction could be achieved by the prohibition on retention. The effect of Alternative 3 is equivalent to Alternative 2 if the State implements a prohibition on retention of halibut by skippers and crew. However, possible action by the ADF&G Commissioner under Emergency Order Authority (under ADF&G Proposal 400) is speculative, as described above for Area 2C.

GHL Calculated Using Five-Year Average Weight Estimates – Area 3A

The use of five-year average halibut weights does not have a substantive effect on the results for Area 3A (Table 5). While using the five-year average weights raises the estimate of the GHL coverage in 2004, the numerical estimates of the effect of the proposed alternatives indicate that any alternative is likely to reduce Area 3A charter harvests below the GHL. However, the use of these averages does not address the highly variable, but long-term, growth pattern in harvests and Alternative 3 would still likely provide the longest time period before harvests approach the GHL in the future.

Table 5. Effect of alternatives of charter halibut harvest in Area 3A (Method 2)

Category	Management Measure/Effect	Alt. 1	Alt. 2		Alt. 3	
			Lower-Bound	Upper Bound	Lower-Bound	Upper Bound
Management Components	One Trip Per Day (2002)	N/A	3.1%	4.5%	3.1%	4.5%
	One Trip Per Day (2003)	N/A	3.5%	5.1%	3.5%	5.1%
	One Trip Per Day (2004)	N/A	4.4%	6.4%	4.4%	6.4%
	No Harvest by Skipper & Crew	N/A	N/A	N/A	7.7%	10.5%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	2.906	2.820	2.770	2.590	2.470
	Harvest as Percent of GHL	79.6%	77.3%	75.9%	71.0%	67.7%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	3.175	3.060	3.010	2.820	2.680
	Harvest as Percent of GHL	87.0%	83.8%	82.5%	77.3%	73.4%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	3.802	3.640	3.560	3.340	3.160
	Harvest as Percent of GHL	104.2%	99.7%	97.5%	91.5%	86.6%

Source: Northern Economics, Inc. estimates based ADF&G Logbook and Statewide Harvest Survey Data.

Overall and Long-Term Efficacy of the Alternatives and Management Measures

The long-term efficacy of each alternative is likely to be limited because halibut charter operators and their clients will respond strategically to the proposed management measures. For example, the efficacy of limiting boats to one trip per day will likely be limited by the purchase of additional boats, the ability of a sizeable portion of displaced clients to find replacement seats on other boats, and the expansion of capacity on boats running overnight charters which are currently running below legal capacity. The efficacy of prohibiting retention by crew members will be limited by their shifting harvest to the recreational sector. While this shift will not count against the GHL it would be counted in the IPHC deductions of total sport catch from total CEY. The efficacy of annual limits is likely to be limited by the substitution of bare-boat charters and other self-guided activities because the costs of charter fishing could become less attractive under the annual limit. Again, the harvest resulting from this behavior would not count against the GHL, but would be counted in the IPHC's deductions for total sport catch from total CEY. Finally, it should be anticipated that a response to restrictive annual limits in Area 2C may be a shift in pressure to Area 3A where no limit is proposed. An increase in bareboat charters may also occur. These strategic responses will reduce the efficacy of the proposed alternatives and will reduce the potential opportunity costs to charter operators and clients.

In its February 2006 minutes, the SSC "observes that the inexorable consequence of a GHL that is non-binding within a season, coupled with management instruments for limiting catches by the charter-based

halibut sport fishery that are potentially ineffectual, is that the Council should anticipate an ongoing de facto reallocation of catches from the commercial fishery to the charter-based sport fishery for halibut. If the charter-based sport fishery were subject to binding limits under an IFQ program, the reallocation between commercial and charter-based fisheries would take place through voluntary transactions in a market. In the absence of tradable harvest shares, the Council will, consciously or unconsciously, serve as the arbitrator between the commercial and charter industries with actions taken to benefit one sector resulting in uncompensated costs to the other sector. Within such a political market, each sector is left with an individually rational but collectively irrational incentive to squander potential benefits of increased shares in an endeavor to influence the Council's active or passive decisions."

Proposed GHL measures may not be effective over the long term in stopping the reallocation from commercial to charter sectors. This will result in recurrent regulatory actions and allocation disputes between the sectors that will result in ongoing management costs to State and Federal agencies. It is not possible to document the costs of potential action(s). The SSC stated, ". . . the approach the Council has adopted to management (sic) of the charter-based sport fishery for halibut presents a clear example of the types of problems that can emerge when there are substantial temporal delays between prosecution of the fishery, generation of data on the magnitude of removals, and tweaking of management measures intended to influence the magnitude of future removals. This type of problem is commonly known as a delayed feedback loop. Delayed feedback loops exhibit cyclic overshoot and undershoot around the intended target, but control rules can be designed to dampen the oscillation if the system is stationary and deterministic. If the system includes a random element, or a trend or other nonstationarity, management actions will tend to exacerbate cyclic overshoot and undershoot. The upshot of this is that it is unlikely that catches in the charter-based halibut sport fishery can be constrained to intended targets when there is a 1-2 year delay between prosecution of the fishery and generation of data regarding the magnitude of removals and another 1-2 year delay between when the data are available and management measures are selected and implemented. One solution to the delayed feedback problem is to shorten the delays. In the case of management of the charter-based halibut sport fishery, this would involve development of indices of removals that can be used to estimate catches as the season progresses coupled with the adoption of management measures that could be automatically triggered if removals were projected to exceed the GHL. The SSC is pleased to learn that ADF&G will resume inclusion of halibut in the charter logbook program in 2006; the logbook data could serve as an instrument for more timely assessment of charter-based catches of halibut."

Separate Accountability Alternative (as modified by discussion with the IPHC)

Proposal: Request that the IPHC establish a separate accountability system for guided sport and commercial harvests of halibut by removing the guided sport harvest from the "other removals" line item in the IPHC calculation and applying the GHL allocation directly to a combined fishery limit established by the IPHC in each area. Management actions to maintain catch limits with sector allocations would be developed post-season and implemented in a timely manner.

Rationale:

In October 2005, the NPFMC initiated analysis of alternatives to lower guided sport halibut harvests in Areas 2C and 3A in order to avoid GHL overages. The alternatives under consideration establish a management plan for the guided sport fishery while minimizing economic impacts to all sectors. The proposed separate accountability alternative would minimize the economic impacts associated with GHL overages. It would also align the accountability system used for the guided sport halibut harvest more closely with that used in other NPFMC fisheries and in other IPHC regions.

Currently, the guided sport harvest of halibut in Alaska is included in the "other removals" category that the IPHC subtracts from the area yield before setting the constant exploitation yield (CEY) for the commercial setline fishery. This causes any overage of the guided sport GHL to come directly off the commercial quota, resulting in an open-ended reallocation. Items 3 and 4 of the Council's problem statement refer to the social and economic impacts this open-ended reallocation is having on the commercial fleet and community stability.

This accounting system is unique to Alaska. In California, Oregon, Washington, and Canada, the regional councils have established an allocation between the sport and commercial harvests. Each sector is managed to stay within its allocation, and overages in one sector affect the available biomass in future years, but are not directly subtracted from the quota of another sector.

The separate accountability approach would align the accounting of sport halibut in Alaska more closely with sector management in other IPHC regions, the remaining difference being that non-guided sport and personal use would continue to be accounted for in the "other removals" line in order to provide unrestricted access. The separate accountability approach is also consistent with NPFMC management

of gear splits such as sablefish and P. Cod. In these fisheries, an overall TAC is established, sector sub-allocations are made, and each sector is managed to stay within its allocation. Some plans have roll-over provisions, but overages by one sector do not directly reduce the quota of a separate sector.

Under the separate accountability approach, overages and underages in the commercial and guided sport sectors would be treated the same way—overages would reduce the available biomass in future years and underages would stay in the water and increase the biomass available in future years. Overages would also trigger Council action to modify the appropriate sector's management plan, as does the current GHL. It should also be noted that in the 10 years since the implementation of commercial IFQs between 200,000 and 300,000 lbs have remained un-harvested each year in areas 2C and 3A making it unlikely that overages in the GHL will cause the area CEY to be exceeded.

In summary, the surpassing of the GHL by the guided sport fishery in both 2C and 3A has caused the Council to consider alternatives that hold the guided sport harvest to the GHL while minimizing economic impacts and addressing the open-ended reallocation of quota between sectors. The separate accountability approach both addresses the open-ended reallocation and minimizes economic impacts, taking the pressure off the commercial sector while the Council re-designs the long-term management plan for the guided sport fishery. The separate accountability approach can also be applied if the GHL is changed to a floating percentage of the area CEY.

Table 1: Comparison of current annual CEY process and separate accountability alternative using a fixed GHL.

Current Method			Separate Accountability		
	2C	3A		2C	3A
Total CEY	13.73	32.18	Total CEY	13.73	32.18
Other Removals			Other Removals		
Combined Sport Catch	2.54**	5.44**	Non-Guided Sport Catch	0.79	1.73
Legal-sized Bycatch	0.14	1.32	Legal-sized Bycatch	0.14	1.32
Personal Use	0.68	0.40	Personal Use	0.68	0.40
Legal Sized Wastage	0.04	0.08	Legal Sized Wastage	0.04	0.08
Total Other Removals	3.40	7.24	Total Other Removals	1.65	3.57

Fishery CEY	10.33	24.94	Combined Fishery CEY	12.08	28.61
Commercial Catch Limit	10.63	25.2	Combined catch limit	12.062	28.65
			Guided Sport GHL	1.432	3.65
			Commercial Catch Limit	10.63	25.0

** Charter portion of catch based on ADF&G data from 2006 GHL analysis table 3 page 23.

COMMISSIONERS:

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INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
AND THE UNITED STATES OF AMERICA

AGENDA C-6 (b)(2)
APRIL 2006

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March 28, 2006

Ms. Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501

Re: April 2006 Meeting, Agenda Item C-6

Dear Stephanie,

Recent halibut industry proposals and discussions by the GHL and Charter Stakeholder Committee regarding management of the guided sport halibut fishery have suggested that the Council's process would be aided by having an understanding of how an allocation could best fit into the catch-limit setting process used by the International Pacific Halibut Commission (IPHC). Our comments should be understood in the context of the Commission recognition that allocation is entirely the purview of the Council.

The Commission's desire is for a long term, comprehensive approach and is based on the IPHC process for similar allocation issues in other regions of the coast. Under this approach, the IPHC would adopt a combined catch limit for guided charter and commercial fisheries at its January Annual Meeting. The IPHC would provide this combined catch limit to the Council for further allocation between sectors, using whatever formula or plan it has developed. The IPHC's expectation would be that the Council and NMFS would manage each of the two fisheries to achieve their allocated catch limit. The IPHC component of this process is depicted in the attached figure.

With regard to effective management of the guided sport halibut fishery, several issues have been raised:

1. Timely reporting of harvest;
2. Management is responsive to the need for regulatory changes to constrain the guided harvest to the allocated catch limit;
3. Inseason vs. post-season management; and
4. A Catch Sharing or Management Plan.

Timely reporting of harvest – Until recently, use of the State of Alaska's Statewide Harvest Survey has been sufficient to provide an estimate of the harvest by the sport fishery. Results from the Survey take about one year to become available, and projections of the sport harvest in the latest year made by ADF&G staff have been used in the interim. The projections have on average been sufficiently accurate ($\pm 3\%$ over the long term), although the variance of the

projections relative to the final number have been high. The adoption of the Guideline Harvest Level (GHL) and discussion of other management options for the guided sport fishery have underscored the need for a timely reporting of harvest to prevent overharvests. This is especially important feature in an allocation plan, as the IPHC would expect that all harvests would be managed to the allocated limits. Programs such as the ADF&G's charter logbook program should provide data in a more timely fashion. ADF&G representatives have stated that up to three years of data may be needed to assess the adequacy of the logbook program as the basis of annual harvest estimates. The IPHC staff recognizes the need for a phase-in of data from the logbook program for estimating the harvest, but would expect to review the results of the program to ensure that the logbooks will provide data that are reliable for management.

Responsive management – Agency staff have estimated that, at present, it takes a year to identify an overage of the GHL, another year to propose and analyze necessary management measures, and then two additional years to implement and measure the fishery performance to assess the adequacy of the measures. The IPHC staff does not believe this time frame is sufficiently responsive for effective management of the guided charter allocation. From the Commission's perspective, effective management requires more responsive implementation of remedial measures, in order to ensure conservation.

In-season vs. post-season management of the guided fishery – The nature of the management of the guided sport fishery is obviously a decision for the Council. However, the IPHC staff recognizes that the charter fishing industry in Alaska has not been accustomed to responding to regulatory changes within the fishing season, such as those that occur in IPHC Area 2A. The IPHC staff would be comfortable with post-season changes in the management of the guided fishery, to be implemented for the subsequent year. This is also the process that will be followed in IPHC Regulatory Area 2B. We believe the Council is the appropriate entity to determine and develop an appropriate process for the guided sport halibut fishery.

A Catch Sharing or Management Plan - From the IPHC's perspective, a formal catch sharing plan or catch management plan is the most desirable allocation process, but the necessity of such a plan is clearly a decision for the Council. Until such a plan is adopted, the Commission would consider a written request from the Council to have the IPHC approve a combined guided sport/commercial fishery catch limit, with the understanding that this would be an interim approach while the Council works on a longer term solution. The Commission could also consider adopting an allocation division of this catch limit, for regulatory purposes, at the direct request of the Council.

Lastly, we would like to comment on the Separate Accountability (SA) proposal submitted by the Alaska Longline Fishermen's Association. Comments made previously by IPHC staff and the proponents were based on some misunderstanding of the IPHC process for adopting catch limits. Subsequent discussions between the staff and ALFA representatives have clarified many of the issues, and we now find that the process being proposed is similar to what we have described at the beginning of this letter.

IPHC staff will be in attendance at the April meeting, and will be able to clarify or elaborate on these comments. Thank you for the opportunity to provide these comments.

Sincerely,

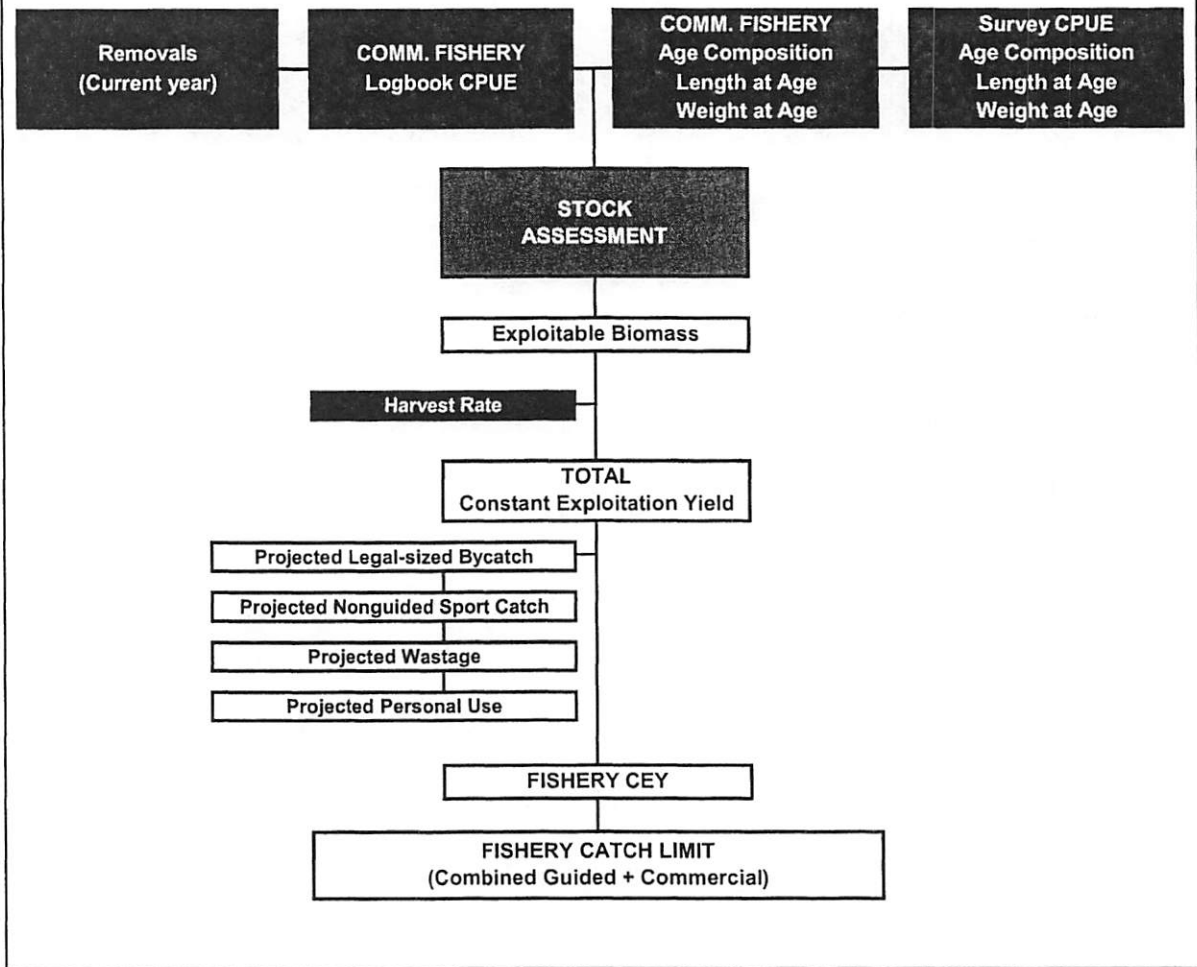
A handwritten signature in black ink, appearing to read "Bruce", written in a cursive style.

Bruce M. Leaman
Executive Director

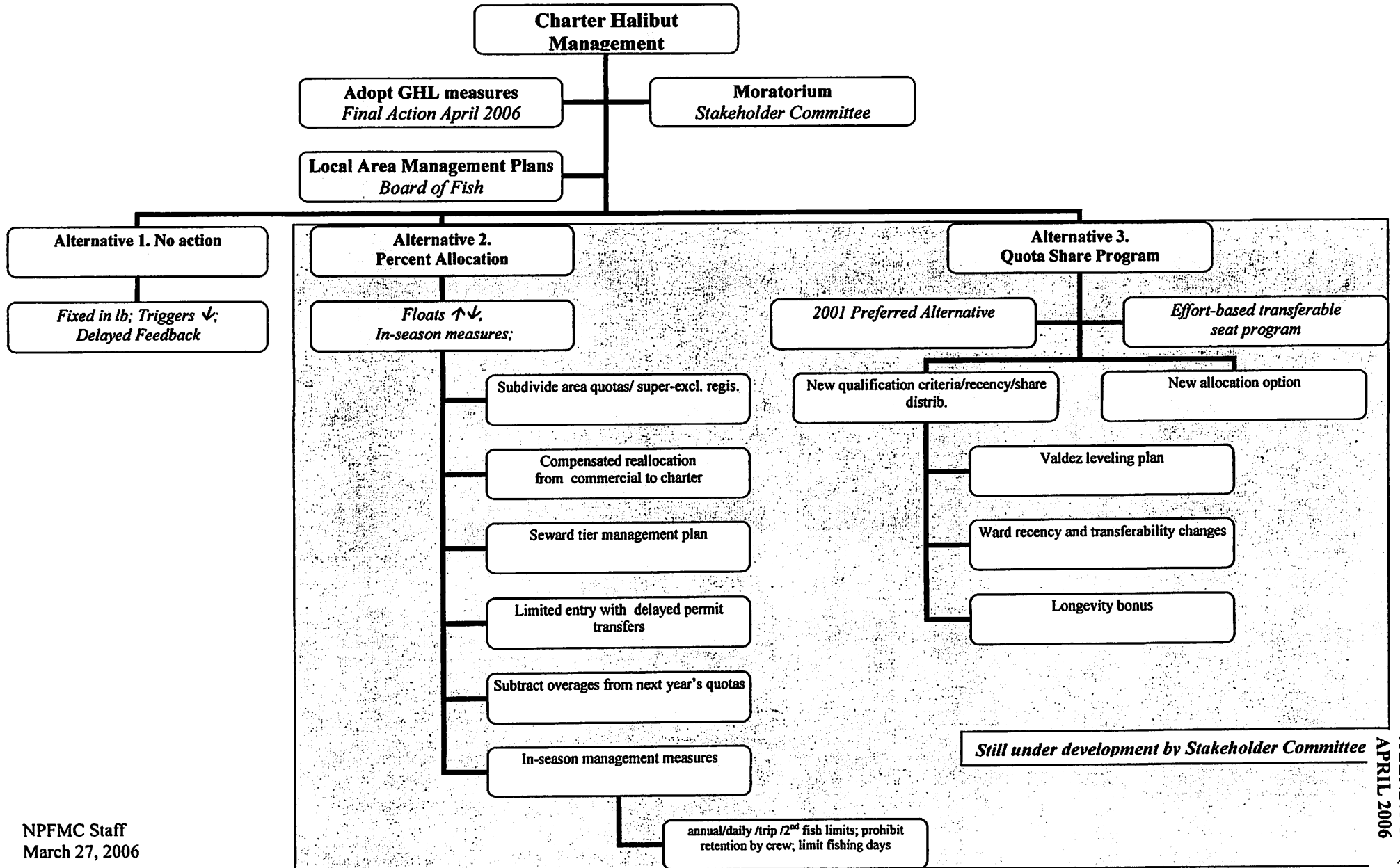
cc: Commissioners

Attachment

METHOD FOR SETTING A COMBINED FISHERY CEY & CATCH LIMIT



PROPOSED ORGANIZATIONAL CHART FOR NPFMC ACTION TO MANAGE THE CHARTER HALIBUT FISHERIES IN AREAS 2C + 3A



**CHARTER IFQ STAKEHOLDER COMMITTEE
MORATORIUM ALTERNATIVE
March 23, 2006**

Issue 1. Areas

- Option 1. 2C and 3A
- Option 2. Area 2C and 3A, exclude those communities previously identified by the Council

Issue 2. Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership.
Grandfather currently licensed vessels.

Issue 3. Qualifying years - State guide business registration for 2004 or 2005 with client activity for bottomfish effort logged in logbook for 2004 or 2005:
Suboption 1: minimum of (1, 10, 20) active logbook entry (1 trip) for bottomfish
Suboption 2: medical emergencies as developed recently for the commercial QS program
Suboption 3: military exemption, as developed recently for the commercial QS program and Army boats
Suboption 4: under construction as of December 9, 2005, as developed recently for the commercial QS program
Suboption 5: constructive losses
and participation in the year prior to implementation

Issue 4. Owner v. Vessel

- Option 1. owner/operator or lessee
- Option 2. vessel

Issue 5. Mandatory evidence of participation:

- 1. State guide business registration
 - 2. ADF&G logbook submitted in timely fashion, with bottomfish effort
- Supplemental evidence of participation:
- 1. Alaska State business license
 - 2. insurance for passenger hire
 - 3. enrollment in drug testing program (CFR 46)
 - 4. Coast Guard license

Issue 6. Annual permit renewal criteria (use it or lose it)

- Option 1. do not require renewal
- Option 2. must renew, minimum activity of 20 halibut charter days
- Option 3. not renewable, if permit holder lets it expire
- Option 4. emergency medical exception

Issue 7. License Designations

- a. uninspected (6-packs) vessels : 6 clients;
- b. inspected vessels : License designation is limited to highest number of clients on any given trip in 2004 or 2005, but not less than 4;
- c. 12-packs : grandfathered in at previous limit
- d. new construction : 6 for uninspected and inspected vessels
- e. constructive loss : previous limit

Issue 8. Use caps, with grandfather¹ provision during the moratorium

- | | |
|--|--------------------|
| inspected vessels (limited to 6 or 12 clients) : | inspected vessels: |
| Option 1. 1 | Option 1. 1 |
| Option 2. 5 | Option 2. 2 |
| Option 3. 10 | Option 3. 3 |

¹Grandfather provisions to mirror the commercial halibut IFQ program (transferred vessels lose their grandfathered status; block retains grandfather status)

Issue 9. Transfers would be allowed, permits may be stacked, immediately transferable

Issue 10. No leasing

Issue 11. Duration for review - in effect until subsequent Council action

Issue 12. Definition of bottomfish effort for evidence of participation - any entry with recorded bottomfish statistical area, rods, or boat hours

Percent allocation alternative

Issue. Percentage allocation includes qualifying period

Option 1a. 16.37% for 2C 15.92% for Area 3A (125% of average harvest of 2000-2004, translated to percentage)

Option 1b. 1.693 MIb for Area 2C and 4.011 MIb for Area 3A

Option 2a. 13.05% for Area 2C and 14.11% for Area 3A (relative to 1995-99)

Option 2b. 1.432 MIb for Area 2C; 3.650 MIb for Area 3A; w/stair step up and down

Option 3. 14.7% in Area 2C; 12.9% in Area 3A (percentage of total combined fishery actual catch percentage of combined commercial/charter catch)

Option 4. 12.1% of Area 2C; 12.9% of Area 3A (percentage of GHIL v. 2004 combined commercial/charter fishery (convert current GHIL into percentage based on 2004))

Majority of the committee is opposed to subarea allocations, with abstentions

Does not include IPHC research fish

Option 3 and 4 do not use catch limits, but catch

ALFA: The committee recommended that the ALFA proposal for separate accountability was not appropriate for the current GHIL program, but that it be brought into the long term solutions being addressed by the committee.

Limited entry

License Class by regulatory area 2C and 3A

Option 1. no license classes

Option 2. License class:

Class A. 1. Immediately transferable

2. more than or equal to a) 10; b) 30; or c) 50 days

Class B. 1. non-transferable, except to underdeveloped communities immediately, if Issue 1, Option 1 is selected

2. less than or equal to preferred alternative above [a) 10; b) 30; or c) 50 days]

Option 3. License class:

Class A. 1999 and earlier; and most recent year

Class B. 2000-2002; and most recent year

Class C. 2003-2005; and most recent year

Suboption to Options 2 and 3. By port/subarea

Yet to be defined

-Vessel classes created in case harvest restrictions would be implemented, then most recent entrants and latent capacity take the first hit.

-could be addressed differently in each area, perhaps for subareas – next meeting

-look at CFEC permits for permit classes on finer geographic areas, state reg areas

License recipients Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership.

Grandfather currently licensed vessels.

Owner v. Vessel

Option 1. owner/operator or lessee

Option 2. vessel

License Designations –

Option 1. no designation

Option 2. area designation (2C and 3A)

Option 3. subarea designation

e.g., in Area 3A, create K class (around Kodiak intermediate between developed and underdeveloped); reduce by 10 days

committee will develop criteria for April 2006 meeting

Option 4. license designation

1. inspected

2. uninspected

Option 5. license designation

1. ave. no.clients (rods fished)

2. historical high per boat, upgrade by purchase seat share to step up to limit of class permit

Option 6. angler permit

Angler day option within limited entry plan (to address latent capacity, but rights based? Similar to transferable seat option)

1) Limited Entry Permits: who would qualify
Everyone who holds current and active moratorium permit

Initial issuance of angler-day units:

(Angler day unit= 1 client fishing bottomfish/halibut in 1 day)
Using logbook data, determine number of angler days per vessel
Award number of angler day units that correspond to:

- a) Most recent year total
- b) Average of 2-3 most recent years
- c) Best of 2-3 most recent years

Transfers

LLP permit fully transferable, but need angler days to fish halibut
Angler days have two types of transfers:

- 1) Permanent: must go through NMFS (RAM division)
- 2) In-season transfers: allowed between private parties (doesn't need to go through NMFS)

Enforcement / Administration:

NMFS issues certificates annually (1 certificate per angler-day unit)
Before client starts fishing halibut, certificate must be filled out date, client name, fishing license #. Certificates stay on board vessel during trip and are turned in with that day's logbook sheet.

Tie the certificate to the harvested fish;
salmon trips that catch halibut should have certificates for that trip(?); how to handle if only 1 halibut is caught – do all fishermen require a certificate
needs mechanism to grow under increased allocation thru compensated reallocation and increased abundance

Option 7. angler permit

angler permits (makes fishery more efficient, affects capacity because it would not issue more permits than earned?)

committee will discuss this proposal offline and report back in April

Who may purchase license

Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership.

[Anyone who can meet State and USCG licenses to charter or anyone who wants to hire skippers]

Leasing

Option. 1 not allowed, except for medical transfer, military or constructive loss

Suboption 1: medical emergencies as developed recently for the commercial QS program

Suboption 2: military exemption, as developed recently for the commercial QS program and Army boats

Suboption 3: constructive loss

Option 2. allowed, limited to cap

Vessel replacement and upgrade

Option 1. inspected vessels

Option 2. uninspected vessels

Grandfather 12-packs gross tonnage over 100 gross t, does not require lifeboats (super T (passenger for hire) typically not fishing from boat, more like tourboats)

Vessel use caps, with grandfather¹ provision during the moratorium
inspected vessels (6 +12) : for inspected vessels:
Option 1. 1 Option 1. 1
Option 2. 5 Option 2. 2
Option 3. 10 Option 3. 3

¹Grandfather provisions to mirror the commercial halibut IFQ program (transferred vessels lose their grandfathered status; block retains grandfather status)

Annual permit renewal (use it or lose it)
Option 1. do not require renewal
Option 2. must renew
Option 3. not renewable, if permit holder lets it expire

¹ objection to not requiring minimum participation to renew permit

Transfers

Option 1: allowed (see Issue 3)
Option 2. permit stacking is allowed (tied to use caps)
Option 3. Permit Class for each area
 1. No permit class
 2. Permit class with immediate transferability
 Immediately transferable (A): more than or equal to a) 10 b) 30 c) 50 days
 Non-transferable (B), except to underdeveloped communities immediately, if Issue 1,
 Option 1 is selected: less than or equal to a) 10 b) 30 c) 50 days

Additional Provisions

1. **Licenses represent a use privilege. The Council may convert the license program to an IFQ program or otherwise alter or rescind the program without compensation to license holders.**
2. **Severe penalties may be invoked for failure to comply with conditions of the license.**
3. **License may be suspended or revoked for serious and/or multiple violations.**

**DRAFT CHARTER IFQ STAKEHOLDER COMMITTEE
FEBRUARY 27-28, 2006**

Dr. Dave Hanson, Chair
Seth Bone
Bob Condopoulos
Ricky Gease
John Goodhand
Kathy Hansen
Dan Hull

Joe Kyle
Larry McQuarrie
Rex Murphy
Chaco Pearman
Greg Sutter
Kelly Hepler

The Committee convened at 8:30 on Monday, February 27, 2006. All committee members attended the meeting. After introductions, staff reviewed the draft agenda and meeting materials. Agency staff presented background on: 1) the International Pacific Halibut Commission process for setting the commercial constant Exploitation Yield (CEY); 2) ten year history of Council managements actions to regulate the charter halibut fishery; 3) 1995 NOAA General Counsel legal opinion that State authority to regulate halibut fishing in Convention waters was preempted by federal law; and 4) proposed actions to regulate the fishery under State authority and briefings on some of the State proposed management measures.

Committee members reviewed new proposals for options under the two management alternatives (allocation with traditional management tools and allocation with share-based limited entry).

- Rex Murphy proposed a GHL program that could: a) increase the charter halibut allocation by acquiring commercial QS, b) incorporate a recreational fishing quota (RFQ) that would be purchased by the client in a daily fishing increment (1 bag limit) or a halibut stamp for ten halibut, c) require user fees to administer the program, d) be non-transferable but refundable if not used, and e) require recordkeeping.
- Bob Ward proposed to modify the Council's 2001 preferred alternative to include recent participants and eliminate transferability from the charter to commercial sectors.
- John Goodhand proposed the Valdez leveling plan which also modified the 2001 preferred alternative to address recent participants. It would eliminate the allocation of QS to those who have left the fishery and reallocate those shares to a second pool of new participants.
- Bob Candopoulos presented the Seward Tier Management Plan, which would create two tiers or pools of participants to harvest the GHLS, which may fish under different management measures.

Halibut Data The committee spent a long time discussing whether or not current logbook data could be used for either of the long term management alternatives for the charter halibut sector. Initially, the discussion was related to Issue 3 (Qualification Criteria) from the 2001 QS program preferred alternative, but overlapped Issue 4 (Basis for distributing QS) to a large extent. Also, the committee questioned whether the logbook data for 2002 – 2005 could be used to determine eligibility for a moratorium, "tiered management" program, QS program, or other possible programs. Since the State did not require halibut effort or harvest reporting during 2002-2005, bottomfish effort does not include charter operators who only targeted halibut. The committee did not eliminate the use of logbook data for bottomfish effort at this point. Although ADF&G staff provided some guidance about problems associated with using logbook data, the committee did not definitively conclude whether the data could or could not be used. The SSC review of the use of halibut logbook data in 2003 for QS allocations concluded that it could be used to determine initial allocation, as well as to determine eligibility, but noted that other formula could be used that did not rely on catch history. The committee requested that ADF&G provide an assessment of whether the data can be used for either of the proposed alternatives.

The committee raised the possibility of waiting for halibut data to be collected under new requirements for the logbook program (e.g., 2006 – 2008) and then initiating new management programs, but no decisions were made pending receipt of additional guidance from ADF&G in March.

Problem Statement The committee widely debated the Council's 2001 problem statement, but did not achieve consensus on new language. The committee specifically debated whether overcapitalization could be defined or was occurring in the charter sector.

Common principles/goals. The committee reviewed two drafts of common principles and goals and adopted the following:

Commercial IFQ holders:

- A stable and predictable regulatory and operating environment
- Protection of commercial IFQ allocations from growth in charter harvests
- If reallocation occurs, it occurs through compensation and a mechanism that is responsive to public demand, balancing the interests of consumers, charter clients, communities and the fishing industry.
- Entry level opportunities for commercial fishermen are maintained

Charter boat operators:

- A stable and predictable regulatory and operating environment
- Provide mechanisms for growth
- Provide mechanisms to minimize GHL overages
- Implement accounting system to provide timely landings data
- Minimize in-season charter fishery management and negative economic effects
- Address overcapitalization, when it is defined and where it occurs
- Entry level opportunities for charter fishermen are maintained

Recreational anglers:

- Access to the halibut resource occurs where anglers live or visit
- Reasonable price of participation that meets an individual angler's needs

Alaska coastal communities:

- Address local depletion
- Recognize that both commercial and guided sport fishing sectors are vital to the social and economic health of AK coastal communities now and in the future
- Minimize allocation conflicts and impacts of one sector on another

Summary

1. The Committee recommended that the Council initiate an analysis at its April 2006 meeting, which would consider implementing a **moratorium on entry into the charter halibut fishery using the December 9, 2005 control date**; moratorium permits should be transferable to avoid creating a closed class of permit holders. The Committee recommended that the Council schedule initial and final action in Fall/Winter 2006 and have the program implemented no later than the 2008 fishing season. The committee is interested in pursuing long term limited entry programs, particularly now that the GHLS have been exceeded. It expressed interest in curbing growth in operations and harvests that would exacerbate overages. It acknowledged that in-season measures that may jeopardize businesses further, if the GHLS cannot be controlled by currently proposed measures.
2. The Committee extensively discussed a number of issues (principally the lack of complete halibut data on which to base individual QS allocations, and options to include recent participants) related to the QS program alternative, it did not complete its discussion on this alternative. It developed numerous data requests to assist its next discussion of this alternative in March 2006.
3. The Committee did not discuss the GHL/allocation alternative due to time spent on other agenda items. It also requested data to assist its discussion of this alternative at its next meeting.

Data requests for March 21-23, 2006 committee meeting:

ADF&G

1. Sample logbook sheets for 1998-2006 and angler days for 1999-2005 by area;
2. For 2002+ (years without required halibut reporting):
To explore options in State's proposal for limitations on:
 - a. days fished either by total number of days or by excluding specific days of the week - Provide limitations on days fished either by total number of days or by excluding specific days of the week
 - b. reduced daily limits including size limitations for second fish – Provide data on size of second fish
 - c. moratorium - Provide number of operators, number of operators with bottomfish effort, number of clients with bottomfish effort with 20, 40, 60 days cut-off by port and number of records that show rods fished but do not report a target
3. Number of licensed guided sport operators, vessels in 2C and 3A (pre and post fee)
4. Possible data on angler capacity – e.g., CFEC license data for vessel length; six-packs vs 6+; limit to 6 rods in SE
5. Steps required to establish a moratorium or state limited entry system by area (groundfish and salmon – universe of potentially affected entities);
6. assessment of whether charter logbook data for 1998 – 2005 can be used for either of the proposed alternatives (see discussion of halibut data).
7. initial written assessment of the feasibility of using the current logbook data to 1) determine eligibility for a quota based program or moratorium or any other kind of management; and to 2) determine allocation under a quota based program or “tiered” participation under an allocation based program (submitted after the meeting concluded)
8. data to see if a correlation between the annual harvest data and logbook data can be achieved (submitted after the meeting concluded)

NPFMC

9. Explanation of how overage is deducted by IPHC and as proposed under separate accountability
10. Table of 2000-2006 as if the combined commercial and charter CEY was in place, as biomass was previously predicted and under current estimates
11. Post economic analyses by Herman and Criddle on NPFMC halibut website
12. Post Gulf of Mexico headboat moratorium on website
13. Post State of Washington salmon moratorium on website

Next meeting The committee will convene on March 21-23 at the Anchorage Hilton, Dillingham Room. Its agenda will include:

1. Review requested data reports
2. Finalize committee recommendation to initiate analysis to implement a moratorium on entry into the charter halibut fishery and prioritize staff to develop analysis in 2006
3. Develop an allocation alternative
4. Develop share-based alternative

The committee adjourned at 4:45 pm, Wednesday, February 28, 2006

Staff: Jane DiCosimo (NPFMC), Jay Ginter and Jason Gasper (NOAA Fisheries), John Lepore (NOAA General Counsel), Jason Couse (NOAA OLE), Earl Krygier, Scott Meyer, Doug Vincent-Lang, Diana Tersteeg (ADF&G), Gregg Williams (IPHC)

Public: Eric Olson (NPFMC member), Bryan Bondioli, Burnis Sims, Don Hansen.

5AAC 75.003 Emergency Order Authority

(4) The Alaska Board of Fisheries recognizes that harvest regulations may need to be modified to attain guideline harvest levels/allocations, or to address conservation concerns within the salt water guided fisheries in various areas of the state. If the commissioner determines that regulations must be modified to attain the salt water guided fishery guideline harvest level/allocation, or to address conservation concerns, the commissioner may establish, by emergency order, that sport fishing guides and sport fishing guide crew members working on a charter vessel in marine waters may not retain fish, or certain species of fish, while clients are on board the vessel; and/or the maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities in marine waters is equal to the number of paying clients on board the vessel.

5AAC 75.995(XX) "Sport fishing guide crew member" means a person who, for compensation or with intent to receive compensation for services during a day, provides assistance to clients or a licensed sport fishing guide aboard a sport fish charter vessel.



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 Office of General Counsel
 P.O. Box - 21109
 Juneau, Alaska 99802-1109

AGENDA C-6 (e)
 APRIL 2006

December 4, 1995

MEMORANDUM FOR: North Pacific Fishery Management Council

THROUGH:

Lisa Lindeman

Alaska Regional Attorney

FROM:

Jonathan Pollard

Attorney-Advisor

SUBJECT:

State regulatory authority over the Pacific
 halibut fisheries

QUESTION PRESENTED:

Is State authority to regulate fishing for Pacific halibut in Convention waters preempted by the Convention Between the United States and Canada for the Preservation of the Pacific Halibut Fishery of the Northern Pacific Ocean and the Bering Sea ("Convention") and the Northern Pacific Halibut Act, 16 U.S.C. §§ 773-773k?

BRIEF ANSWER:

Yes. State authority to regulate fishing for Pacific halibut in Convention waters is preempted by federal law. The Convention and the Northern Pacific Halibut Act amount to comprehensive and pervasive federal regulation of, and a dominant federal interest in, direct and uniform regulation of the Pacific halibut fishery in Convention waters.

SHORT DISCUSSION:

A preemption question requires examination of Congressional intent. First, Congress explicitly may define the extent to which its enactments preempt State laws. Second, preemption may be inferred through Congress' occupation of a given field to the exclusion of State law. Such an inference may be drawn when --



the pervasiveness of federal regulation precludes supplementation by the States, or

the federal interest in the field is sufficiently dominant, or

the object of the federal law and the character of the obligations imposed by it reveal the same purpose.

See Pacific Gas and Electric Co. v. State Energy Resources Conservation and Development Commission, 461 U.S. 190, 204 (1982). The Supreme Court repeatedly has held that where Congress has exercised exclusive jurisdiction over a general and inclusive area of activity, the very delegation of regulatory power to an administrative agency will supersede any State action over that area. See Ray v. ARCO, 435 U.S. 151, 157 (1978); Bethlehem Steel v. New York Labor Relations Board, 330 U.S. 767 (1947). Such a comprehensive arrogation of governmental powers nullifies looser or stricter direct State regulation of the subject matter. See Ray v. ARCO, 435 U.S. 151 (1978); Huron Portland Cement v. Detroit, 362 U.S. 440 (1960).

Finally, even where Congress has not entirely displaced State law in a particular field, State law is preempted to the extent that it actually conflicts with federal law. Such a conflict will be found when --

it is impossible to comply with both State and federal law, or

the State law stands as a obstacle to the accomplishment of the purposes and objectives of Congress.

See Pacific Gas and Electric Co. v. State Energy Resources Conservation and Development Commission, 461 U.S. 190, 204 (1982).

Although the Convention and the Halibut Act do not expressly preempt State laws directly regulating the Pacific halibut fishery in Convention waters, the Convention and the Act amount to a pervasive scheme of federal regulation occupying the field to the exclusion of all State laws that are not identical to the federal regulations. Article I of the Convention states that all

fishing for Pacific halibut in Convention waters (including State waters) is prohibited except as expressly provided in the Convention. Further, persons may fish for Pacific halibut only in accordance with the Convention and the approved regulations of the International Pacific Halibut Commission. The Commission has broad authority to adopt regulations to develop and maintain the stocks of Pacific halibut pursuant to Article III of the convention. Article I, paragraph 2, states that each "Party" (the United States and Canada) may establish additional regulations governing the taking of Pacific halibut that are more restrictive than those adopted by the Commission.

The Halibut Act implements the Convention, and provides that the Secretary of Commerce has general responsibility to carry out the Convention and the Halibut Act, and that the regional fishery management councils may develop Pacific halibut fishery regulations that are in addition to, and not in conflict with, Commission regulations. Council regulations can be implemented only with the approval of the Secretary of Commerce.

Taken together, the Convention and the Halibut Act and implementing Commission and federal regulations constitute a comprehensive and pervasive regulatory scheme that completely occupies the field of Pacific halibut fishery regulation, including research, open and closed areas, gear limitations, quotas, allocation and more. Furthermore, this conclusion is also supported by the possibility of collision between Pacific halibut fishery regulations adopted by Alaska, Washington, Oregon and California and those adopted by the Commission and the federal government. When State regulations could affect the ability of the federal government to regulate comprehensively and uniformly or presents the prospect of interference with the federal regulatory power, then State law will be preempted even though collision between State and federal law may not be an inevitable consequence. Scheidwind v. ANR Pipeline Co., 485 U.S. 293, 310 (1988); Northern Natural Gas Co. v. State Corporation Commission of Kansas, 372 U.S. 84, 91-92 (1963).

In conclusion, States have no authority to directly regulate aspects of the Pacific halibut fishery in Convention waters that have been preserved by the Convention and the Halibut Act to the exclusive regulatory jurisdiction of the Commission, the regional

fishery management councils and the Secretary of Commerce¹ - such matters as research, designation of open and closed areas, gear limitations, quotas, and allocation of fishing privileges. Consequently, States have no regulatory authority in this area to which the regional fishery management councils and the Secretary of Commerce may defer.

Of course, every State law that has some indirect effect on the regulation of the Pacific halibut fishery within Convention waters is not preempted. Cf. Metropolitan Life Insurance Co. v. Massachusetts, 471 U.S. 724, 753-756 (1985). However, State regulations that directly regulate matters that Congress intended the Commission, the regional fishery management councils and the Secretary of Commerce to regulate are preempted within Convention waters.

cc: Jay Johnson
Steve Pennoyer
Eileen Cooney

¹ Compare section 306(a)(3) of the Magnuson Act, 16 U.S.C. § 1856(a)(3); which provides that a State may not directly or indirectly regulate any fishing vessel outside its boundaries, including waters of the EEZ, unless the vessel is registered under the laws of that State. Here Congress actually preserved a regulatory role for the States in the comprehensive federal fishery regulatory scheme implemented by the Magnuson Act. See also the Pacific Salmon Treaty Act, 16 U.S.C. §§ 3631 - 3644, and the Interjurisdictional Fisheries Act, 16 U.S.C. §§ 4101 - 4107, which both provide a regulatory role for the States. Neither the Convention nor the Halibut Act preserve any regulatory role whatever for the States, even within State waters.

AGENDA C-6
Supplemental
APRIL 2006**RECEIVED**

MAR - 7 2006

N.P.F.M.C.David Geis
PO Box 70963
Fairbanks, AK. 99707
907-488-6853
geisd@akwater.com
March 7, 2006RE: Halibut Charter GHL/IFQ Issues
FOR: 3-7 Apr 06 NPFMC MeetingNorth Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252
FAX: (907) 271-2817

Dear NPFMC:

I am a private sports fisherman who has fished for Halibut on many charters out of Valdez, Alaska since 1995, and I do it primarily for putting food on the table. This letter is being sent as Public Comment for your 3-7 April 2006 NPFMC Meeting on this topic in Anchorage, Alaska. I have had discussions with my Guide/Skippers and am becoming increasingly concerned about my ability to not only catch my daily limit of two reasonably-sized fish, but to catch any Halibut at all inside Prince William Sound. I have started using overnight guided charter services because of the long travel times it's been taking my Skippers to find consistent Halibut catching, which often includes fishing in the Gulf of Alaska.

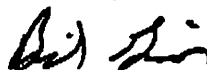
I have been informed thru contacts with the Charter Skippers I use that the Charter Operators in Southeast (2C) and South-Central (3A) have been Regulated to operate under a Guideline Harvest Limit (GHL) Cap since August, 2003. Your stats indicate that their approximate 254,000 fish Cap was already exceeded in 2004 with only a slight underage in 2005. I also was told that there were approximately 1156 charter boats operating in Areas 2C and 3A and simple arithmetic says that each charter boat could only take about 220 halibut each per season to stay under the GHL Cap. Further simple arithmetic says that for a six-pack charter taking 12 fish each trip (which is getting tougher to do), that allows him to fish about 18 days out of his typical 100 day season. If these stats are right, that's ridiculous! Either you've allowed too many Charter Boats into the GHL Fishery or you haven't allowed a large enough Cap! My big concern is that in the near future I will have decreased access to catch my Halibut throughout the summer season because you will drive charter operators out of business with GHL as it is now! What guarantees will I have that I will even be able to fish after I spend the bucks to come to Valdez? That will certainly affect my future travel plans! And I really object to paying \$13/lb for frozen commercial-caught Halibut in Anchorage as of 1 March 2006!

I also understand from discussions with the Charter Skippers that many of them had asked for a Charter IFQ to be developed and implemented as early as 1993 and that it was finally put forward for Rule making in April, 2001, but was sat on until late in 2005 when it was rescinded. A Charter IFQ program, if implemented, would seem to have

solved your excessive Charter Boat/limited fish numbers problem using the Free Market approach adopted by the Commercial IFQ Halibut Fishery. Why haven't you done this and done it in a more reasonable time frame? I can understand your concerns with new charter entrants but fail to understand why you haven't placed a moratorium or limited entry on them before, other than your latest (1 of at least 3) Control Date of 9 Dec 2005. The longer you wait, the more charters there will be fishing for less available fish, especially if the Halibut Biomass is declining as I've read your scientists to state.

NPFMC, you have a problem and its solution, like fresh-caught fish, doesn't get better with age. I would encourage you to somehow raise the GHJ Cap or truly consider the free market driven Charter IFQ, which I consider to be the better alternative. No matter what, you must immediately limit (freeze) the charter fleet's growth in order to avoid driving a lot more of them out of a sustainable business, which will only serve to further limit my access to the Halibut resource in the future.

Sincerely,



David Geis

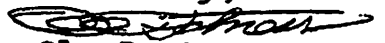
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, Alaska 99501-2252

Re: Charter Halibut Fishery

Gentlemen:

In reference to the proposed changes to reduce the halibut take by the charter fleet in Area 2c. I fish primarily salmon; however, if there must be a reduction in the amount of halibut caught by the charter fleet in this area, my preferred method would be by eliminating take by the captain or crew when clients are on board. In addition an annual take by anyone could be reduced to 4 fish. If the fish are of any size at all, this would be plenty to get most families through the winter, unless all they eat is halibut, which would be hard to believe...there are other fish in the sea.

Sincerely,


Ole Bartness
Islander Charters
Juneau, Alaska

RECEIVED
MAR 14 2006
N.P.F.M.C.

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

REC-2006
MAR 15 2006

N.P.F.M.C.

Dear Council Members,

Firstly, Thanks for all you do. I want to let you know that as a charter boat business owner operator I am still in favor of the IFQ approach to our sport charter halibut fishery. I believe that a GHIL approach will only water down the ability for persons in the business to build there respective business, and denying the business owner the ability to sell there businesses in there older years, and to sell a business is truly the only reason to build a business. Please understand that few too many entrepreneurs and lay persons are confused as to why build a business. We far too often build our businesses to only end up working in them, not on them, and forget the reasons we aspire for that freedom in the first place.

To put in place a GHIL program would truly be a slap in the face of every charter boat operator who took those risks of time, capital, experience and the years of labor. Also, the IFQ would be such a superior tool for management of the resource as seen so well in the commercial arena. Please do what you can do to push the Sport Charter IFQ program.

Kindest Regards,



Mark Sappington

The Yakutat Charter Boat Company

www.alaska-charter.com

P.O. Box 302

Yakutat, AK 99689

907 784 3433

RECEIVED
MAR 15 2006

Dear Officials and "Council Family",

As an ex NPFMC Advisory Panel member with over 13 years history in **NPFMC** halibut charterboat issue I need you to consider a few things my industry wishes me to convey. The actions of the council at the December 2005 meeting has left many traditional and historical participants of my industry beyond belief. The industry has never had such a disrespect of and contempt for this council in all the years we have been involved in what has appeared to us as an unbelievable "problem" from the start. For those of you who do not know me I want to enlighten you of my involvement.

In 1993 during a Homer Charter Association meeting the then NPFMC Executive Director Clarence Pautzke came into our meeting and announced that due to the expansion of the charter industry and the resultant increase in our client harvest we were facing a potential hard cap on our harvest. The Alaska Longline Fisherman's Association in Sitka had proposed a cap on our harvest to protect their recently approved Individual Fisherman's Quota system, that our catch came out of their privatized allocation and it was "personally effecting their opportunity to make a living", causing instability in their industry and was violating some standards of the Magnuson-Stevens Act. We were dumbfounded to say the least, our understanding from attending years of IPHC Annual meetings was the recreational harvest came off the top and we were service providers to that harvest group with no restrictions beyond the season length and the two fish per person daily limit as applied to all recreational fishermen. I was just a regular member of the HCA but I stood up and announced that this idea had to be resolved through our participation and that I would step up to the challenge.

When the first halibut charter work group was formed I applied and was selected to serve. We met in Anchorage and after many meetings both under the council's authority and in meetings of our industry trade associations we learned the complex web of halibut, Federal, State, and industry management requirements that keeps the resource and dependent industries healthy. With the NPFMC holding ultimate management authority we attended and testified at every meeting where our issue was discussed. In 1997 the council approved the Guideline Harvest Level management plan to hold our catch at a manageable level while providing our industry time to develop a comprehensive and workable plan. That year I was appointed to represent the charter industry on the Advisory Panel.

My 5 years on the AP were at best the worst years of my life. Consider being the ONLY non commercial participant required to listen and debate the commercial issues of every fishery with only one issue on your agenda that you had to defend against the attack from all the other united commercial members. I remember eating my breakfast, lunch and dinner alone each week of meetings, no one to talk to because everyone else had issues they thought not important to me and when my issue was on the agenda everyone else was "conspiring against me". I listened, learned, and represented my industry with honor and support and all the time keeping my respect for the other council members, ultimately developing the idea behind the inclusion of my industry into the commercial IFQ plan for the

"stability", "equality", and the "opportunity" it would provide both industries. It can be said that if the choice was theirs, no charter wants any management beyond the recreational two fish bag limit and the eleven month season but if there must be management, the IFQ plan was the most supported of any and all ideas brought to the council table since 1993. I feel this proposal was and still is the final answer to sharing a limited resource in an equal manner.

The lack of action by the NMFS in the years 2001 to 2005 was a complete disappointment for myself and those industry members who had supported my efforts from 1993 to the present. How can any industry respect the government when they totally fail to do what we were told they would do. We can't make them do their job and we can't litigate their inaction, but it is now this industry who must bear the penalty of the new entry of charter companies in the years intervening and now the lack of necessary resource access to accommodate the increased harvest.

To add to our pain is the fact that those participants in the industry in 1998 when the control date notifying new entries that a management plan was under development that may not include them the majority of the existing charters chose to hold back on their expansion in anticipation of exclusive qualifying criteria requirements. The council's action in December of 2005 was a slap in the face of the very industry members who had been working within the process and were told in previous years by the council that "hard decisions were being made and we had to live by the council's requirements".

Now we are faced with a new challenge to include all current participants but we are still held to a GHF based on the average harvest of 1995-1999 that included many fewer charters and a smaller harvest. Today the GHF can be harvested by 211 six passenger charterboats but we are faced with over 1150 boats, many much larger than six passenger. Where is the concern for our viability or our stability per those same Magnuson-Stevens Act standards. If this were a commercial fishery that could be prosecuted by 211 boats you would definitely do something about this tremendous overcapitalization, but we hear of no such concerns. When our season or our marketable product is so constrained that no charter business can survive will this council care, we have no evidence to believe it will.

So now we are back at square one, with a "Stakeholders Committee" made up of some that have no "stake" in, no history with or understanding of the complexities surrounding this issue, some who are questionably sponsored by outsiders who could not achieve their personal agenda while on the council but are now trying to peddle their influence behind the scenes, and some who are pretending to represent a government but creating problems in the council process only to benefit the peddler. The arbitrary decision by AKF&G to remove the council's requirement to collect logbook halibut harvest data for years 2002 through 2005 should be examined, especially after AKF&G placed a notice in the 2002 logbooks stating that they had "Better sources of harvest data" but now for 2005 they are reinstating that collection requirement again. The state has only run interference in this issue with no responsibility for the industry or the council's attempt to resolve the allocation issue in a proactive forward looking manner.

This council approved the requirement to collect this data and for four years neither AKF&G nor NMFS has acted on this requirement. This council is not doing what it should and my industry is understandably resentful of being misled and lied to while we are trying to participate and cooperate with your requirements.

We now ask each of you to understand there is an industry membership that remains convinced the inclusion in the IFQ plan will be a workable and final solution to this decade and a half fiasco of mismanagement and indecision and you as a government or council participant must focus on your appointed duty and make firm and final decisions that will fully support the majority of this industry's belief that the management plan they have endorsed will work. We also request a low interest loan program be developed or identified to mitigate our being left behind in the private acquisition of Quota Shares needed to increase our resource access above and beyond the limits of the GHL. If you can't comprehend the frustration my industry members are enduring just take some time out of your day and ask one. Thank you and I stand by at the ready to be of further assistance.

Most Respectfully,


Robert Ward

A-WARD CHARTERS

P. O. Box 631

Anchor Point, AK. 99556

(907) 235-7014

(907) 399-7014 cell

bob@awardcharters.com

<http://www.awardcharters.com>

"IN GOD WE TRUST"

An AMERICAN Phrase

March 12, 2006

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

RECEIVED
MAR 13 2006

N.P.F.M.C.

Council Members,

My name is Captain Todd Wicks and I own Auke Bay Sportfishing and Sightseeing in Juneau, Alaska. I have been a charter boat captain for 14 years. I own and operate the Beartrack, a 42 ft. Bayliner.

I support the proposal for no retention of halibut by captain and crew as a method of reducing the GHL in area 2C. I also support the annual limit of 6 halibut by non-resident sport fishermen in 2C. The smoothing method that takes a 5 year average as a method of reducing the GHL percent is also a good idea for Southeast Alaska.

I do not support the proposal for 1 trip per day and a separate account for halibut as methods for reducing the GHL in area 2C.

I have three suggestions of my own that may help reduce the GHL in area 2C. I would like to see a slot limit on halibut size. For instance a minimum halibut size of 32 inches and a maximum of 68 inches may be retained. Another plan I would like to see is to sub-divide S.E. Alaska into separate GHL areas. We do not catch nearly the amount of fish inside as they do on the outside coast. We should have our own GHL for the inside waters. My last suggestion is to issue IFQ. I was and still am a supporter of Halibut IFQ and would like to see the GHL go away altogether!

Sincerely,



Capt. Todd Wicks
9111 Miner Ct.
Juneau, Alaska 99801
907-789-2562
alaska@aukebay.com

RECEIVED
MAR 15 2006

TO MS. Stephanie Madsen, Chair, N.P.F.M.C.

R.E. Charter Halibut GHL & MANAGEMENT.

It is evident that we are for reasons other than good science, and sound economics, stumbling dangerously over issues of management and allocation for the commercial charter fleet.

I am a commercial fisherman. I received ZERO allocation of halibut IFQ. I currently hold approx. #10,000 pounds of halibut quota which over the years I have built up. The purchase of IFQ's has and is available to those who wish to participate in the fishery. which means the fishery through sound management limits its own growth and remains a sound investment for those who wish to participate. Many of us have mortgaged our futures in good faith of sound management.

I have many friends who are small business owner/operators of

guided sport Fishing Charters. Some qualify under current existing proposed Charter allocation to receive poundage others don't. But most all agree that A MANAGEMENT tool is needed to check there own growth, AND protect the biomass. As the economic value of the Charter industry is rapidly decreasing as individuals AND companys scramble to establish a record of participation for the chance of some windfall in allocation. In the short term, the councils lack of action to adopt restrictive measures to ensure the G.H.L. is not exceeded hurts all of us. A seperate accountability needs to be implemented for the Charter industry to stay within the established G.H.L. In the Long term maintaining the current established Charter

allocation means a starting point for which future management can be built. Create a base that allows the charter industry to manage itself and stand accountable for its future, which is what anyone valuing sustainability and positive economic investment needs.

The fish I catch are currently touched by many before reaching the consumer. The commercial halibut fishery is a strong economic factor employing thousands. In contrast sport fishing touches only the few. A sport fisherperson who'll take home 100 pounds of halibut that retails for \$12⁰⁰ to \$15⁰⁰ a pound has successfully paid for his or her vacation. Size limits for sport fishing resulting in a weight limit or accum-

- Relative weight Limit is just one of many tools that can be used to insure a quality experience and adequate client compensation for moneys spent, without exceeding current G.H.L's.

Thankyou
Sincerely,

Eugene C Farley
PO BX 182
Gustavus, AK, 99826

ph# 907 697 2424

RECEIVED

MAR 17 2006

N.P.F.M.C.

March 14, 2006
Steve Jangaard
5017 168th Pl. N.W.
Stanwood, WA 98292
(360) 652 7280

Ms Stephanie Madsen
Chair NPFMC
605 West 4th Ave Ste 306
Anchorage, AK 00501

RE: Halibut Charter Management Plan

I urge you and the rest of the council members to adopt not only short term GHM measures but long term measures, as well, to effectively address the multiple and diverse issues that pertain to the halibut charter problem. The GHM must not be exceeded. This can only be done by implementing the most restrictive measures. There needs to be separate accountability between the commercial fleet and the charter fleet to stop the unfair re-allocation between the two. The commercial fleet took it upon themselves to create a system that works (IFQ's); now it's about time the charter fleet is regulated so the commercial fishermen don't have to keep giving them the fish that we earned fairly. This re-allocation problem is serious as it impacts not only the fishermen, but processors, consumers and coastal communities as well.

It is imperative that the council moves quickly on this matter.

Thank you,



Steve Jangaard

To: Ms Stephanie Madsen, Chair NPFMC

From: *Robert D. Schell*
Robert D. Schell, F/V Alice I'aye

Date: March 23, 2006

Subject: Halibut GH, April Board Meeting

RECEIVED
MAR 23 2006

N.P.F.M.C.

I just finished reading the analysis of the alternatives for the GH, discussions that will take place during the April meeting. Although none of the alternatives presented would reach the GH as now established, alternative three comes the closest in this respect.

I am a commercial fisherman who has a large financial commitment to this fishery. This year there is a reduction of my IFQ due to the over harvesting by the guided sport sector. I made two personal and financial decisions in the past to purchase more quota share in part on the council's decision to limit the growth of this industry. Now that this council has voted to rescind past actions by the NPFMC, it is ever more important to find another method to bring some type of management to the charter area. There needs to be a method of accountability to the sport charter group to stay within the guidelines as set by the council. Each group, commercial and charter, needs to have a separate quota. This separate quota system has worked well in the SE king salmon allocation plan.

The Sitka area is an example of the depletion of halibut that has occurred within 50 miles of our community and within and out to the 70f depth limit. It is very difficult for the average sport fisherman to catch a halibut in the Sitka area. When I first moved to Sitka in 1966, when there was a smaller quota in effect and a much longer commercial season, it was common place to catch your two fish daily limit in and around Sitka Sound. As the charter sector expanded in the late 80's to the present, it became increasingly difficult to catch even one halibut on sport gear. The LAMP created in the Sound has really done little to alleviate this problem. I know charter boats that now run to the Cape Ommaney area on day trips. This in itself speaks volumes as to what has happened due to the expansion of the guided sector.

The council needs to tie charter increases and decreases in catch to the abundance as set by IPHC and to allocate the catch separate from the commercial quota. Alaska needs to initiate the same quota system as used in Canada and the lower 48. We need something to happen now!

I appreciate the council's hard work on this and all fisheries matters.

SCOTT VISSCHER
HC-60 #2842
HNS, AK. 99827

3/17/06

Ms. Stephanie Madsen, Chair
NPFMC

605 W 4th Ave., Ste. 306
Anchorage, AK. 00501

RECEIVED

MAR 23 2006

N.P.F.M.C.

Please consider my comments on the Charter Halibut fishery at your April meeting. It has been frustrating to see so little progress in controlling an out of control resource harvesting sector. Charter operators are commercial in the sense that they are professionals who learn the fishing grounds, employ the latest technology, and make big money on big catches. If Charter clients went fishing w/o the guides I imagine the catch rate would be only about 25% of what it is now.

Regarding short term measures please adopt the most restrictive GHL measures to ensure the GHL is not

②

exceeded in the coming year. I would also urge the council to adopt the separate accountability option to stop the reallocation of quota from the commercial to the charter sector.

This is extremely unfair especially in the case of fisherman who have bought IFQ and worked to pay for it.

Regarding long-term measures to control charter harvest please maintain the existing charter allocation as the starting point for any future plan.

Any EHL increases in the future should be tied to the commercial CEF and these increases should be allowed only if the commercial sector is compensated.

Impacts on consumers and processors as well as coastal communities, sport and subsistence users should be addressed as well.

As for the charter IFQ please look closer

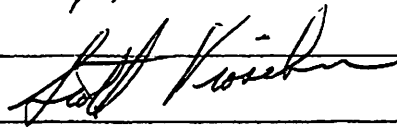
③

at the qualifying period. Perhaps the leveling plan proposed by members of the charter industry would be a good place to start.

A long-term charter management plan needs to be implemented sooner rather than later. It's already been too long. The fish as well as all the stakeholders will benefit from a quick solution.

Thank you for considering my comments.

Sincerely,



SCOTT VISSCHER

F/V GEORGIA

Homer, Alaska

March 20, 2006

TO: Ms Stephanie Nielsen, Chair
NPFMC
Anchorage, AK

RECEIVED
MAR 23 2006

N.P.F.M.C.

We are emphasizing the adoption of the most restrictive GHL measure to ensure the GHL is not exceeded and to adopt the separate accountability option to stop the re-allocation of quota from commercial to the charter sector.

also we emphasize ① maintaining the existing charter allocation as the starting point for any future mgt plan.

② Initiating analysis of an updated charter IFQ qualifying period, such as the "leveling" plan proposed by the charter industry

③ Moving quickly toward a long-term charter mgt plan.

Thank you!

Sincerely

James + Tobias Preston
P.O. Box 394
Homer, AK 99603-0394

RECEIVED
MAR 21 2006

N.P.F.M.C.

Sanity Charters
1074 Eliz Street
North Pole, AK 99705
(907) 488-2960
Email: larson_ken@hotmail.com
7 March 2006

RE: Halibut Charter GH/IFQ Issues
FOR: 3-7 Apr 06 NPFMC Meeting

North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252
FAX: (907) 271-2817

Dear NPFMC:

I am a Halibut Charter Boat Owner/Operator who has fished for Halibut out of Valdez, Alaska since 1984. I have operated a Charter Boat there every year since 1993 as a "Weekend Warrior", including the ADF&G Log Book 1998-2001 initial Charter IFQ qualifying years as promulgated by NPFMC in 2001. This letter is being sent as Public Comment/Input for your 3-7 April 2006 NPFMC Meeting on the Charter Halibut GH/IFQ Agenda topic in Anchorage, Alaska.

I have had discussions with many Guides/Skippers and am becoming increasingly concerned about our clients' ability to not only catch their daily limits of two reasonably-sized fish, but to consistently catch any Halibut at all inside Prince William Sound. I have primarily operated overnight guided charter services because of the long travel times it's been taking me to find consistent Halibut catching, which often includes fishing in the Gulf of Alaska. **Near Shore Depletion in Prince William Sound is very evident to me!**

I have been involved with the various NPFMC and ADF&G meetings and processes since 1993 and am well aware that Charter Operators in Southeast (2C) and South-Central (3A) have been Regulated to operate under a Guideline Harvest Level (GHL) Cap since August, 2003. Your stats indicate that their approximate 281,535 fish Cap was exceeded in 2004 with only a slight underage in 2005's Cap of 278,848 fish. Your ADF&G data shows there were approximately 1156 charter boats operating in Areas 2C and 3A in 2004 and simple arithmetic says **that each charter boat could only harvest about 240 halibut each per season** to stay under the GHL Cap. Further simple arithmetic says that for a six-pack charter taking 12 fish each trip (which is getting tougher to do), that **allows him to fish about 20 days out of his typical 100 day season.** If these stats are right, that's ridiculous!

Either you've allowed too many Charter Boats into the GHL Fishery or you haven't allowed a large enough Cap! My big concern is that in the near future my clients will have decreased access to catch their Halibut throughout the summer season because you will drive charter operators out of business with the GHL as it is implemented now! What guarantees will my clients have that they will even be able to Halibut fish after they spend the bucks to come to Valdez? That will certainly affect their future travel plans!

And I really object to paying \$13/lb for frozen commercial-caught Halibut in Anchorage as of 1 March 2006!

Many of us Charter Operators that had been in business before 1998 had asked for a Halibut Charter IFQ system to be developed and implemented as early as 1993, as a better alternative to a GHL Cap with no Charter Boat Moratorium. I knew clear back then that I would not qualify for enough Charter IFQ to operate other than as a "Weekend Warrior", but I still supported an IFQ system to bring stability to our industry. A Halibut Charter IFQ system was finally put forward for Proposed Rule Making in April, 2001, but was sat on until late in 2005 when it was rescinded. A Charter IFQ system, if implemented, would seem to have solved your excessive Charter Boat/limited fish numbers problem using the Free Market approach adopted by the Commercial IFQ Halibut Fishery. Why haven't you done this and done it in a more reasonable time frame? I can understand your concerns with new charter entrants but fail to understand why you haven't placed a moratorium or limited entry on them before, other than your latest (1 of at least 3) Control Dates of 9 Dec 2005. The longer you wait, the more charters there will be fishing for less available fish, especially if the Halibut Biomass is declining as your scientists have stated.

NPFMC, you have a problem and its solution, like fresh-caught fish, doesn't get better with age. I would encourage you to somehow raise the GHL Cap or truly consider the free market driven Charter IFQ system, which I still consider to be the better alternative. No matter what, you must immediately limit (freeze) the charter fleet's growth in order to avoid driving a lot more of us out of a sustainable business, which will only serve to further limit sport fishing access to the Halibut resource in the future.

Sincerely,



Ken L Larson
Charter Owner/Operator

CF: Sen Gary Wilken
Sen Gene Therriault
Sen Ralph Seekins
Sen Thomas Wagoner
Rep John Harris
Rep Jay Ramras

RECEIVED
MAR 24 2006
N.P.F.M.C.

Stuart Weiss
RR1 Box 10000
Kingshill, USVI 00850
340-277-4339
stuweiss@yahoo.com

RE: Halibut Charter GHL/IFQ Issues
FOR: 3-7 Apr 06 NPFMC Meeting

North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501-2252
FAX: (907) 271-2817

Dear NPFMC:

I am a current First Mate who has relied on summer halibut charters to provide valuable supplemental income. I have provided Halibut fishing opportunities on many charters out of Valdez, Alaska since 2004, and hope to eventually operate an existing charter operation with Alaskan residents in Valdez. This letter is being sent as Public Comment for your 3-7 April 2006 NPFMC Meeting on this topic in Anchorage, Alaska. I have had discussions with my employer and am becoming increasingly concerned about my ability to not only catch my daily limit of two reasonably-sized fish, but to catch any Halibut at all inside Prince William Sound for my clients. We have started using overnight guided charter services because of the long travel times it's been taking my captain to find consistent Halibut catching, which often includes fishing in the Gulf of Alaska.

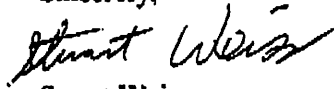
I have been informed thru contacts with the Charter Skippers that employ me that the Charter Operators in Southeast (2C) and South-Central (3A) have been Regulated to operate under a Guideline Harvest Limit (GHL) Cap since August, 2003. Your stats indicate that their approximate 254,000 fish Cap was already exceeded in 2004 with only a slight underage in 2005. I also was told that there were approximately 1156 charter boats operating in Areas 2C and 3A and simple arithmetic says that each charter boat could only take about 220 halibut each per season to stay under the GHL Cap. Further simple arithmetic says that for a six-pack charter taking 12 fish each trip (which is getting tougher to do), that allows him to fish about 18 days out of his typical 100 day season. If these stats are right, that's ridiculous! Either you've allowed too many Charter Boats into the GHL Fishery or you haven't allowed a large enough Cap! My big concern is that in the near future I will have decreased access to catch Halibut for my clients throughout the summer season because you will drive charter operators out of business with GHL as it is now!

I also understand from discussions with the Charter Skippers that many of them had asked for a Charter IFQ to be developed and implemented as early as 1993 and that it was finally put forward for Rule making in April, 2001, but was sat on until late in 2005 when it was rescinded. A Charter IFQ program, if implemented, would seem to have solved your excessive Charter Boat/limited fish numbers problem using the Free Market approach adopted by the Commercial IFQ Halibut Fishery. Why haven't you done this

and done it in a more reasonable time frame? I can understand your concerns with new charter entrants but fail to understand why you haven't placed a moratorium or limited entry on them before, other than your latest (1 of at least 3) Control Date of 9 Dec 2005. In addition, more restrictive commercial fishing quotas and near-shore restrictions must be implemented to further protect near-shore fisheries. The longer you wait, the more charters and commercial fleets there will be fishing for less available fish, especially if the Halibut Biomass is declining as I've read your scientists to state.

NPFMC, you have a problem and its solution, like fresh-caught fish, doesn't get better with age. I would encourage you to somehow raise the GHL Cap or truly consider the free market driven Charter IFQ, which I consider to be the better alternative. No matter what, you must immediately limit (freeze) the charter fleet's growth in order to avoid driving a lot more of them out of a sustainable business, which will only serve to further limit my access to the Halibut resource in the future.

Sincerely,



Stuart Weiss

MAR-16-2006 01:05 PM ROBINREED

987 376 4621

P.01

To: Ms Stephanie Madsen, Chair
NPFMC

Robin L Reed

PO 877332

Wasilla, AK

99687

RECORDED

MAR 24 2006

Ms. Madsen:

N.P.F.M.C.

I would like to go on record in support of using most restrictive GHL for the Charter Boat industry so as they don't exceed their GHL Allocation. Also I support separate accountability option because it is unfair to reward a sector who goes over on GHL by taking it from another sector (commercial).

I would also like to go on record for long-term measures that move towards a charter management plan that effectively addresses the issues identified in Halibut Charter Statement. Tie any future GHL increases into Commercial Fisheries CEY, and only allow increases if all parties that may be impacted are compensated and their concerns addressed.

Thank you

Robin L Reed

March 19, 2006

Chairman Madsen
North Pacific Fishery Management Council
605 W. Fourth Ave, Ste 306
Anchorage, AK 99501

REC'D
MAR 23 2006
N.P.F.M.C.

Dear Chairman Madsen and Council members,

I am writing you again today to further comment on the measures needed to hold the Charter fleet within their halibut GHL. It is critical to ensure that the charter sector stay within their GHL annually, this is a management benchmark that must be taken as seriously for this sector as it is for the longline sector.

Given the large overruns in area 2C, I support multiple methods to keep the charter fleet within GHL while providing a fishing opportunity for their clients. It is worth noting that in 2C the Board of Fisheries (BOF) has allocated the demersal shelf rockfish TAC between commercial and charter with very limited resources available for harvest. The Sitka Charter Association testified at the February BOF meeting that their yelloweye was strictly bycatch during halibut fishing. Therefore it is also very important to keep halibut harvest within their GHL to protect rockfish stocks.

Please approve measures that prohibit harvest of halibut by skipper and crew, set an annual catch limit, and limit vessels to one trip per day. We have heard from the 3A charter fleet that the sport fish catch data is "weak" and should not be used to make restrictive management measures in the absence of better information. I strongly disagree with this approach. The NPFMC has always taken measures to ensure conservation and sustainability first. If the sport fish data is inaccurate it is just as likely that it is underestimating catch. Until there is decent catch data the burden is on the charter fleet to ensure that they are truly remaining within the charter allocation and the NPFMC has the responsibility to impose effective management measures.

I also support "separate accountability" for the charter and commercial sectors. If the charter fleet goes over their GHL they should take a deduction from their GHL the following year, not pass this burden onto the longline fleet.

Since the State of Alaska's plan to limit entry for charter vessels (that was proposed last fall) seems to be dead in the water, the NPFMC should adopt a moratorium using the December 7th notice date to stop new entrants into this fishery while a meaningful long term management plan is developed. There is precedence for this in the GMFMC and the reef fish fishery.

I support the revised Charter IFQ plan (leveling plan) that includes all charter vessels actively fishing for halibut before December 7, 2006. This clearly addresses the concerns of the Council members who were concerned about "timeliness".

In 2001 the moratorium option was thrown out in favor of the IFQ plan because the double track was "too much work". A moratorium would have prevented the whole discussion about timeliness and we would likely have a meaningful management plan in place now. It is essential to put the brakes on now and implement an emergency moratorium while working on additional management options.

Sincerely,



Richard Curran
F/V Cherokee, Board member Seafood Producers Cooperative
Box 1336
Sitka, AK 99835

March 19, 2006

Chairman Madsen
North Pacific Fishery Management Council
605 W. Fourth Ave, Ste 306
Anchorage, AK 99501

RECEIVED
MAR 24 2006
N.P.F.M.C.

Dear Chairman Madsen and Council members,

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Given the large overruns in area 2C, I support multiple methods to keep the charter fleet within GHL while providing a fishing opportunity for their clients. It is worth noting that in 2C the Board of Fisheries (BOF) has allocated the demersal shelf rockfish TAC between commercial and charter with very limited resources available for harvest. The Sitka Charter Association testified at the February BOF meeting that their yelloweye was strictly bycatch during halibut fishing. Therefore it is also very important to keep halibut harvest within their GHL to protect rockfish stocks.

Please approve measures that prohibit harvest of halibut by skipper and crew, set an annual catch limit, and limit vessels to one trip per day. We have heard from the 3A charter fleet that the sport fish catch data is "weak" and should not be used to make restrictive management measures in the absence of better information. I strongly disagree with this approach. The NPFMC has always taken measures to ensure conservation and sustainability first. If the sport fish data is inaccurate it is just as likely that it is underestimating catch. Until there is decent catch data the burden is on the charter fleet to ensure that they are truly remaining within the charter allocation and the NPFMC has the responsibility to impose effective management measures.

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Sincerely,

Richard Curran
F/V Cherokee, Board member Seafood Producers Cooperative
Box 1336
Sitka, AK 99835



P.O. Box 2083 Homer, Ak. 99603 1-800-770-6126 inlet@halibutcharters.com <http://halibutcharters.com>

March 25, 2006

NPFMC

Dear Sir or Madam:

RECEIVED

MAR 27 2006

N.P.F.M.C.

My name is Gary Ault and I have been in the halibut charter business for twenty five years. I urge you to take the "no action" option on the halibut charter GHL proposal for area 3A. The GHL will create a race for fish. This type of regulation is the same type that forced the halibut longliners to opt for the IFQ program that ultimately saved their fishery. A GHL with out participant limitation will force the larger charter boats to increase their passenger loads, target near shore juvenile fish, take two trips per day and fish on days when weather conditions are dangerous. That will contribute to more near shore depletion, will have a negative impact on the resource as well as the subsistence capabilities of the villages of Seldovia, Nanwalik and Port Graham in the Cook Inlet region of area 3A. This in turn will require the council's attention year after year and become burdensome for all parties involved. It is my opinion that a GHL will only serve to protect the commercail fleets monopoly on the resource and disrupt and eventually destroy the halibut charter fishery.

The council's action in December of 2005 was a disservice to the very charter industry members who had been working within the process and were told in previous years by the council that "hard decisions were being made and we had to live by the council's requirements". How can any industry survive when the governing body totally fails to do what we were told they would do. Now the long established halibut charters must bear the penalty of the new entry of charter companies in the years intervening. We are now at a competitive disadvantage because we did not expand our businesses in light of the looming IFQ program limiting our numbers of fish.

We now ask each of you to understand there is an industry membership that remains convinced the inclusion in the IFQ plan will be a workable and final solution to this management issue.

We also request a low interest loan program be developed or identified to mitigate our being left behind in the private acquisition of Quota Shares needed to increase our resource access above and beyond the limits of the GHL.

The GHL will only work if it is coupled a license limitation as is the case with many other federally managed fisheries. Since effort limitation is not addressed I can only support the "no action" alternative.

Sincerely,

Gary Ault

North Pacific Fishery Management Council
605 W. 4th Ave. Suite 306
Anchorage, AK 99501-2252
Attn: Jane Dicosimo

RECORDED

MAR 24 2006

N.P.F.M.C.

February 27, 2006

My name is Larry McMurphy from Palmer, Alaska. I have lived and worked in Alaska since 1979. Like most Alaskans I am an avid outdoor enthusiast in both hunting & fishing. I have spent extensive time on the ocean fishing thru those years, with friends and helping charters. My goal is to someday have my own charter business to share and enjoy the fishing and out of doors with others.

In January of 2005 I ordered a 30ft. aluminum off shore charter boat from a local boat company and took the Coast Guard exam in February 2005. I went to work putting the new business together for the summer, but unfortunately the boat did not get finished. In fact, construction did not even get started until November 2005 and currently is being finished and am finally back on track for this summer and can put a business and dream together.

Talking recently to a friend, he informed me of some of the proposals made in the last council meeting of December 9, 2005. The IFQ's were voted down, but a new moratorium on charter boats had been proposed. I seem to be jumping from problem to problem, but immediately I applied for my charter and businesses licenses, hoping that this would meet all necessary requirements. I would think that before such a final proposal be made or at least approved that a public notification be issued to be fair with other parties finalizing their licenses.

I am new in learning all the changes and politics in this industry, I do work full time, I am working on the new boat, new business and have a family, so consequently am very short on time.

In reality, why is my right to charter being jeopardized or questioned by others? I am an Alaskan of 27 years and have as much right to use Alaska's resources personally and commercially as anyone else that lives in Alaska. Much of the commercially caught halibut is probably harvested and sold by non Alaskans which should give them less right to the resource. I also have not seen any biological data showing that the halibut resource is in any current decline. In fact it seems the commercial fleet keep getting allocated larger quotas. It would not even be a factor in the few thousand pounds of

halibut that I would potentially take as a charter on an annual basis compared to the millions of pounds taken annually.

I believe that this has been labeled as over depletion against the charter industry, but where has the halibut population been endangered? If there are areas of heavy use or over use it should be addressed on individual case areas, not state wide.

The poundage that I would assist others in taking is a natural right that we all have, to fish in Alaska with an Alaskan sport fishing license. These people are coming to Alaska to enjoy the state and I also have the right to accommodate and provide the service to others for halibut fishing. I have primarily fished Prince William Sound and the number of boats (even with the tunnel finished) has not increased to any great number once out of Passage Canal. We have always gone further than most boats, and still this distance out has not shown much boating increase in the last few years. This has been called over capitalization pointed towards the charter group.

So here I am, with all that I own, now invested in a lifelong dream of 27 years to own a nice boat and charter for halibut. I am after the same dream that all the rest of you already have and are enjoying and all of you can relate to what I have gone thru the past 2 years to get to this point. It is hard to understand the reasons that would deny me the same right and enjoyment.

Again, the decisions are in the hands of the council and I ask that whoever would be making the final decision would consider people like myself that have followed every possible regulation to date, and are currently a viable operating business, and have spent a number of years to get to this point.

Thank you for taking the time to listen.

In addition, the council was created to regulate the halibut resource, not boats and businesses. The current new proposals submitted by the council are more regulating the charter fleet in boating restrictions, restricting business opportunities, eliminating current businesses, and making exclusive charter rights.

Decisions made with equal opportunity for the resource, but regulating halibut caught by each person, on an annual basis by the fleet, or shortening the season would seem more appropriate.

To eliminate one's business and give all the opportunity to others, when there are other options that affect everyone some, but not a total win loose situation does not seem right or fair.

Sincerely,
Larry McMurphy
745-1134

Van Saun Charters
PO Box 39622
Ninilchik, AK 99639
(907) 567-3547

3-26-06

NPFMC
605 W. 4th Ave Ste 306
Anchorage, AK 99501-2252

Fax 907-271-2817

Dear Council,

This letter is to demonstrate my support for the motion being made by the Halibut Stakeholders Committee to move forward with an immediate moratorium while continuing to work on a permanent solution.

Since your vote of last October to rescind the proposed Charterboat IFQ it has become clear we are going to have a boom in the number of charters in our area. I personally know of numerous brand new boats that have been purchased with the intent of chartering for Halibut beginning this summer. Friends of mine in other areas of the State tell me of similar situations.

The extreme growth of the fleet in prior years coupled with issues of near shore depletion and market saturation requires immediate action.

The only opposition you are likely to receive on this motion is from people who have bought new boats and plan to begin fishing this year. Besides that group it is clear to me the support for this motion is the first time we have a united front within the industry.

Please fast track a moratorium using either the Dec 9, 2005 date or a prior date to shut down new entries into the Halibut Charter Fleet. Our industry and resource are in dire need of this action.

Sincerely,

Capt. Rod Van Saun
Van Saun Charters

RECEIVED
MAR 27 2006
N.P.F.M.C.

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:
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:
:

**PWS Eco-Charters
P.O. Box 735
Whittier, Alaska 99693-0735**

March 26, 2006

**North Pacific Fisheries Management Council
605 West 4th Avenue, STE 306
Anchorage, Alaska 99501-2252**

RECEIVED
MAR 27 2006
N.P.F.M.C.

Dear Council members,

Once again it is time to voice and write my opinion. I have attended most of the meetings regarding the charter halibut issues during the last many years and deeply appreciate your recent actions which have allowed me to remain in business with my small charter operation. I realize that this was a hard decision for some of you to agree with.

At this time, I'd again urge you to follow the Stakeholder Committee's 03/23/06 recommended motion. That motion states that the "Committee recommend(s) that the Council take no action on proposed measures to implement the GHL and fast track a moratorium leading to a permanent solution, which may include a percentage allocation, limited entry program or an IFQ program."

One important lesson I think we all have learned is that timeliness is critical to moving proposals forward. I trust all of you will put aside your personal biases on this issue and endorse the recommendation of the Stakeholder Committee, which you established. I believe most, if not all, charter operators now support this.

Respectfully,

**Dave Goldstein
PWS Eco-Charters**

.....

Capt.
Alaskan Experience
Pete's

www.captpete.com

March 27th 2006

Ms. Stephanie Madsen, Chairman
North Pacific Fisheries Management Council
605 West Fourth Street, Suite 306
Anchorage, Alaska 99501-2252

RECEIVED
MAR 27 2006
N.P.F.M.C.

Dear Ms. Madsen:

I have been following the progress of the Stakeholder's Committee that has been tasked with finding alternatives to the proposed Halibut Charter IFQ and GHL. It seems that through all the discussions, it is clear that there is a need for good, reliable data in order to fairly allocate this resource. I urge you to push for this data and to also gather economic impact data to the coastal communities that depend on this resource.

I have read the motion that was passed out of last week's Stakeholder's meeting and I agree with the committee. We need to fast-track a moratorium to give us time to gather the data necessary to craft a long-term program.

The moratorium, coupled with the Alaska Department of Fish and Game plan to prohibit captain and crew retention where necessary should meet the limitations that were called for in the former GHL plan.

As always, I appreciate all the time the Council has devoted to this issue and thank you all for your efforts.

Sincerely,

Pete Wedin

FAX 907 - 271 - 2817 this date

Mailed this date

March 27, 2006

REC-10
 MAR 27 2006
 N.P.F.M.C.

N.P.F.M.C.
 605 W. 4th Avenue, Suite 306
 Anchorage, Ak 99501 - 2252

Subject: Stakeholder's Committee Recommendation

Please be advised that I support the Stakeholder's Committee recommendation that the Council take no action on the proposed measure to implement the GHIL and fast track a moratorium leading to a permanent solution, which make include a percentage allocation, limited entry, or IFQ program.

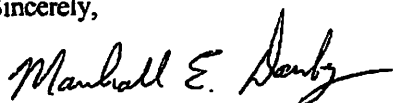
Please also be advised that I oppose the ALFA Separate Accountability proposal.

Good reasons (with respect to areas 2C and 3A):

1. It is apparent the biomass trend is not declining, in fact is estimated to be increasing
2. Preliminary 2005 charter halibut harvests show a decline from 2004 with 3A to be below and 2C estimated at 14% above.
3. The Stakeholder's are committed rapidly reaching a long term solution.

Thank you for your consideration.

Sincerely,



Marshall E. Danby
 Eager Beaver Charters
 Box 1036
 Homer, Alaska 99603 - 1036

cc: Alaska Charter Association, Homer, Alaska

Alaskan Game Fisher

P.O. Box 1127
Soldotna, AK 99669
P: 907-262-2980 F: 907-262-6042



1-800-320-2980
www.alaskangamefisher.com
gamefish@alaska.net

RECEIVED
MAR 27 2006

N.P.F.M.C.

To: North Pacific Fisheries Management Council

RE: Halibut Charter GHL & halibut stakeholders group

I want to voice my support for the motion submitted by the Halibut charter stakeholders group. I would like to specifically address the importance of the moratorium issue. A fast tracking of the moratorium is of utmost importance. The charter fleet is severely over capitalized & the current occupancy rate is at about 30%. We need to take a large part time fleet & make it a smaller full time fleet. A previous council had fixed the problem statement of 1993 & had the commercial fleet & charters in agreement on an IFQ plan. Then due to delays with NMFS many new charters ignored the control date & entered the fishery & that created the problem that led to the rescinding of the IFQ plan. So there fore the current council undid the fix of the previous council. Now you have created more problems & the commercial fleet & charter fleet are fighting against each other. Also once again new entrants are ignoring the Dec 9th control date & entering the fishery at alarming rates & by the time a long term plan is implemented, you will have the same problem as before & have all the new entrants opposing the plan & screaming to let them in or they will be out of business. The best solution I can offer is to reinstate the old IFQ plan with addressing recency & adopting the Goodhand leveling plan to let the new operators in. However you probably won't take that course so I urge you to adopt a moratorium on the halibut charter fleet.

Thank You,

Mel Erickson
Captain Mel Erickson

March 27, 2006

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

RECEIVED
MAR 27 2006
N.P.F.M.C.

Council Members,

This letter is in reference to C-6 CHARTER ISSUES.

Please consider a permanent solution of Limited Entry or an IFQ for charter boats and replace the current restrictive GHIL. The allocation of the GHIL with a retroactive "stair step up" adjustment will fairly address the guided sport fishing needs. The 12/09/2006 control date should be adhered to in order to analyze a moratorium and then it should be replaced by a permanent Limited Entry or IFQ plan. I am asking that you do not consider the ALFA Separate Accountability proposal until such time as a permanent solution has been put in place for the charter industry.

As a new charter operator starting my business this year the issue is extremely important. The resolution needs to allow for a thoughtful and economical solution for persons desiring to enter the charter fishing business. Thank you.

Sincerely,

Capt. David A. Coffman
Captain Dave's Charters
Juneau, AK 99801
907-790-2071

WHITTIER MARINE CHARTERS

P.O. Box 2693, Soldotna, AK 99669
www.fishwhittier.com 907.440.9510

March 27, 2006

RECEIVED
MAR 27 2006

N.P.F.M.C.

ATTN: North Pacific Fishery Management Council

This letter is in reference to item C-6, Charter Issues scheduled for Monday, April 10th.

Like many, I'd like to see this issue settled fairly and finally while preserving the vitality of the industry and the quality of the experience charter operators provide our clients. I'd like to voice my support for the findings of the stakeholder committee meetings. I think that at this point the charter community has finally found common and sustainable ground.

To allow a final transition into a permanent solution I ask that you support the following stakeholder suggestions.

1. Adjust the current GHL to fairly address changes in biomass. As with the commercial harvest, sport harvest should "stair step up" too fairly address guided angler allocation needs. With this in mind, GHL restrictions should be tabled until a new solution is decided upon.
2. Adhere to a control date of 12/9/05 for analysis of a moratorium and until a more permanent system is developed and is put in place. Allowing the charter fleet to grow while under any form of harvest cap will ultimately destroy the vitality of the industry.
3. Discount the Alaska Longline Fisherman's Association's Separate Accountability proposal until after a permanent charter solution is put in place.

Thank you for your time.

Mathew Kopec

03/25/2006

RECEIVED
MAR 27 2006
N.P.F.M.C.

North Pacific Fishery Management Council
Stephanie Madsen, Chair
222 Seward Street
Suite 200
Juneau, AK 99801

Subject: Mechanisms of the GHL and a Fair Charter Allocation.

Chairman Madsen and Council members;

I request that the Council take into consideration the following points:

- 1 The present GHL was developed at a time when the IPHC was predicting a sharp decline in the CEY, in retrospect the opposite was the case. Because of that prediction, the Council decided that only a "stair step down" was needed. Since implementation of the GHL the Commercial Longliners have been enjoying handsome increases in their commercial catch limits. Since the Alaska Longline Fishing Association's (ALFA) motto has been "Share the Pain, Share the Gain" when addressing issues for restriction of the Charter Industry, then in the interest of fairness and equality the GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.**
- 2 Table all considered GHL restrictions until such time as a permanent solution of Limited Entry, an Expandable GHL (KACO Plan), or IFQ is decided upon replacing the current restrictive GHL.**
- 3 The control date of 12/09/2005 needs to be adhered to for analysis of a Moratorium, and then replaced by a permanent Limited Entry, Expandable GHL (KACO Plan), or IFQ plan.**
- 4 The ALFA Separate Accountability proposal should not be given consideration until after a permanent solution has been put in place for the Charter Industry.**

I request that this letter be included in the packets provided to the Council members during the April 10, 2006 council meetings in reference to the C6 Charter Issues.

Respectfully submitted,

Chaco Pearman

**CHARLEY CHARTERS
PO Box 39270
Ninilchik, AK 99639
(907) 567-4307**

RECEIVED
MAR 27 2006
N.P.F.M.C.

3-26-06

NPFMC
605 W. 4th Ave Ste 306
Anchorage, AK 99501-2252

Fax # 907-271-2817

Dear Council,

I am in full support of an immediate moratorium on the Charterfleet in Alaska. It is long over due.

I have been offering Charter Services since 1994 but I have been fishing Cook Inlet for 30 years. I am shocked by how fast this near shore resource is being depleted. I now travel as far as 50 or 70 miles where I used to never need to go more than 7miles. The charter fleet has grown out of control even in the face of all the measures the NPFMC has threatened to take.

The time to stop this growth is now. There are already a whole bunch of new boats and businesses coming into the industry in our area this year.

I stand behind the motion being made by the Stakeholders Committee to implement a moratorium.

Thankyou for your consideration.

Captain Charles Brown

Attn: North Council

I William Barens am supporting the Stake Holders motion. The Alaska Longliner Fisheries Association Separate Accountability's proposal should be denied. I and many people I know want to continue fishing Alaska . If the proposal goes through it will hurt the economy in many fishing towns in Alaska that rely on tourism and the recreational fisher man.

Sincerely,

William Barens
5277 larkspur Dr.
Ventura Ca.93001
(805)509-3455

RECEIVED

MAR 27 2006

N.P.F.M.C.



SEAFOOD PRODUCERS COOPERATIVE

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

March 27, 2006

Ms Stephanie Madsen
Chair
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501

RECEIVED
MAR 27 2006

N.P.F.M.C.

Dear Chairwoman Madsen and Council Members:

Many north Pacific halibut fishermen have purchased and held IFQs based upon the Council's stated intent of implementing an IFQ plan that included all commercial charter vessels. While the Council may not be concerned about the investments of fishermen, the concern should be about projecting consistency of message and managing a resource. Unlimited new entrants and no measures to hold the commercial charter fleet within their halibut GHL certainly gives the appearance of extreme favoritism of one industry over the second largest industry in Alaska, supporting thousands of people and several towns.

Seafood Producers Cooperative would urge the Council to view seriously the GHL level established for the commercial charter fleet as the IFQ level is for the longline industry. While we recognize the commercial charter fleet needs to provide an opportunity for their customers, multiple methods should be considered to maintain the integrity of the GHL.

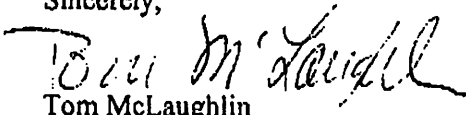
We would urge you to:

- Please approve measures prohibiting halibut harvest by commercial charter skipper and crew.
- SPC supports "separate accountability" for the commercial charter and commercial sectors. If the charter fleet exceeds the GHL, the GHL for the subsequent year should be reduced. The IFQ longline fleet should not be penalized for the commercial charter fleet's lack of professionalism and disregard for good resource management practices and sustainability.
- The argument that sport catch data is "weak" is specious. The responsibility for providing accurate data rests upon the commercial charter fleet. Until the commercial charter fleet accepts the responsibility to provide accurate data, the NPFMC has the responsibility to impose aggressive management measures.
- It is important to maintain the commercial charter fleet harvest to within the GHL, to protect by-catch, especially rockfish stocks.

- The NPFMC has always taken measures to ensure conservation and sustainability first. If the commercial charter fleet catch data is as poorly reported as the fleet maintains, SPC supports the moratorium on additional entrants to the commercial charter fleet. If the moratorium was adopted in 2001, there would be a meaningful management plan in place today. An emergency moratorium should be implemented at least until adequate management measures have been adopted.

It is important the NPFMC restores confidence and integrity in its process. We urge you to adopt these measures.

Sincerely,



Tom McLaughlin
President/CEO

cc Charlie Wilber
Dick Curran

March 27, 2006

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

Council Members,

This letter is in reference to **C-6 CHARTER ISSUES.**

Please consider a permanent solution of Limited Entry or an IFQ for charter boats and replace the current restrictive GHL. The allocation of the GHL with a retroactive "stair step up" adjustment will fairly address the current guided sport fishing needs. The 12/09/2006 control date should be adhered to in order to analyze a moratorium and then it should be replaced by a permanent Limited Entry or IFQ plan. We are asking that you do not consider the ALFA Separate Accountability proposal until such time as a permanent solution has been put in place for the charter industry. Thank you.

Sincerely,



Todd Wicks
President
Juneau Charter Boat Operators Association
P.O. Box 34522
Juneau, Alaska 99803
Phone/Fax: 907-789-2562

RECEIVED

MAR 27 2006

N.P.F.M.C.

Matthew R. Metcalf
303 Cleveland Street
Bad Axe, MI 48413

March 24, 2006

Ms. Stephanie Madsen, Chair
North Pacific Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501

Dear Ms. Madsen:

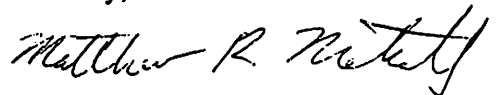
I am writing to you to urge your support of several measures regarding the short and long term management of the Guideline Harvest Levels for The Charter Halibut Fishery.

For the short term the Council should adopt the most restrictive of the proposed management measures. Particularly for area 2C the only proposal that will have a reasonable chance of keeping the Charter fishery under the GHL is the five fish annual limit. The other proposal I would like to see you support is for the separate accountability of the Commercial and Charter catch. This is the most equitable measure to stop the reallocation of Halibut until a permanent solution is reached.

For the long term the council needs to keep the GHL where it is, come up with a plan that will compensate the commercial fleet for any increases in the charter allocation, and protect segments of the industry that are already established. I would also encourage the council to move quickly to initiate the process for a new IFQ plan and resolve this issue so we can move forward.

Thank you for considering my comments.

Sincerely,



Matthew R. Metcalf

**FISHING VESSEL OWNERS' ASSOCIATION
INCORPORATED**

ROOM 232, WEST WALL BUILDING • 4005 20TH AVE. W.
SEATTLE, WASHINGTON 98199-1290
PHONE (206) 284-4720 • FAX (206) 283-3341

SINCE 1914

March 22, 2006

RECEIVED
MAR 27 2006
N.P.F.M.C.

Chris
Mr: Chris Oliver
North Pacific Fishery Management Council
605 W. 4th Ave., Ste 306
Anchorage, Ak 99501-2252

Dear Mr. Oliver:

This letter is to address the initial review draft EA/RIR/IRFA for regulatory amendments to implement GHL measures in the Halibut charter fisheries in IPHC regulation areas 2C and 3A. The stakeholders meetings that the Council set up to assist on this action item have done a lot of work and hopefully, the Council will adopt options that result in accountable management for the charter boat fleet.

I am attaching an email discussion between stakeholders so you can see the evolution of thinking and the areas of concern from the participants of the commercial fleet. The members of the Fishing Vessel Owners' Association (FVOA) remain concerned that the approved tools in the EA/RIR/IRFA are insufficient and do not provide the charter fleet nor managers the tools to manage and curtail fishing effort when required. The commercial fleet has requested potential safeguards for the Council to consider. They are as follows:

Short-Term Measures

- Responsive Management
- Separate Accountability
- Non retention for skippers and crew
- Line limits
- Whatever else is necessary to keep the charter fleet under GHL in short-term

Medium-Term Measures

- Moratorium
- Change GHL to fixed percentage (index to fishing CEX)

Long-Term Measures

- IFQ program or hybrid that provides market-based solutions to allocation.


FVOA sees the mid-term and long-term measures as two to four year work loads for the North Pacific Council now that the Council has pulled the original IFQ option. For short-term measures, the Council needs to have a bag limit option, slot limit options, line limits, and reduction in season length options. Both Oregon and Washington deal with each one of these types of options for halibut, rockfish, and salmon on an annual basis through the Pacific Council.

At the time the Council withdrew the IFQ option, the State of Alaska promised certain actions prior to the 2006 charter season. Two items that were supposed to be made available for management for 2006 were non-retention for skipper and crew and line limits. We understand that these management tools may not be in place for the 2006 season and that there is a reluctance by the State to move at all in area 3A as new information may suggest that the charter fleet did not exceed the GHL. My impression is that the charter fleet is up against the GHL, if it has not exceeded it. Regardless if the GHL has been exceeded, it would seem prudent to have the tools in place where annual management restrictions can be considered. This does not seem to be happening.

We request that you help and focus the need for real time management tools for either the Council and/or the State of Alaska. We request you press the State for accountability on the options they committed to, specifically line limits and non-retention by skipper and crews. For the Council members who withdrew their support of the IFQ option, it would seem that accountability for the entire Council and its process now rests on management measures being made available as soon as possible that can have affect for the immediate season. Council members who pulled their support of the IFQ option are particularly accountable for putting in place real time management tools for 2006.

Looking at a license limited entry moratorium or IFQ options, now that the charter fleet is over the GHL in area 2C and very close to it in 3A, are at best solutions or partial solutions two to four years from now, or maybe never. The Council has an obligation to manage within its own GHL limits for the charter fleet and provide the management tools to do so on an annual basis beginning in 2006, as promised. Your help to this end would be appreciated.

Sincerely,



Robert D. Alverson
Manager

RDA:cmb

Enclosure

To: STEPHANIE MADSEN, CHAIR
NPFMC

21 MARCH 06

DEAR Ms MADSEN -

I'm writing in regards to the council's attempts to manage the growing charter boat fleet & the consequent problems associated with their growth. I'm a 35 yr president of SEA SASSY & a COMM. FISHERMAN SINCE 1976. I'm writing to ask that you please do something before things completely fall apart. In the short-term, please adopt the most restrictive measures to insure the char boat GHL is not exceeded & adopt the separate accountability option to STOP QUOTA GOING FROM THE COMMERCIAL FLEET TO THE CHARTER FLEET.

In the long-term, please maintain the existing char allocation as a starting point for any future plan & please tie any GHL increases to COMM FISHERY C EY & allow increases only if there's compensation to the COMM FISHERY & all associated people & industries, including subsistence & non-guided sport users. Initiate an analysis of an updated char IFQ qualifying period, such as the leveling plan proposed by the char industry and please move quickly toward a long-term plan that addresses the numerous, diverse issues identified in the council's HOLLIBUT CHAR PROBLEM STATEMENT. It's been extremely frustrating, as a COMM FISHERMAN who depends on the hollibut resource, to watch the continuous growth of the char fleet w/ seemingly no end in sight. Fishing has already slowed down the last 2 yrs. & one wonders how bad it will get. Please do what you can to help stabilize this condition. Thank you for your work & time.

RECEIVED

MAR 27 2006

N.P.F.M.C.

PAUL BARNES

Box 155

6650005, AK 99826

Kodiak Association of Charterboat Operators
P.O. Box 1093
Kodiak, AK 99615

03/24/2006

REC'D
MAR 27 2006
N.P.F.M.C.

North Pacific Fishery Management Council
Stephanie Madsen, Chair
222 Seward Street
Suite 200
Juneau, AK 99801

Subject: The Separate Accountability Option or "ALFA Proposal".

Chairman Madsen and Council members;

The Kodiak Association of Charterboat Operators (KACO) is opposed to the "2006 Separate Accountability Option or ALFA Proposal" introduced by the Alaska Longline Fisherman's Association of Sitka.

We feel that this would result in very strict and harsh short notice management measures including In-Season Management procedures such as time and area closures, mid-season bag limit reductions, etc. These measures would be extremely detrimental to the charter and shore side industries that make their living in the tourism industry.

Since the Council has currently charged the Halibut Charter Stakeholder Committee with developing recommendations for the management of the Guided Sport Halibut Fishery it is clear that this proposal is an attempt by a competing user group to circumvent the implementation of the GHF as approved by the Council and should be prohibited from consideration.

I request that this letter be included in the packets provided to the Council members in reference to the Guided Sport Halibut Fishery.

Respectfully submitted,
Michael F. Amberg *Michael F. Amberg*
President, Kodiak Association of Charterboat Operators

Representing Kodiak's Professional Charterboat Operators

Three Sons Charters
P.O. Box 1093
Kodiak, AK 99615

03/25/2006

RECORDED
MAR 27 2006
N.P.F.M.C.

North Pacific Fishery Management Council
Stephanie Madsen, Chair
222 Seward Street
Suite 200
Juneau, AK 99801

Subject: Mechanisms of the GHL and a Fair Charter Allocation.

Chairman Madsen and Council members;

I request that the Council entertain the following points:

- o The present GHL was developed at a time when the IPHC was predicting a sharp decline in the CEY. Because of that prediction, the Council decided that only a "stair step down" was needed. Since implementation of the GHL the Commercial Longliners have been enjoying handsome increases in their CEY. Since the Alaska Longline Fishing Association's (ALFA) motto has been "Share the Pain, Share the Gain" when addressing issues for restriction of the Charter Industry, then in the interest of fairness and equality the GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
- o Table all considered GHL restrictions until such time as a permanent solution of Limited Entry, an Expandable GHL (KACO Plan), or IFQ is decided upon replacing the current restrictive GHL.
- o The control date of 12/09/2005 needs to be adhered to for analysis of a Moratorium, and then replaced by a permanent Limited Entry, Expandable GHL (KACO Plan), or IFQ plan.
- o The ALFA Separate Accountability proposal should not be given consideration until after a permanent solution has been put in place for the Charter Industry.

I request that this letter be included in the packets provided to the Council members in reference to the Guided Sport Halibut Fishery.

Respectfully submitted,

Michael F. Amberg
Michael F. Amberg

Home Phone: (907) 486-6924
Cell Phone: (907) 539-2248

SITKA CHARTER BOAT OPERATORS ASSOCIATION

PO Box 2422 SITKA ALASKA 99835

March 27, 2006

RECEIVED

MAR 27 2006

N.P.F.M.C.

North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage AK 99501-2252

Dear Council Member,

Regarding item C-6 Charter Issues, on your April 10th agenda, the Sitka Charter Boat Operators Association supports the position of the Council's GHL Stakeholders Committee, which is to *take no action* on ALFA's separate accountability proposal for guided sport halibut.

If anything needs to be addressed at this time, the Council should examine why the current GHL was given means to "stair step down" or decrease as the halibut biomass decreases, but not "stair step up" as biomass increases. We encourage you to fix this flaw, by retroactively allowing the guided sport GHL to stair step up as biomass increases.

There is no conservation or allocation crisis. According to the 2004 IPHC Annual Report, sport and subsistence users account for about 10 percent of the total halibut removals in Alaska. Guided sport harvests account for about 5 percent of the total removals.

We look forward to being involved in the process of developing a "fair and balanced" resolution to this issue and believe ALFA's separate accountability proposal is unwarranted.

Thank you for your time and consideration.

Sincerely,

Kent F. Hall, Sec/Treas.
for

Dennis Cook, President
Sitka Charter Boat Operators Association

Kodiak Association of Charterboat Operators
P.O. Box 1093
Kodiak, AK 99615

03/25/2006

North Pacific Fishery Management Council
Stephanie Madsen, Chair
222 Seward Street
Suite 200
Juneau, AK 99801

REC'D
MAR 27 2006
N.P.F.M.C.

Subject: Mechanisms of the GHL and a Fair Charter Allocation.

Chairman Madsen and Council members;

The Kodiak Association of Charterboat Operators request that the Council entertain the following points:

- o The present GHL was developed at a time when the IPHC was predicting a sharp decline in the CEY. Because of that prediction, the Council decided that only a "stair step down" was needed. Since implementation of the GHL the Commercial Longliners have been enjoying handsome increases in their CEY. Since the Alaska Longline Fishing Association's (ALFA) motto has been "Share the Pain, Share the Gain" when addressing issues for restriction of the Charter Industry, then in the interest of fairness and equality the GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
- o Table all considered GHL restrictions until such time as a permanent solution of Limited Entry, an Expandable GHL (KACO Plan), or IFQ is decided upon replacing the current restrictive GHL.
- o The control date of 12/09/2005 needs to be adhered to for analysis of a Moratorium, and then replaced by a permanent Limited Entry, Expandable GHL (KACO Plan), or IFQ plan.
- o The ALFA Separate Accountability proposal should not be given consideration until after a permanent solution has been put in place for the Charter Industry.

I request that this letter be included in the packets provided to the Council members in reference to the Guided Sport Halibut Fishery.

Respectfully submitted,
Michael F. Amberg *Michael F. Amberg*
President, Kodiak Association of Charterboat Operators

Representing Kodiak's Professional Charterboat Operators

3-16-06

Council members,

I am writing to support several measures coming before you. The first is the separate accountability option. The charter industry needs to be responsible for overages of the guided sport GHL. I bought all my halibut quota and I am getting tired of watching people I know continue to join the charter fleet and have their increasing catches subtracted from my quota. We had basically the same situation in SE with King Salmon. The trollers were under limited entry and the charter fleet wasn't. The Alaska Board of Fish did with King Salmon what we are asking you to do with halibut. The Board of Fish separated the troll & charter fleet and made each group responsible for their own overages.

Please do something to cap the growth of the charter fleet. Most importantly don't raise their GHL without capping their numbers. Any pounds deducted from the commercial catch need to be compensated for. As I said before I paid for my quota and I am getting irate at having my pounds reallocated to an uncapped user group.

PO Box 1159
Ward Cove, AK 99928 Thank you Dennis Northrup

RECEIVED

MAR 27 2006

N.P.F.M.C.



www.sitkasecret.com • info@sitkasecret.com

March 27, 2006

North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage AK 99501-2252

Dear Council Member,

In reference to C-6 Charter Issues, on your agenda for April 10, we encourage you to take no action on ALFA's separate accountability proposal for guided sport halibut.

Contrary to what ALFA would like you to believe, there is no urgency from a conservation or allocation standpoint. According to the 2004 IPHC Annual Report, 83.312 million pounds of halibut removals in Alaska, are broken down as follows:

- longline = 59.1 million pounds
- longline TAC unharvested=2.46 million pounds
- longline waste = 0.199 million pounds
- sublegal mortality due to longlining = 2.099 million pounds
- longline personal use = 1.383 million pounds
- trawl bycatch = 12.44 million pounds
- Total commercial = 75.221 million pounds

- sport = 7.049 million pounds
- subsistence = 1.042 million pounds
- Total noncommercial = 8.091 million pounds

Of the 83.312 million pounds, commercial harvest accounted for 90.1 percent. Sport and subsistence harvest accounted for 9.9 percent.

Approximately 60 percent (4.23 million pounds) of the sport catch was taken by *guided anglers*. This is about 5.1 percent of the total Alaska removals. The guided sport industry is doing fairly well on 5 percent of the total catch in Alaska, and brings millions of dollars to the State. Further regulation associated with a separate accountability hard cap, will severely jeopardize this industry.

Beverly P. Minn • Kent F. Hall • 500 Lincoln Street No. 641 • Sitka, Alaska 99835 • (907) 747-5089

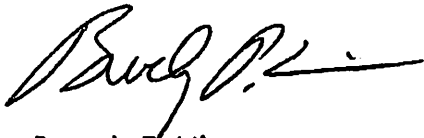
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MAR 27 2006
N.P.F.M.C.

Page 2 of 2

If you see a need to dwell on ALFA's separate accountability proposal, I'd like to remind you of what transpired during the Council's original GHL decision making meeting. At that time, the CEY was predicted to be falling, and ALFA's cry to the charter industry was "share the gain, share the pain"! Against the request of the charter industry, the Council decided to install only "stair step down" measures. So, the GHL "stair steps down" or decreases as the halibut biomass decreases, but does not go up as biomass increases. Since the CEY has gone up since the GHL was passed by the Council, it seems only logical, that the charter industry should "share the gain." Your attention to this matter would be appreciated.

Considering the above, we do not believe it necessary nor in the best interests of the State to approve ALFA's separate accountability proposal. The Council's GHL stakeholders committee is meeting to develop alternatives for dealing with the slowly growing charter fleet. Let them do their job. Thank you for your time and consideration.

Sincerely,



Beverly P. Minn
Sitka's Secrets

CITY OF VALDEZ, ALASKA

RESOLUTION 06-21

REC
MAR 28 2006
10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA SUPPORTING IMPLEMENTATION AND ALLOCATION OF A MODIFIED IFQ MANAGEMENT PLAN BY THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL AND RESCINDING RESOLUTION NO. 05-70

WHEREAS, the City of Valdez adopted Resolution 05-70 regarding the Halibut Charter Fishery on October 3, 2005 and wishes to now rescind that resolution; and

WHEREAS, the Sport Charter industry and the Commercial fishing fleet is an important part of growth and stability for the City of Valdez; and

WHEREAS, the current Charter Guideline Harvest Level is constraining in nature to the Charter fleet, and will limit the future of guided sport fishing opportunities; and

WHEREAS, under the current Guideline Harvest Level, Halibut Charters will not have access to obtain more of the Halibut resource which will reduce the economic stability in the existing charter fleet; and

WHEREAS, the proposed Halibut Charter IFQ plan is to resolve the allocation split between the commercial and the charter users; and

WHEREAS, the proposed Halibut Charter IFQ plan will have access to obtain more of the Halibut resource which will insure the economic stability in the current charter fleet and allow future growth as guided sport fishing demand increases; and

WHEREAS, the proposed modified Guideline Harvest Level (GHL) must allow for growth in individual Charter fishing businesses as guided sports fishing demand increases; and

WHEREAS, the implementation and allocation of a modified IFQ management plan will provide for orderly entry and access adjustments by all charter businesses to meet business requirements in a similar fashion to the commercial IFQ program proportionately within our community; and

WHEREAS, the proposed modified IFQ management plan will meet the needs of the current fleet in Area 3-A, which includes Valdez, Whittier, Homer, Kodiak, Seward and Deep Creek; and

WHEREAS, the State's Modified GHL plan with a proposed moratorium will eliminate future charter growth in all salt water species including Halibut after the Federal Register published Control Date to 12/09/2005; and

WHEREAS, stable and positive tourism-based businesses, will result from the implementation of a market based quota plan, and will protect the existing economic infrastructure of Alaska, and provide direct benefits to the communities and related businesses.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that:

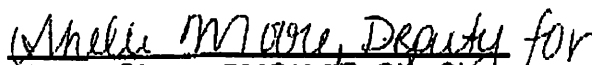
- Section 1. Resolution 05-70 is hereby rescinded.
- Section 2. The Valdez City Council finds that the proposed Halibut Charter IFQ plan, or other market based quota plan adjusted to reflect current participation through 12/09/2005, would present the opportunity for free enterprise growth.
- Section 3. The Valdez City Council finds that when an area needs management for the conservation of the halibut resource, the IFQ plan will provide resource access adjustments in order to address the unique situation of that particular fleet and community.
- Section 4. The Valdez City Council supports a management plan that is equitable to the commercial fleet and all existing charter operators and includes provisions for new entrants.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA this 20th day of March, 2006.

CITY OF VALDEZ, ALASKA


Bert L. Cottle, Mayor

ATTEST:


Sheri L. Pierce, CMC/A&E, City Clerk



Fax # (907) 271-2817

Dear North council,

My name is Trevor Arndt, I am a charter Captain in Homer Alaska. I would like this letter to count in the support of the ACA.

I **support** the charter stakeholder committee and its commitment to rapidly develop a long-term solution.


I **oppose** the ALFA Separate Accountability proposal.

I feel that the ACA is defending the tourism and sport fishing industries of Alaska. It is my belief that tourism is one of Alaska's most precious natural resources. If the ability for tourist/sport fishermen to fish Alaska's pristine waters is crippled, it would have a detrimental trickle down effect, actually flood down effect on our states economy.

We've all watched government changes and "big business" all but wipe out the small family farms of the midwestern U.S. What I feel is that we as charter providers are the small family farmers. We struggle to make the payments on our \$50,000 boats. We are not in the business to make millions. We do this because we love sharing our Alaskan experiences with our newfound friends. We provide tourists with a safe affordable way to get out on the ocean and take home a few pounds of fresh sport caught fish.

Charter crews don't see dollar signs with every fish we bring aboard; we see excitement, astonishment, and a sense of reward. We need to find a solution that will not jeopardize this.

Fish on!


Charter Capt. Trevor Arndt
Homer, AK


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MAR 28 2006
N.P.F.M.C.

To the NPFMC: From: Harvest Charters (Valdez Halibut Fisherman)
(Regarding the april 10th meeting)

With regards to item C-6 halibut charter boat issue, I would like to say that whatever actions that you decide on this issue, I believe that it must be equitable. The GHL seems to be the best way at this time, or at least it seems to be the lesser of two evils. However, I do believe that the GHL needs to be recalculated to reflect the increase in the biomass in 2004. Just like the commercial IFQ, the GHL needs to stair step up to reflect the same percentage increase as it did on the commercial side. Then the end result would be no restrictions this year under the GHL. As the commercial IFQ has almost doubled in the last 8 years, the charter take has remained relatively steady. And we're the ones that are getting hammered on and have to cut back. Where's the equity in that?

Please don't even consider different classes of licenses for different years of entry to the charter fleet. That would effectively cut out all of us that are relatively new. I started chartering in 2003 in Valdez so this is going to be my fourth year. I can tell you from experience that many of the charter boats that have been in business much longer than I have, have chartered much less than me. I have made 170 trips in the last three years and I know of many boats that haven't made that many trips in 8 years, So that makes me a more active participant in the fishery then someone who has been chartering longer, but has less time invested in fishing. Some haven't even fished in 3 or 4 years. They're just waiting for the big windfall, IFQ or limited entry permits, so they can sell out and we'll never see them again.

Thanks


Steve Thurneau
Harvest Charters
1695 Farmers Loop Road
Fairbanks, Alaska 99709
907-388-0159

RECORDED
MAR 28 2006
N.P.F.M.C.



P.O. Box 2083 Homer, Ak. 99603 1-800-770-6126 inlet@halibutcharters.com <http://halibutcharters.com>

REC
MAR 28 2006
N.P.F.M.C.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

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MAR 28 2006
N.P.F.M.C.

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I too am a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

I sincerely request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided to replace the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Weldon

**Weldon s Chivers
Po. Box 2005
Homer Alaska
99603**



PO BOX 1775
HOMER, ALASKA 99603

1-800-770-6400

**North Pacific Fishery Management Council
 605 W 4th Avenue Suite 306
 Anchorage, Alaska 99501-2252
 Fax 907 271-2817**

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 MAR 28 2006

N.P.F.M.C.

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I am a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

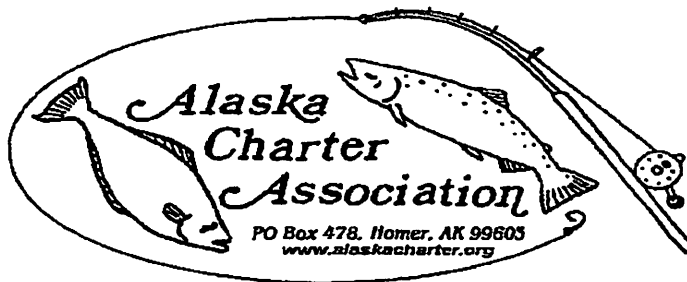
I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

**David & Diane Morris
 Owners & operators
 Bob's Trophy Charters
 3978 Homer Spit Road
 Homer Alaska 99603**



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 MAR 23 2006
 N.P.F.M.C.

"To Preserve and Protect the Rights and Resources of Alaska's Sport Fishermen"

March 26, 2006

Ms. Stephanie Madsen
 North Pacific Fishery Management Council
 605 West 4th Avenue, Suite 306
 Anchorage, Ak. 99501-2252

Re: GH/L/Support the Halibut Stakeholders Committee 03/23/06 Motion,
 Reject the ALFA Separate Accountability proposal

Dear Madame Chair,

I strongly urge you and all members of the North Council to support and adopt the Halibut Stakeholders Committee 03/23/06 motion. After careful consideration by all members of that committee and the overwhelming support from all members of the charter industry, please lend your full support for this motion. I have not heard from any charter members across the State that does not support it. When adopted it will reasonably minimize potential adverse effects of the GH/L and provide adequate time for the Stakeholder Committee to develop a long-term solution. I am a member of this committee and can assure you that we will work diligently for a solution that will minimize future conflicts.

Equally, members of the charter community that have expressed themselves to me and members of my organization do not support the ALFA Separate Accountability proposal. Please reject it. It does not belong in the IPHC equation and should not be adopted. It is fraught with potential problems.

This is the first time I have seen the entire Alaskan charter industry so united on two issues. Thank you for your consideration, and I look forward to seeing you in April.

Sincerely yours,

Greg Sutter
 President

ALASKA EXCURSION ADVENTURES INC. 907/235-2553
1500 Cottonwood Lane, Homer, Alaska 99603 FAX: 907/235-0553
www.alaskaexcursion.com email:coates@alaska.com

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

March 27 2006
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MAR 28 2006
N.P.F.M.C.

Dear Council Members,

I am writing this letter in regards to the upcoming April 5th/ 11th Plenary Session regarding agenda item C-6 Halibut GHL.

My husband and I have owned and operated our halibut fishing charter business for 16 years out of Homer. We are members of the Homer Charter Association and have been involved in this controversy since its inception.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon which must include replacing the current both unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's. We already had a moratorium years ago with apparently no success but we still feel it is necessary. We still feel IFQ's are the best way to go and are glad that the Stakeholder Committee is now agreeing with us. I find it humorous that now they agree with IFQs as long as they are given the same allocation that we were getting! In any case, lets get IFQs fast tracked through this time and put all this to rest once and for all.

I am opposed to The ALFA Separate Accountablilty proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Laurie Coates



SELDOVIA FISHING ADVENTURES INC
 David and Peggy Cloninger
 P.O. Box 121, Seldovia Alaska 99663
 Phone: 907-234-7417, Fax: 907-234-8444
 www.fishhalibut.com
 e-mail: fishfun@xyz.net



**North Pacific Fishery Management Council
 605 W 4th Avenue Suite 306
 Anchorage, Alaska 99501-2252
 Fax 907 271-2817**

March 27, 2006

Dear Council Members,

i am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I am a charter operator in Seldovia, Alaska, and a member of the Homer Charter Association.

I request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

I believe the council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Sincerely,

David R. Cloninger

KOSKOVICH

P.O. Box 1282 Homer, Ak. 99603
907 235-5405 - Tel./ 907 235-3846

RECEIVED

MAR 28 2006

N.P.F.M.C.

DATE: 3-27-06

TO: North Pacific Fisheries Mgmt. Council

FROM: Richard Koskovich

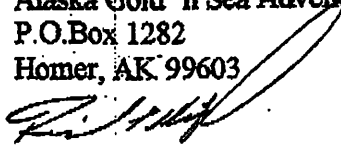
Number of Pages (including cover page): ONE

COMMENTS: Re: Charter 11Q

N.P.F.M.C.
605 W. 4th Ave. #306
ANC. AK 99501

I urge you to support the motion for a moratorium on the Halibut Charter GH/TFQ.
The recent new and critical information from the IPHC should DEMAND a
Moratorium.

Thank You,
Richard Koskovich
Alaska Gold 'n Sea Adventures
P.O.Box 1282
Homer, AK 99603



**Delsbrat Charters
Robert L Jaynes
PO Box 2941 Valdez, Alaska
99686
(907) 835-5935**

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MAR 23 2006

N.P.F.M.C.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear council members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a 10 year charter operator in Valdez Alaska and past president of the Valdez Charter Boat association.


I would like to make it very clear that I am not in favor of any form of IFQ Plan.

I would request that you take no action or table all considered GHL restrictions until such time as the a permanent solution for Limited Entry with a plan to bring in new entrants prior to the control date of 12/09/2005, is decided upon replacing the current restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.


**Robert L Jaynes
DELSBRAT CHARTERS
Valdez, alaska**

NPFMC
 605 W. 4th Ave. Suite 306
 Anchorage, Ak. 99501-2252

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 MAR 23 2006

N.P.F.M.C.

March 27, 2006

Council Members,

Surge your adoption/approval of the motion forwarded to you from the Stakeholder Committee approving this motion effectively suspends potential E.H.R. restrictive measures assuring the opportunity to gain better reliable data & your input in developing a long term equitable solution.

Please oppose the ALFA separate accountability proposal.

Your decisions seeking the best & equal arrangement for all constituents affects my livelihood as a small business providing hospitality lodging on the Kenai Peninsula.

Thanking you in advance for your kind & thoughtful considerations

Cordially

Laren Cauble

owner Skyline Bed & Breakfast

Past President Alaska B & B Association

63590 Skyline Dr

Homer, Alaska 99603

907. 235. 3832

Angling Unlimited

Sitka Fishing Adventures

March 27, 2006

North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage AK 99501-2252

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MAR 28 2006
N.P.F.M.C.

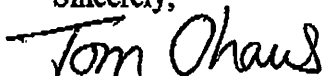
Dear Council Member,

Regarding item C-6 Charter Issues, on your April 10th agenda, we support the positions taken by the Council's GHJ. Stakeholders Committee.

1. Table all considered GHJ. restrictions in lieu of the fact that had the GHJ. stair stepped up with abundance there would have been no overages. Additionally, restrictions on retention of captain and crew halibut as a means of decreasing the harvest of demersal shelf rockfish will decrease the halibut catch in 2C.
2. The GHJ. should have a retroactive adjustment to stair step up with abundance as well as down. The current arrangement of only stair stepping down is clearly wrongheaded and unfair.
3. We support the control date of 12/9/2005 for moratorium on entrants into the guided sport halibut fishery. We support the development of a limited entry designed to right size the guided sport fleet.
4. We oppose the "Separate Accountability" proposal from the Alaska Longline Fishermen's Association. It goes against the "soft cap" design of the GHJ. A hard allocation should not be considered until a comprehensive management plan is implemented for the guided sport fleet.

Thank you for your considerations.

Sincerely,



Tom Ohaus
Owner, Angling Unlimited

800-297-3380

Laurie Mastrella
PO Box 8147
Port Alexander, AK 99836

March 28, 2006

To: North Pacific Fisheries Management Council

Re: Halibut

Dear Council members:

I've been commercial fishing in Area 2C since 1990. Currently over half my annual income comes from my halibut crew job. Obviously it is upsetting to have money come right out of my pocket as a result of the charter fleet exceeding their GHL. It is way past time for long term management strategies to be implemented that check the unlimited growth of the charter industry at the expense of commercial fishermen. I prefer plans that do *not* allow charter operators to purchase commercial IFQ.

While the details of long term management are being worked out, intervention is needed **NOW** to ensure the GHL is not exceeded. I urge you to **adopt the following short term measures:**

1. Limit charter vessels to one trip per day
2. Prohibit harvest of halibut by skipper and crew
3. Impose an annual catch limit of five fish. This is *plenty* to feed a family through the winter months. Halibut will not hold in a home freezer longer than about six months anyway. I've seen *many* charter clients taking home far more halibut than any family can reasonably use in a year. I'm quite sure much of this fish either goes to waste or is sold as black market product to family, friends, and acquaintances of the client. I know this goes on as I have had several charter clients tell me that they have done or intend to do this.
4. **Most importantly – Implement the Separate Accountability option!**
It is crucially important to **STOP** the reallocation of quota from the commercial to the charter sector! It is ridiculous that commercial fishermen are asked to pay the charter fleet to take more than their GHL. *Please* vote at *this meeting* to send a letter to the IPHC requesting that this change be made.

Thank you,


Laurie Mastrella

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MAR 28 2006
N.P.F.M.C.



ARCTIC TERN CHARTERS & FISH CAMP

P.O. Box 1122—Sterling, AK 99672 PHONE/FAX 907.261.7631

Captain Perry A. Flotre, Professional Sportfishing Guide

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MAR 28 2006

N.P.F.M.C.

26 March 2006

To: All members of the North Pacific Fishery Management Council


Subject: Charter IFQ Stakeholder Committee recommendations to the Council scheduled for Monday, April 10, 2006, Agenda Item C-6 Charter Issues.

My name is Perry Flotre and I own/operate a sport charter fishing business. I have fished the waters of Cook Inlet and the North Gulf Coast for the past 15 years.

I have followed the diligent work of the Charter IFQ Stakeholder Committee since their inception and I completely agree with all of their proposed analysis areas for a final resolution to the problems associated with the charter fleet.

I also completely agree with their fully substantiated position that the Council should take NO ACTION on the AFLA Separate Accountability proposal.

Cordially,


Perry A. Flotre

.....

PWS Eco-Charters
P.O. Box 735
Whittier, Alaska 99693-0735

March 26, 2006

North Pacific Fisheries Management Council
605 West 4th Avenue, STE 306
Anchorage, Alaska 99501-2252

RECEIVED
MAR 28 2006
N.P.F.M.C.

Dear Council members,

Once again it is time to voice and write my opinion. I have attended most of the meetings regarding the charter halibut issues during the last many years and deeply appreciate your recent actions which have allowed me to remain in business with my small charter operation. I realize that this was a hard decision for some of you to agree with.

At this time, I'd again urge you to follow the Stakeholder Committee's 03/23/06 recommended motion. That motion states that the "Committee recommend(s) that the Council take no action on proposed measures to implement the GHL and fast track a moratorium leading to a permanent solution, which may include a percentage allocation, limited entry program or an IFQ program."

One important lesson I think we all have learned is that timeliness is critical to moving proposals forward. I trust all of you will put aside your personal biases on this issue and endorse the recommendation of the Stakeholder Committee, which you established. I believe most, if not all, charter operators now support this.

Respectfully,



Dave Goldstein
PWS Eco-Charters

.....

NDFMC
605 W 4th ave, Suite 306
Anchorage, AK 99501
fax: 907 271 2817

March 29, 2006

RECEIVED
MAR 28 2006

N.P.F.M.C

Dear Council Members,

This letter is regarding the upcoming April Plenary Session, Item C-6 Halibut GHL.

I am opposed to the ALFA Separate Accountability proposal.

I would like you to work with the Stakeholders Committee to reach a more fair and permanent solution.

I am in favor of an IFA program.

Thank you,

Capt. Phil Warren
Comfort Charters
Homer, Alaska 99603
(907) 235 1374

Phil Warren

C-6 comments

RECEIVED

MAR 28 2006

3-28-06

N.P.F.M.C.

Jane

- 1) Please find the following letter.
- 2) Copy of Construction Contract
with Boat Manufacture.
- 3) Copy of letter from customer
from canceled fishery trip.

Larry Murphy
745-1134 ph/Fax.

North Pacific Fishery Management Council
605 W. 4th Ave. Suite 306
Anchorage, AK 99501-2252
Attn: Jane Dicosimo

RECEIVED
MAR 28 2006

N.P.F.M.C.

March 28, 2006

I appreciate the opportunity to present my thoughts and position to the NPFMC members. I am new to the fishing industry, but have been following the comments closely since the Dec. 9, 2005 meeting and have been in touch with the stakeholders also.

The new Draft by the stakeholders committee looks very good and covers the necessary issues with the current data available. I would say that I strongly disagree with ALFA Separate Accountability proposal.

I have been actively working on my charter business now the two years, starting in 2004. I was having a new 32' aluminum boat built in Anchorage, and to be completed by June 15, 2005. The boat did not get finished for the 2005 season and we had to refund and cancel any obligations. We currently are booked for the summer of 2006.

I hope that the new Drafts would have provisions for cases such as mine. My intent is undeniable to be a full time charter operator, I may not have gotten my log book for either 2004 or 2005, but I have every bit as much invested in time and money as other charters.

There must be a set of provisions made separately, from just the log books, that allows for special circumstances like mine and others. Beyond a reasonable doubt I had all the qualifications for a charter business, had a deposit on a new boat and had the boat started with full intent of chartering before the Dec. 9, 2005 moratorium.

Please have consideration for cases such as mine that may be an exception from the rule, but equally committed prior to the ruling date on Dec. 9, 2005.

Larry McMurphy
745-1134

MAR-04 005-FRI 11:21 AM

SEA STATE ONE MARINE

FAX No. 9072434654

P. 002

RECORDED
MAR 23 2006**CONSTRUCTION CONTRACT
NO. J1200****N.P.F.M.C.**

Sea State One Marine Marine, LLC, of 3020 Rampart Drive, Anchorage Alaska 99501, agrees to construct, and Larry McMurphy, of HC01 Box 6473J, Palmer, Alaska, 99645, agrees to purchase, the vessel described herein, on the following terms and conditions:

1. **Scope.** Sea State One Marine will build for delivery at Sea State One Marine's yard an aluminum vessel in accord with plans, specifications and drawings, if any, attached hereto as **Addendum 1**. This Contract and its Addenda constitute the entire agreement between the parties, and supersedes all prior negotiations, discussions, drawings, plans, specifications and agreements. There are no other written or verbal agreements, terms, conditions, drawings, plans, or design, performance or other specifications in the agreement. The agreement may only be changed by means of a signed writing.

2. **Price and Payments.** Price for the vessel, excluding engine package option, is \$86,265.00, payable in accordance with terms set forth in **Addendum 2** provided no changes are ordered or required. Changes will be for the Customer's account, at a charge to be agreed upon and put in a Change Order that must be signed. If changes are ordered after construction begins, Customer will be responsible for any necessary removal and/or alteration costs, as well as costs of fabricating and installing changes. The payment schedule is as provided in Addendum 2 hereto, except that Sea State One Marine has the option to bill for changes as soon as they are performed or experienced, without waiting for the next scheduled progress payment invoice, unless otherwise agreed upon in writing between Sea State One Marine and Customer. All invoices will be due and payable upon receipt. SSOM has made every effort to cover all aspects pertaining to vessel prior to construction that may result in a change order.

3. **Delivery.** The vessel is to be delivered turnkey on approximately June 15, 2005. Delivery will be upon satisfactory completion of sea trials with all equipment in working order. The delivery date shall be subject to extension by reason of delay caused by things beyond reasonable control of Sea State One Marine "Force Majeure":

The agreement contained in this contract respecting the stipulated date of delivery of the vessel shall be subject to extension by reason of "Force Majeure", which term is hereby declared to include all causes whatsoever beyond reasonable control of SSOM. Such causes shall include, but shall not be limited to, the following: strikes, lockouts or other industrial disturbances; acts of god or of the Customer; war, preparation for war, or the requirement or intervention of naval or Military executives or other agencies of government; arrest and restraints of rulers and people, blockade, sabotage, vandalism and malicious mischief, threats of vandalism and bomb scares, insurrection; landslides, floods, hurricanes, earthquakes, ice collisions; fires; delay of carriers by land, sea or air; non-delivery and/or late delivery of all customer-furnished material and equipment; delays due to changes authorized by customer; and delays or shortages of material or shortages of skilled labor that SSOM by reasonable precaution cannot avoid. Rain or snow shall not be considered a "Force Majeure" unless its occurrence requires a shut down of a substantial portion of the yard prior to

Construction Contract 1200

Larry McMurphy

March 3, 2005

Page 1 of 3

RECEIVED

MAR 28 2006

N.P.F.M.C.

6-10-05

From the desk of . . .

Ron Gardner

Dear Larry,

We are sorry to hear that your boat will not be done this summer. We will not be coming to Alaska as planned. I have some very sad people. Please keep me informed as to the progress of your new boat. We are all planning to come with you this next year. Have a great day

Paul Brown
Gardner

**KINGFISHER
CHARTERS**

Kingfisher Charters, LLC
P.O. Box 1781
Sitka, Alaska 99835
(800) 727-6136
www.kingfishercharters.com
e-mail: kingfish@ptialaska.net
fax (907) 747-7136

Alaska Salmon and Halibut Fishing Vacations

REC

MAR 28 2006

D**N.P.F.M.C.**

March 27, 2006

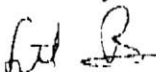
Dear Council Member:

As a member of the halibut Stakeholder Committee, I'm writing in regards to halibut charter management, item C-6 on your April meeting's agenda. I support the recommendations of the halibut charter Stakeholder Committee as we work toward a long-term management regime for the halibut charter fishery.

- 1) The GHL should be fixed retroactively and any restrictions currently under consideration should be tabled. The current GHL is flawed because it only stair-steps down below its baseline, never above it, no matter how much halibut abundance goes up. If the GHL had been properly designed to rise with increases in the CEY, it would have stair stepped up in both 2C and 3A, and the charter harvest would be below the GHL.
- 2) I do support the Moratorium on halibut charter vessels, with a control date of 12/9/05, as recommended by the Stakeholder Committee, and request that the Council fast track this item.
- 3) I am strongly opposed to the ALFA Separate Accountability Proposal. The GHL was intended to be a soft cap to keep the charter harvest near a certain level. ALFA's proposal would turn the GHL into a hard cap. The Stakeholder Committee is tasked with and is developing a long term management regime. It would be inappropriate to fundamentally change the GHL into a hard cap allocation in the interim.

Thank you for your thoughtful consideration of these issues.

Sincerely,



Seth Bone
Owner

Bill' s Alaskan Charters

RECEIVED

PO Box 2268
Soldotna Ak. 99669
USA

Phone 907 262 1395

MAR 28 2006

N.P.F.M.C.

March 28, 2006

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Bill Coy

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MAR 28 2006

N.P.F.M.C.

March 27, 2006

Dear Council Member:

As a Sitka area sport fishing business owner, I am writing regarding item C-6 on the April 10 agenda for Charter. I support the positions of the halibut charter stakeholder committee. I support a moratorium on halibut charter vessels, with a control date of 12/05, and recommend fast tracking this. I oppose the "Separate Accountability" as proposed by the Alaska Longline Association. Going against the "soft cap" design, a hard cap allocation should not be considered until a management plan is in place for guided sport fisherman. The GHL should be stair stepped with abundance as it goes up and increase with abundance. Properly designed, sport caught fish would actually be below the GHL in 2C and 3A.

I appreciate your consideration.

Sincerely,


Robert Suarez

Owner

Neva Point Charters, LLC

PO Box 341

Sitka AK 99835

907 738 6382

03/28/2006

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MAR 28 2006
N.P.F.M.C.

North Pacific Fishery Management Council
Stephanie Madsen, Chair
222 Seward Street
Suite 200
Juneau, AK 99801

Subject: Mechanisms of the GHL and a Fair Charter Allocation.

Chairman Madsen and Council members;

I request that the Council entertain the following points:

- The present GHL was developed at a time when the IPHC was predicting a sharp decline in the CEY. Because of that prediction, the Council decided that only a "stair step down" was needed. Since implementation of the GHL the Commercial Longliners have been enjoying handsome increases in their CEY. Since the Alaska Longline Fishing Association's (ALFA) motto has been "Share the Pain, Share the Gain" when addressing issues for restriction of the Charter Industry, then in the interest of fairness and equality the GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
- Table all considered GHL restrictions until such time as a permanent solution of Limited Entry, an Expandable GHL (KACO Plan), or IFQ is decided upon replacing the current restrictive GHL.
- The control date of 12/09/2005 needs to be adhered to for analysis of a Moratorium, and then replaced by a permanent Limited Entry, Expandable GHL (KACO Plan), or IFQ plan.
- The ALFA Separate Accountability proposal should not be given consideration until after a permanent solution has been put in place for the Charter Industry.

I request that this letter be included in the packets provided to the Council members in reference to the Guided Sport Halibut Fishery.

Respectfully submitted,

Shawn Gornall

Irish Lord Charters
Robby Carroll
PO BOX 548
Kenai Ak. 99810
USA
Phone 907 262-8812

March 28, 2006

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MAR 28 2006
N.P.F.M.C.

North Pacific Fishery Management Council
605 W 4th Avenue Suite 308
Anchorage, Alaska 99501-2252
Fax 907 271-2817

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 6th / 11th Plenary Session agenda item C-5 Halibut GHL.

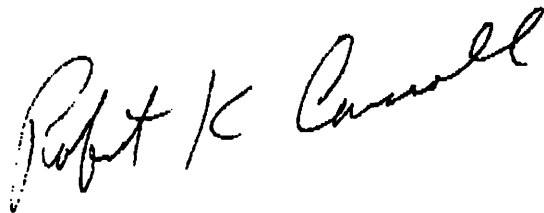
I am a charter operator in Ninililik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.





KENAI RIVER SPORTFISHING
— ASSOCIATION —

2006 Board Members

Ron Rainey
Board Chairman

Mark Hamilton
1st Vice Chair
University of Alaska
President

Rik Bucy
2nd Vice Chair
Tesoro Alaska - Retired

Kevin Branson
Secretary/Treasurer
Thomas, Head & Greisen
CPA

Ben Ellis
Institute of the North
Managing Director

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Owner

Shirley Gifford
Soldotna Police Chief
Retired

Jim Golden
The Sports Den
Owner

Reuben Hanke
Harry Gaines Fish Camp
Owner

Bill MacKay
Alaska Airlines
Senior Vice President

Eldon Mulder
The Mulder Company
President

Robert Penney
PENCO Properties
Owner

Gary Turner
Kenai Peninsula College
Director

March 28, 2006

Ms. Stephanie Madsen, Chairwoman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Dear Chairwoman Madsen:

I would like to thank you for inviting KRSA to participate in the Halibut Charter Stakeholder Committee. From my perspective the committee is making headway on the issues tasked to it by the Council, and we will be able to forward the set of alternatives to the Council for further analysis in the near future. Our next meeting dates are scheduled for April 18 – 20.

The committee has forwarded a set of recommendations to the Council for its April 5 – 11 meeting. I am in full support of the committee recommendations that the Council:

1. take no action at this time, in light of more recent IPHC data on halibut abundance, on proposed measures to implement the GHL;
2. fast track a moratorium leading to a permanent solution, which may include a percentage allocation, limited entry program or an IFQ program; and
3. not consider the ALFA Separate Accountability proposal until after a permanent solution has been put in place for the Charter industry.

Respectfully,

Ricky Gease, Executive Director
Kenai River Sportfishing Association

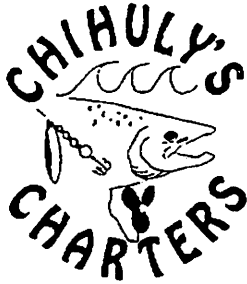
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Dedicated to preserving the greatest sportfishing river in the world, the Kenai.

PO Box 1228 • 224 Kenai Ave., Suite 102 • Soldotna, Alaska 99669

Phone: (907) 262-8588 • Fax: (907) 262-8582 • www.kenairiversportfishing.com • E-mail: info@kenairiversportfishing.com

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P.O. BOX 39294, NINILCHIK, ALASKA 99639

On Sterling Highway next to Chinook Service.

RECORDED
MAR 28 2006

N.P.F.M.C.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.



1-907-567-3374

**605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 28, 2006

I am writing this letter in regards to your April 5th/ 11th meeting agenda item C-6 Halibut GHL.
I am a charter operator in Southeast Alaska.

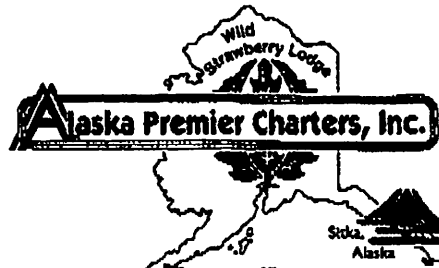
I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Craig Loomis
Craig Loomis
First Out Last In Yacht Adventures
P.O. Box 332
Haines, AK 99827



March 28, 2006

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

RECEIVED
 MAR 28 2006
 N.P.F.M.C.

Dear Council Members,

We are writing this letter in regards to your April 5th/ 11th meeting agenda item C-6 Halibut GHL. We are charter operators in Sitka, Alaska, and members of the Sitka Charter Boat Operators Association.

We would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

Referencing a chart in the Federal Registry page number 47264 showing how the GHL works, it would appear that Area 2C's charter sector is currently at 1,432,000 pounds. If the Constant Exploitable Yield falls below 7,965,000 pounds of halibut, Area 2C's charter sector poundage would be reduced by 215,000 pounds, or about 15%, and so on, as the CEY falls. This method was developed at a time when the IPHC was predicting a sharp decline in the CEY.

Because of that prediction, the Council decided they only needed a "stair step down," against our requests for a "stair step up," and the need to have a Moratorium to new entrants if we are to work under a GHL. While under a GHL, the Council has tools to restrict our harvest such as annual harvest limits of 6, 5 and 4 fish as they choose, one trip a day, Crew fish, size limits, bag limit changes from 2 fish to one, and so on.

These "stair steps down" are at 15% reductions in the CEY. If you "Share the Pain, Share the Gain," as Alaska Longline Fishing Association's motto has been to get the Council to restrict us, then turnabout is only fair. In Area 2C currently, we have a CEY of 13,700,000 pounds!!!! What this means to 2C is three stair steps up, or 2,177,893 pounds, a 151% increase!!!!!!! Area 2C is not even close to needing a restriction, and Area 3A is in even better shape.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

We are opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for your consideration.



**Theresa Weiser and Juan Belcher
Alaska Premier Charters, Inc. / Wild Strawberry Lodge
P.O. Box 2300
Sitka, Alaska 99835**



REC-10
MAR 29 2006
N.P.F.M.C.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

(907) 567-3667
(907) 567-3607 Fax

KING of KINGS
Guide Service and Lodge

24715 Sterling Highway
Anchor Point, AK 99556-9701

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

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MAR 29 2006
N.P.F.M.C.

Dear Council Members,

March 27, 2006

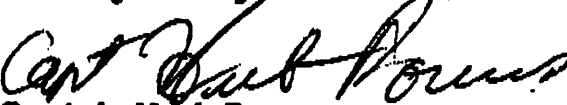
I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for your consideration.


**Captain Herb Downs
Happy Valley Hookers
PO Box 38689
Ninilchik, AK 99639**

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

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MAR 29 2006
N.P.F.M.C.

Dear Council Members,

March 27, 2006


I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda Item C-6 Halibut GHL. I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.



Tim Erion
P.O. Box 526
Clam Gulch, AK 99568

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MAR 29 2006

N.P.F.M.C.

North Pacific Fisheries Management Council
March 29, 2006
Re: April 5-11th Plenary Session agenda item C-6 Halibut Charter

Dear Ms Madsen,

I strongly oppose any pursuit to augment the Halibut Charter GHL with specific restrictive measures. The very existence of the GHL is a blemish on the council process.

I have reviewed North Council proceedings for the past fifteen years. I have also communicated with every other management council. It is increasingly clear that the special interest mission of some council members has flawed Halibut resource management efforts. In all other fisheries management regions where commercial and recreational fishermen share a resource, an FMP is in place. The allotment percentage varied by species but in only one region and for a single species, was the Recreational allotment as low as 22%. It increased to as high as 83% for bluefish in the Mid-Atlantic region. But, across the board, approximately half of any resource was reserved for recreational harvest. It is ludicrous that this council set, as an upper limit, less than 10% of the halibut harvest for sport fishermen. I'm confident a Federal Judge/Court will find the existing GHL inappropriately skewed.

Without an FMP in place for Halibut, the North Council is continually being pressured by Special interest, ALFA in particular, to manipulate the management process. I categorically oppose ALFA's "Separate Accountability" proposal as one more effort to create a scheme to benefit only ALFA members. Recent council scrutiny and criticism are the by-product of ALFA-backed proposals: the Halibut Charter IFQ and GHL. The significant accomplishments and credibility of this council have been summarily diminished in the eyes of the public as a result- probably unfairly!

The charter vessel moratorium is another example of a "something for nothing" mentality. The number of recreational anglers might be reduced at some point if fewer charter options with fewer charter spaces can not meet public demand. But the flip side could prove catastrophic. More anglers would attempt to fish privately in small boats and in less safe conditions.

I will again believe in the sincerity and commitment of this council when I recognize equal attention and urgency to sponsor and implement accurate accountability for resource loss and waste within the commercial sector, and equally stringent programs to minimize that loss of resource. Its very last priority should be the recreational sector which has the smallest harvest percentage and the least waste.

Sincerely,



Dr. John E. Bondioli, Recreational Fisherman
PO Box 66
Homer, AK 99603

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MAR 29 2006
N.P.F.M.C.

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I am a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

*Mike Duff 25 years charter fishing
Captain Mike's Charters
PO Box 269 Homer Ak 99603
Fish @ GCI.net*

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

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MAR 29 2006

N.P.F.M.C.

March 27, 2006

Dear Council Members,

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for your consideration.

Larry M. Alund
KATILAK Charters

ALASKA LONGLINE FISHERMEN'S ASSOCIATION

403 Lincoln Street, Ste. 237 Sitka, AK 99885

(907) 747-3400

alfafish@ptialaska.net

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MAR 29 2006

N.P.F.M.C.

NPFMC

605 West 4th Ave

Anchorage AK 99501

Dear Members of the Council,

Below please find comments of the Alaska Longline Fishermen's Association (ALFA) on agenda item: Halibut GHL.

When the Council rescinded the halibut charter management plan, the Council made a commitment to maintaining stability in the halibut industry by constraining the charter harvest to the GHL while recreating a long-term halibut charter management strategy. ALFA requests that the Council fulfill that commitment by taking 4 actions at the April meeting:

1. Adopt and implement effective measures to constrain charter harvest to the GHL;
2. Establish a separate accountability system where GHL overages are not directly deducted from the commercial quota and each sector is managed to stay within its allocation using post-season refinements;
3. Commit to a streamlined management process where refinements necessary to stay within a sector allocation are developed and implemented in a timely manner;
4. Move expeditiously toward a long-term strategy that resolves the allocation battle and addresses other issues associated with unchecked halibut charter harvest.

The GHL, as defined in the Federal Register, has been exceeded in both 2C and 3A. While the arguments surrounding model back-casting, preliminary vs. final numbers, Commissioner EO authority, etc., are interesting, until superseded by other Council action the GHL stands as the management mechanism and the Council as the responsible management body. At this time, ALFA urges the Council to fulfill the commitment made to the halibut industry last December by adopting harvest control measures that effectively limit halibut charter harvest to the GHL. In 2C these measures include: skipper and crew restrictions and a 5 fish annual limit. In 3A, skipper and crew restrictions will accomplish necessary reductions.

As part of re-affirming the Council's commitment to maintaining sector stability during this interim period, ALFA urges the Council to adopt the separate accountability approach introduced to the Council last February. Separate accountability (SA) is consistent with the Council's management of sector allocations in other fisheries (e.g., overages in the GOA trawl sablefish TAC are not deducted from the hook and line allocation the following year), and consistent with IPHC management of halibut allocations in other states. Under this approach, the Council would request that the IPHC create a combined charter/setline fishery limit, with the GHL number defining the charter sector's allocation. Each sector would then be managed to remain within its allocation. In keeping with the Council's intent to provide the charter sector with a continuous season of historic length, management actions for the charter fleet would be reviewed post season, modified as appropriate, and refinements implemented on a timely basis for the following season.

One possible timeline for charter management in keeping with this approach is outlined below.

Meeting	Action
October 2007	<ul style="list-style-type: none"> • Council reviews 2006 and 2007 logbook data and 2006 final SWHS data • Council receives recommendation from ADF&G for refinements necessary to maintain charter harvest at the GHL • Council initiates analysis of proposed refinements • Charter industry is noticed of proposed changes for planning purposes
December 2007	<ul style="list-style-type: none"> • Council receives IPHC staff recommended 2008 catch limits • Council takes initial review and final action on refinement alternatives
February 2008	<ul style="list-style-type: none"> • Council receives final 2008 IPHC catch limit recommendations • Council may comment on proposed rule as necessary
April 1 2008	<ul style="list-style-type: none"> • Refinements take effect

This timeline corresponds with the process used in Washington and Oregon under the catch sharing plan in place for the halibut industry in these states. It is a defensible approach built on sector responsibility and timely accounting. For the commercial fleet, SA and a responsive timeline is the embodiment of the Council's promise to maintain sector stability while the long-term management plan is re-designed.

In response to misinformation currently circulating: SA does not create in-season management for the charter sector or the possibility of in-season closures. The Council has frequently voiced its commitment to maintaining a continuous season of historic length, recognizing that charter clients are booked up to a year in advance. ALFA does not question this commitment; it is essential to the health and stability of the charter sector, just as SA is essential to the stability of the set line industry. In short, SA is an interim measure necessitated by the Council's decision to rescind the charter IFQ plan.

Had the Council not rescinded the IFQ plan, the commercial fleet would be compensated for any increases in charter harvest, entry level charter opportunities would exist, and established charter operators would have individual control over their businesses and season. In rescinding the IFQ plan, the Council made a commitment to maintaining stability between sectors while reconsidering long-term management strategies. If the Council does not adopt effective harvest control measures and SA such that stability between the sectors is maintained, then the rescind vote will directly result in an uncompensated, unevaluated reallocation of quota between the sectors.

In closing, ALFA urges the Council to adopt effective management measures that control charter harvest to the GHL. In 2C and 3A, these measures should include: non-retention by skipper and crew; in 2C, an annual limit of five fish per day is also needed to restrict harvest to the GHL. To maintain stability in each sector and affirm its commitment to effective halibut charter management, the Council should move toward a catch sharing plan that establishes SA and a responsive timeline for charter management as described above. These two steps are essential interim measures that will serve as the bridge to the Council's long-term halibut management strategy.

Thank you for the opportunity to comment.

Sincerely,



Linda Behnken
(Director, ALFA)

attachment: Revised separate accountability proposal

Separate Accountability Alternative (as modified by discussion with the IPHC)

Proposal: Request that the IPHC establish a separate accountability system for guided sport and commercial harvests of halibut by removing the guided sport harvest from the “other removals” line item in the IPHC calculation and applying the GHL allocation directly to a combined fishery limit established by the IPHC in each area. Management actions to maintain catch limits with sector allocations would be developed post-season and implemented in a timely manner.

Rationale:

In October 2005, the NPFMC initiated analysis of alternatives to lower guided sport halibut harvests in Areas 2C and 3A in order to avoid GHL overages. The alternatives under consideration establish a management plan for the guided sport fishery while minimizing economic impacts to all sectors. The proposed separate accountability alternative would minimize the economic impacts associated with GHL overages. It would also align the accountability system used for the guided sport halibut harvest more closely with that used in other NPFMC fisheries and in other IPHC regions.

Currently, the guided sport harvest of halibut in Alaska is included in the “other removals” category that the IPHC subtracts from the area yield before setting the constant exploitation yield (CEY) for the commercial setline fishery. This causes any overage of the guided sport GHL to come directly off the commercial quota, resulting in an open-ended reallocation. Items 3 and 4 of the Council’s problem statement refer to the social and economic impacts this open-ended reallocation is having on the commercial fleet and community stability.

This accounting system is unique to Alaska. In California, Oregon, Washington, and Canada, the regional councils have established an allocation between the sport and commercial harvests. Each sector is managed to stay within its allocation, and overages in one sector affect the available biomass in future years, but are not directly subtracted from the quota of another sector.

The separate accountability approach would align the accounting of sport halibut in Alaska more closely with sector management in other IPHC regions, the remaining difference being that non-guided sport and personal use would continue to be accounted for in the “other removals” line in order to provide unrestricted access. The separate accountability approach is also consistent with NPFMC management

of gear splits such as sablefish and P. Cod. In these fisheries, an overall TAC is established, sector sub-allocations are made, and each sector is managed to stay within its allocation. Some plans have roll-over provisions, but overages by one sector do not directly reduce the quota of a separate sector.

Under the separate accountability approach, overages and underages in the commercial and guided sport sectors would be treated the same way—overages would reduce the available biomass in future years and underages would stay in the water and increase the biomass available in future years. Overages would also trigger Council action to modify the appropriate sector's management plan, as does the current GHL. It should also be noted that in the 10 years since the implementation of commercial IFQs between 200,000 and 300,000 lbs have remained un-harvested each year in areas 2C and 3A making it unlikely that overages in the GHL will cause the area CEY to be exceeded.

In summary, the surpassing of the GHL by the guided sport fishery in both 2C and 3A has caused the Council to consider alternatives that hold the guided sport harvest to the GHL while minimizing economic impacts and addressing the open-ended reallocation of quota between sectors. The separate accountability approach both addresses the open-ended reallocation and minimizes economic impacts, taking the pressure off the commercial sector while the Council re-designs the long-term management plan for the guided sport fishery. The separate accountability approach can also be applied if the GHL is changed to a floating percentage of the area CEY.

Table 1: Comparison of current annual CEY process and separate accountability alternative using a fixed GHL.

Current Method			Separate Accountability		
	2C	3A		2C	3A
Total CEY	13.73	32.18	Total CEY	13.73	32.18
Other Removals			Other Removals		
Combined Sport Catch	2.54**	5.44**	Non-Guided Sport Catch	0.79	1.73
Legal-sized Bycatch	0.14	1.32	Legal-sized Bycatch	0.14	1.32
Personal Use	0.68	0.40	Personal Use	0.68	0.40
Legal Sized Wastage	0.04	0.08	Legal Sized Wastage	0.04	0.08
Total Other Removals	3.40	7.24	Total Other Removals	1.65	3.57

Fishery CEY	10.33	24.94	Combined Fishery CEY	12.08	28.61
Commercial Catch Limit	10.63	25.2	Combined catch limit	12.062	28.65
			Guided Sport GHL	1.432	3.65
			Commercial Catch Limit	10.63	25.0

** Charter portion of catch based on ADF&G data from 2006 GHL analysis table 3 page 23.

March 29, 2006

NPFMC

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MAR 29 2006

N.P.F.M.C.

Dear Members of the Council,

Please implement Separate Accountability for the halibut fishery. This would separate the commercial longline fleet and the charter fleet so each had their own allocation and could then be able to manage within it. As it stands now with the charter overages coming off the commercial quota there is a gross inequity happening that has no limits. This would make the halibut fishery management consistent with all other fisheries management. The charters can not be expected to come up with a workable plan to stay within their GHL or any other management tool with an open door on overfishing at no cost to them. There are plenty of management options for the charter fleet to use to avoid in season closures if implemented before the season and not as panic button management. Please implement Separate Accountability at once.

Thank You



Carolyn Nichols
305 Islander Drive
Sitka, AK 99835

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MAR 29 2006



Valdez Harbors Users Association
P.O. Box 74801
Fairbanks, Alaska 99707
907-457-7033

North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska, 99501-2252
Fax: 907-271-2817

March 28, 2006

Re: The April 5th & 11th Plenary Session Agenda, Item C-6 halibut GHIL

Dear Council Members,

I am President of the Valdez Harbor Users Association, an organization dedicated to the support of the Valdez Small Boat Harbor and issues which affect Prince William Sound. We have an active membership and a mailing list of approximately 650 people who care about fishing and other recreational opportunities in Prince William Sound. That membership includes charter boat operators based out of Valdez.

I urge that the ALFA Separate accountability Proposal not be considered until after a permanent solution has been put in place for the Charter industry.

Likewise, please table or take no action on any GHIL restrictions until such time as a permanent solution of Limited Entry, or an IFQ plan is developed to replace the current restrictive GHIL.

Our membership is very concerned that a balanced plan is developed which protects the stock for future generations of all fishermen.

Thank you for your consideration.

Sincerely,

Paul Costello, President

March 28, 2006

North Pacific Fishery Management Council
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Dear Council Member:

I would like to share my support for the Council's GHM Stakeholders Committee's position to **take no action** on the ALFA separate accountability proposal for guided sport halibut.

Presently, there is no conservation or allocation crisis. According to the 2004 IPHC Annual Report, sport and subsistence users account for ten percent of the total halibut catch in Alaska. Guided sports harvest account for approximately five percent.

I appreciate the opportunity to provide input in developing a "fair and balanced" resolution to this issue and believe the AFLA's separate accountability proposal is unwarranted.

Respectfully,



Christopher Hashiguchi,
LegaSea Fishing Charter
Sitka, AK

RECEIVED
MAR 29 2006
N.P.F.M.C.

Goodhand Charters of Valdez

P.O. Box 90, Ester, Alaska 99725
907-479-5562

Stephanie Madsen, NPFMC chair
NPFMC
605 W. 4th Avenue, Suite 306
Anchorage, Alaska 99501 - 2252

RECEIVED
MAR 29 2006
N.P.F.M.C.

Re: Meeting Monday, April 10, 2006, "C-6 Charter Issues."

Dear Madam Chair,

My business has been putting up with the roller coaster ride of pending NPFMC action for 12 years now. These on again, off again, control dates, actions, inactions have caused myself and other long time businesses to set aside business plans because of potential restrictions. We, as the core group of charters businesses, thought that we had a future in the Charter IFQ. Well then, now, as we acted responsibly, we find the door was left open after all.

So while we move ahead, I hope this Council will not punish the "core long time Charter business," that provide four-fifths of the public access, just to reward speculators.

As I serve on the Stakeholder Committee, I hear ideas, some good, some bad, a "reinvention of the wheel." Most of the problems brought up in the Committee can be addressed by the Charter IFQ with a Leveling Plan.

For the April meeting I recommend these four items:

#1 The GHL was based on data that was incorrect and has changed to show that Charters - Guided Anglers should have a much larger piece of the halibut pie. "Stair step up" retroactively from the basis that the GHL was established. "Share the Pain - Share the Gain."

#2 With this new IPHC data putting the Charters under the GHL, there should be no action to restrict Charters - Guided Anglers.

#3 The Council should move forward with the recommendations from the Stakeholder Committee to essentially set the GHL aside, and work on a Moratorium leading to a permanent solution of Limited Entry, or an IFQ Plan. The Moratorium should be "fast tracked," and based on the 12/09/2005 control date. This new control date is essential for controlling new entrants, leading to over capitalization and latent capacity in the fleet.

#4 The ALFA Separate Accountability proposal should not be considered until after a permanent solution has been put in place for the Charter industry. We are currently over quota on ALFA proposals.

The Council now has an opportunity to correct the past allocation/data error, and at the same time have the available resource to create a permanent solution without crisis management, or unfairly hurting anybody. As the Alaska Longline Fishermen's Association's motto says, "Share the Pain - Share the Gain," fair is fair.

Thank You


John Goodhand

F/V Christina T
PO Box 1443
Petersburg, AK 99833

RECEIVED
MAR 29 2006
N.P.F.M.C.

Date: 3/29/06
To: Ms. Stephanie Madsen, Chair NPFMC
From: Julie & Todd Lappetito

As a commercial fisherman in Alaska and having invested over ¼ million dollars for a relatively small amount of Halibut IFQ , app. 28,000 lbs., we are very interested in the issues concerning the halibut charter industry .

In our community of Petersburg in the past ten years we have seen an enormous increase in charter captains and lodges. In the past five years we have witnessed a trend from what used to be, " a charter captain providing an experience of catching a halibut for sport" into "Charter captains harvesting the halibut as a "Take all you can home in multiple fish boxes stacked sky high at our local airport resource". This is manifested by hundreds to even over a thousand pounds of Halibut coming in on each separate charter, day after day, week after week . Fish and Game have witnessed this along with the huge growth in custom processors in our town. Alaska Airlines has had to increase services in the a past year to accommodate these charter clients along with their fish boxes.

I would in no way like to curtail a charter captain from taking out a client to experience the joy of catching a fish. At the same time, I do not want a charter captain acting as a personal commercial fisherman, harvesting fish for clients so they don't have to go to the store and buy fish all year or in some cases take it back home and sell it to pay for their trip.

I have made a capital investment not only in Halibut but also in the salmon industry in order to make a living from the resource the ocean provides. I think it would be fair if the captain in the charter industry has to make a capital investment into buying some kind of halibut IFQ. They are making a living off the halibut resource and have not paid a dime. If a charter captain had to buy 2000 lb of halibut IFQ for his season, I don't think we would see him letting his clients take home 500 lbs of halibut after a few days of fishing. More than likely, he would send him home with a nice 20/40 lb fish.

When I invested in the IFQ Halibut program I did it thinking that something was being done to address the charter fleet. I would ask the council at the forth coming meeting to take aggressive measures to solve the issues in the charter industry. I would like to see the animosity that is developing between the gear groups be put to rest so we may peaceful and co-exist on the grounds and in town. I'd like to get on with our business of harvesting and protecting this wonderful resource.

Sincerely,



Todd Lappetito.

I would ask the council to on the short term:

- 1) Adopt the most restrictive GHM measures to ensure the GHM is not exceeded.
- 2) Adopt The SEPARATE ACCOUNTABILITY option to stop the re-allocation of quota from the commercial to the charter sector.

On the Long term:

- 1) Maintain the existing charter allocation as the starting

point for any future management plan and tie any future GHL increases to the commercial fishery CEY And allow such increases ONLY if the commercial industry is compensated and impacts on processors , consumers ,coastal communities, non-guided sport and subsistence harvest are addressed.

I'd also ask that you initiate analysis of an updated charter IFQ qualifying period, such as the leveling plan proposed by the charter industry.

Move quickly toward a long term charter management plan that effectively addresses the multitude of diverse issue qualified in the council's halibut charter problem statement.

Valdez - Whittier Charter Boat Association

Prince William Sound Charter Boat Association

P.O. Box 90 Ester, Alaska 99725 907-479-5562

Stephanie Madsen, NPFMC chair
NPFMC
605 W. 4th Avenue, Suite 306
Anchorage, Alaska 99501 - 2252

RECEIVED
MAR 29 2006
N.P.F.M.C.

Re: Meeting Monday, April 10, 2006, "C-6 Charter Issues."

Dear Madam Chair,

The V-WCBA requests the Council take "no action" on any charter restrictions in area 2C and 3A with the GHL. With the lack of a "stair step up" to allow the Charters to "share the gain," it is certainly incorrect to inflict "unnecessary pain," based on GHL, based on IPHC data that turned out very wrong. If the "stair step up" would have been included at the time of the final action on the GHL, charters in both areas would have resource to grow into, as the Council thought necessary for our industry. The Longline Industry has enjoyed an increase as the health of the resource has thrived, and enjoyed an additional share of the allocation that should belong to the Charter/Guided Angler. At the time of final action for the GHL, Charters asked for a mechanism to increase allocation and a Moratorium based on the 1998 control date, but this recommendation was turned down.

We would not be here today if this recommendation would have been followed.

The Council now has an opportunity to correct the past allocation/data error, and at the same time have the available resource to create a permanent solution without crisis management or unfairly hurting anybody. As Alaska Longline Fishermen's Association motto of "Share the Pain - Share the Gain," fair is fair.

The Stakeholder Committee's motion, we believe should go forward for "fast tracking" of the proposed Moratorium hinged around the control date of 12/09/2005, which would control the problem of new entrants in this over capitalized fishery.

The ALFA Separate Accountability proposal should not be considered until after a permanent solution has been put in place for the Charter industry.

Thank You,



John Goodhand

President of Valdez - Whittier Charter Boat Association

907-271-2817

Larsen Bay Lodge, Inc
 1713 Mission Road Kodiak AK 99615
 (800) 748-2238
 Email: larsenbaylodge@aol.com
 Website: larsenbaylodge.com
 Fax (907) 486-1749

March 29, 2006

RECEIVED
 MAR 29 2006
 N.P.F.M.C.

North Pacific Fishery Management Council
 Stephanie Madsen, Chair
 222 Seward Street
 Suite 200
 June, AK 99801

Subject: Mechanisms of the GHL and a Fair Charter Allocation

Chairman Madsen and Council members;

I request that the Council entertain the following points:

- * The present GHL was developed at a time when the IPHC was predicting a sharp decline in the CEY. Because of that prediction, the Council decided that only a stair step down: was needed. Since implementation of the GHL the Commercial Longliners have been enjoying handsome increases in their CEY. Since the Alaska Longline Fishing Associations's (ALFA) motto has been "Share the Pain, Share the Gain" when addressing issues for restriction of the Charter Industry, then in the interest of fairness and equality the GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
- * Table all considered GHL restrictions until such time as a permanent solution of Limited Entry, an Expandable GHL (KACO Plan), or IFQ is decided upon replacing the current restrictive GHL.
- * The control date of 12/9/2005 of 12/9/2005 needs to be adhered to for analysis of a Moratorium, and then replaced by a permanent Limited Entry, Expandable GHL (KACO Plan), or IFQ plan.
- *The ALFA Separate Accountability proposal should not be given consideration until after a permanent solution has been put in place for the Charter Industry.

I request that this letter be included in the packets provided to the Council members in reference to the Guided Sport Halibut Fishery.

Respectfully submitted,

Michael & Lisa Carlson
 Larsen Bay Lodge

----- Original Message -----

From: Denise Middlesworth

To: Stephanie Madsen

Sent: Wednesday, March 29, 2006 12:06 PM

Subject: Halibut charter allocation

Ms Madsen,

As a very concerned commercial fisherman with halibut shares in 3A, I would urge the council to take the necessary measures to protect the resource.

As a short term measure please adopt the most restrictive measures to ensure the GHL is not exceeded. We must protect the resource.

As a second short term measure there should be a separate accountability option to stop the re-allocation of quota from the commercial sector to the charter sector. Robbing Peter to pay Paul is not fair.

In the long term, please maintain the existing charter allocation as the starting point for any future management plan. Tie any future GHL increases to the commercial fishery CEY and allow increases only if the commercial industry is compensated and additional impacts on other sectors are addressed also. Begin an updated analysis of the charter IFQ qualifying period such as the leveling plan proposed by the charter industry. And finally, get something done. Get a long term plan in place that FAIRLY and effectively addresses the multiple and diverse issues identified in the Council's halibut charter problem statement.

Sincerely,
Tary Middlesworth
F/V Halcyon
F/V Melanie

RECEIVED

MAR 29 2006

N.P.F.M.C.

3/29/2006

RECEIVED
MAR 29 2006
N.P.F.M.C.

Sharks Unlimited Inc.
4235 Parks Ridge Rd.
Fairbanks, Ak 99709
907-457-4275

March 28, 2006

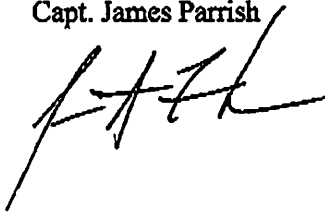
All North Pacific Fishery Management Council Members

I operate a small charter business in Valdez, Alaska. I urge you to please consider the following suggestions that the stake holder's have outline. This is vital to my family's future in the charter business.

1. No Action or table all considered GHl's restrictions until such time is allowed for a permanent solution of Entry is decided for replacing the current restrictive GHl plan.
2. The GHl should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
3. The control date of 12/9/2005 needs to be adhered to fore analysis of a Moratorium, and then to be replaced by a permanent Limited entry, IFQ plan expandable GHl.
4. The ALFA Separate Accountability proposal should opposed entirely not to be considered until after permanent solution has been put in place for the Charter industry.

I feel that this is a step to progression.

Sincerely,
Capt. James Parrish



Halibut Coalition
PO Box 22073
Juneau, AK 99802-2073
(907) 586-1663 (206) 260-9111efax
halibutcoalition@gci.net
March 29, 2006

RECEIVED
MAR 29 2006
N.P.F.M.C.

Ms Stephanie Madsen
Chair
North Pacific Fishery Management Council
605 West 4th Ave, Ste 306
Anchorage, AK 99501

Dear Ms Madsen,

Re: Final Action on Halibut Charter GHL (C-6)

We support the adoption of the following management measures to bring the charter fleet under the GHL:

- Area 2C. The following elements of alternative 2: Prohibit harvest by skipper and crew and set an annual catch limit of five fish for individual clients.
Area 3A. The following element of alternative 3: Prohibit harvest by skipper and crew.
- Adopt separate accountability for commercial setline and charter sector as proposed by the Alaska Longline Fishermen's Association using post-season adjustments to maintain harvest to the following year's GHL

The Council should honor December 2005 Council commitments to keep the charter fleet within the GHL until a long-term program is implemented. The Public Review Draft EA clearly demonstrates that the measures noted above will reduce the charter harvest in 2C but in the long run are not adequate given continued growth in the charter harvest. The Council needs to take action at this time and then refine the timeline for taking annual management actions to keep the charter fleet within the federally mandated GHL.

We urge the Council to live up to the statements made in December 2005, to make the GHL effective:

December 9, 2005 Council Transcripts
Charter IFQ Motion

- *"I guess the important point I want to make here is we're very, very, aware of the concern about exceedance of the GHL and that we believe that for the short term, we have the tools to deal with that. And the short term, actually quite a number of years as it takes to resolve the situation with a longer term."* Commissioner Campbell, P 16, lines 19-25.

- *"We do feel very comfortable with these combination of tool that we could effectively hold the charter harvest underneath the existing GHL."* Commissioner Campbell, P 51, lines 21-24.
- *"The way we envision that something like this could work is, A, short-term under the existing GHL, we can use the tools that we have here with the one season lag to bring down the harvest."* Commissioner Campbell, P 53, lines 4-8.

Although Area 3A, is just barely over the GHL it is important to note that the purpose of the GHL was to ensure access to the halibut resource by paying clients. Retention of halibut by skipper and crew is a policy issue as much as it is a management issue in both 2C and 3A. Halibut retained by skipper and crew represents lost opportunity for recreational anglers, and lost revenues for charter operators, businesses and communities that have testified to the Council about the economic significance of the charter industry. Charter operators have stated support for this measure because it does not directly affect their businesses, and on the GHL Committee "there was consensus on prohibiting retention by skipper and crew as the most effective measure at final action" (GHL Committee minutes). Therefore we believe it is appropriate for the Council to take action on this as a matter of policy as well as management. Eliminating skipper and crew harvest will ensure that the GHL goes to the intended recipients. It also provides some relief to the Council process from having to revisit this particular issue as a management measure during the development of long term alternatives by the Stakeholder Committee.

Approving Alternative 1 (no action) under the assumption that the State of Alaska will be in charge of managing the charter sector is not a viable option: The federal government alone, through the Council, is responsible for managing the halibut resource. The ADF&G Commissioner's Emergency Order authority is vague at best, there are no federal criteria for implementation, and the Commissioner is subject to political pressure that may not be aligned with federal responsibilities for resource management.

Establishing separate accountability and moving toward a catch sharing plan that includes a mechanism for responsive management will align management of the halibut charter fleet in Alaska with management of the halibut charter fleet in Washington and Oregon. It will also make management of the halibut fishery consistent with Council management of other sector allocations (e.g., Gulf sablefish, Bering Sea cod). Separate accountability will provide stability to both sectors during this interim period, and can dovetail into long-term allocation or quota management. Finally, separate accountability DOES NOT include in-season management measures. As proposed by ALFA and endorsed by the Halibut Coalition, separate accountability involves annual assessment and end-of-season management modifications. Coupled with the GHL management measures recommended above, separate accountability will address the open-ended reallocation of quota from the commercial to the charter sector.

Finally, we encourage the Council to move forward on developing a long-term market based solution. As noted by the SSC in their minutes of February 2006, the Council can anticipate recurrent requests to modify both the GHL and GHL management measures until a long-term solution is adopted.

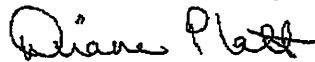
Finally, the SSC observes that the inexorable consequence of a GHL that is non-binding within a season, coupled with management instruments for limiting catches by the charter-based halibut sport fishery that are potentially ineffectual, is that the Council should anticipate an ongoing de facto reallocation of catches from the commercial fishery to the charter-based sport fishery for halibut. If the charter-based sport fishery were subject to binding limits under an IFQ program, the reallocation between commercial and charter-based fisheries would take place through voluntary transactions in a market. In the absence of tradable harvest shares, the Council will, consciously or unconsciously, serve as the arbitrator between the commercial and charter industries with actions taken to benefit one sector resulting in uncompensated costs to the other sector. Within such a political market, each sector is left with an individually rational but collectively irrational incentive to squander potential benefits of increased shares in an endeavor to influence the Council's active or passive decisions.

We urge the Council to move rapidly to a long term solution for this divisive allocation problem and allow both sectors to get back to the business of serving their customers and get out of the business of spending scarce private and federal resources on circuitous regulatory proceedings.

Sincerely,



Cora Crome, Petersburg Vessel Owners Association



Diane Platt, Cordova District Fishermen United



Jeff Stephan, United Fishermen's Marketing Association



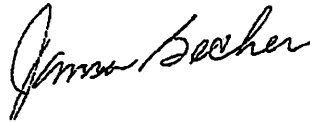
Peggy Parker, Halibut Association of North America



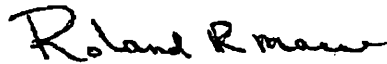
Robert Alverson, Fishing Vessel Owners Association



Linda Behnken, Alaska Longline Fishermen's Association



Jim Becker, United Southeast Alaska Gillnetters



Roland Maw, Upper Cook Inlet Driftnetters Association



Buck Laukitis, North Pacific Fisheries Association



Tim Henkel, President, Deep Sea Fishermen's Union

Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

March 29, 2006

Stephanie Madsen, Chair
North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306

Halibut Charter Stakeholder Committee recommendations (C-6b)

RECEIVED
MAR 29 2006
N.P.F.M.C.

Dear Madame Chair and members of the Council,

On behalf of the CDFU Groundfish Division, I am providing comments on the Stakeholder Committee recommendations.

We conditionally support initiation of an analysis for a moratorium to limit entry into the halibut charter fishery as recommended by both the GHL and the Stakeholder Committees. A carefully designed moratorium on entry could limit the growth that would otherwise occur between the December 9, 2005 control date set by the Council and implementation of a long term management program for the charter sector.

Our support is conditioned by the following factors:

- The moratorium must not inhibit or delay Council progress toward development of a long term management program.
- The moratorium analysis must stand alone, and not be burdened by any other proposals to change the GHL program, or complicated by additional features that will slow down the process of review and approval, or make final approval an issue of contention between the charter and commercial sectors.
- The moratorium must reduce latent capacity and overcapacity which was identified by the charter operators in the Stakeholder meetings as a potential problem under the current GHL program. A transferable moratorium permit will have a monetary value, and those who purchase moratorium permits will attempt to maximize the earnings on their investment in the fishery. If new entrants into the fishery are more active than those whose permits they purchased, average earnings may go down. These new, more active, entrants could also contribute to excessive harvest pressure if demand for charter trips continues to increase, thereby exacerbating the potential to exceed the GHL and trigger further management measures.
- The moratorium must prevent excessive consolidation of permit ownership. Entry into the fishery by individuals in underdeveloped areas could be constrained if the availability or price of a permit was a barrier.

A properly and carefully designed moratorium could address these issues satisfactorily, and minimize any disruption to the charter and commercial sectors. A poorly designed

moratorium could backfire and exacerbate the problems under the GHL program. We strongly encourage the Council to define the goals of the moratorium carefully to increase the likelihood of success.

Thank you for taking our comments into consideration.

Sincerely,



H. Daniel Hull, Chairman
CDFU Groundfish Division

Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

March 29, 2006

Stephanie Madsen, Chair
North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306

REC-11-D
MAR 29 2006
N.P.F.M.C.

Final action on Halibut GHL Regulations (C-6a)

Dear Madame Chair and members of the Council,

Cordova District Fishermen United supports the following management measures to keep the charter sector harvest of halibut within the GHL:

- Area 2C: Under Alternative 2, the options to prohibit retention of halibut by skipper and crew, and an annual limit of 5 fish.
- Area 3A: Under Alternative 3, the option to prohibit retention of halibut by skipper and crew.

Past Council actions and deliberations have indicated a commitment to maintain the charter sector harvest at the GHL, while avoiding management measures that are excessively disruptive or damaging economically in order to give special consideration to the unique characteristics of the charter fishery. The above actions fall well within the bounds of that framework of reference. Therefore we believe the Council should follow through with adoption of these measures.

Although management actions by the State of Alaska's Board of Fisheries could be advantageous in that they are more responsive from year to year, we do not believe that it is appropriate for the Council to hand over management of the GHL to the State of Alaska. Alternative 1 (no action) is not feasible. There is no guarantee or requirement that the Board of Fisheries will act according to federal management responsibilities. Responsibility for management of the resource rests with the federal government, through the Council.

Retention of halibut by skipper and crew is also a policy issue.

Although Area 3A, is just barely over the GHL it is important to note that the purpose of the GHL was to ensure access to the halibut resource by recreational anglers. Retention of halibut by skipper and crew is a policy issue as much as it is a management issue in both 2C and 3A. Halibut retained by skipper and crew represents lost opportunity for recreational anglers, and lost revenues for charter operators, businesses and communities that have testified to the Council about the economic significance of the charter industry. Charter operators have stated support for this measure because it does not directly affect their businesses, and on the GHL Committee "there was consensus on prohibiting retention by

skipper and crew as the most effective measure at final action" (GHL Committee minutes). Therefore we believe it is appropriate for the Council to take action on this as a matter of policy as well as management. Eliminating skipper and crew harvest will ensure that the GHL goes to the intended recipients. It also provides some relief to the Council process from having to revisit this particular issue as a management measure during the development of long term alternatives by the Stakeholder Committee.

Separate Accountability

We also support action by the Council to separate the catch limit setting process for the charter and the commercial sectors by the IPHC, provided that it does not 1) trigger in-season management of the charter sector, 2) require reductions to the GHL in year X+1 if the GHL is exceeded in year X, or 3) change the way the charter sector is currently managed in other ways. This is our understanding of the intent of ALFA's Separate Accountability proposal. It would be accomplished through the use of post-season (not in-season) adjustments to be implemented in the following year, as is currently the practice.

At the most recent Stakeholder Committee meeting, the IPHC's position was that the Separate Accountability proposal would lead to in-season management, and we concurred with the rest of the Committee that under these conditions the proposal belonged more appropriately in a long term allocation plan. However, it remains unclear to us, in spite of numerous discussions, whether the IPHC could accommodate post-season adjustments to management to achieve a separate catch setting process, and still hold true to Commission responsibilities for conservation of the resource.

We continue to support efforts to separate the catch limit setting process for the commercial and charter sectors under the above conditions, and while a long term management plan is being developed. As we stated in our February testimony to the Council: "It removes the uncertainty of the effects of management measures as a point of contention between the two sectors under the current GHL program. It removes the allocative implications that result from exceeding the GHL. It removes the economic impacts to either sector of management measures that either overshoot or undershoot the GHL. And it removes the impacts of the time delays associated with implementing GHL management measures (or any future management program) as a point of contention."

Single year versus 5-year estimates to determine average weight of fish

We do not have a position on whether the single year or 5-year estimates to determine the average weight of fish is a better method to determine the status of the GHL. However, we continue to question whether it would be consistent to use one methodology under federal regulations to determine whether GHL has been exceeded, and another methodology to determine the effectiveness of management measures to bring the charter sector within the GHL.

Thank you for taking our comments into consideration.

Sincerely,



H. Daniel Hull, Chairman
CDFU Groundfish Division

p 2

North Pacific Fishery And Management Council

605 4th Aveune

Anchorage , Alaska 99501-2252

I,am in full support of a moratorium on the Halibut Charter Fleet.

I've been involved in the Halibut Charter Business over the last nine years.

Moratorium should of taken place in 2001, when NPFMC voted twice in favor

of the so call IFQs . In my opinion any expansion of the Charter Fleet should be

offer first too the "pioneers" of the Fleet whom were in business before the 2001 vote.

I believe it was very irresponsible for NPFMC to allow the uncertainty of the issue to drag out over fours years.

I strongly oppose "ALFA" and I support the Stakeholders Motion.

Thank You,

Michael G. Patterson

8052 Queen Victoria Dr.

Anchorage, Alaska 99518

Phone - 907-344-9252



RECEIVED
MAR 29 2006
N.P.F.M.C.

Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

Website: <http://www.seafa.org>



E-mail: seafa@gci.net

March 29, 2006

Ms Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th Ave, Ste 306
Anchorage, AK 99501

Dear Ms Madsen and Council Members,

Re: Final Action on Halibut Charter GHL (C-6)

Southeast Alaska Fishermen's Alliance supports the Council taking action to restrain the charter industry within the GHL in 2C/3A. According to the harvest numbers received for 2004 (the last year final numbers are available for) 2C was 22% above the GHL and 3A was 1% above the GHL. We recommend for area 2C alternative 2 and for area 3A alternative 3. We believe that these restrictions will bring the halibut charter industry close to the GHL in 2C and under in 3A while the stakeholder group works on a long-term management plan for your consideration that will hopefully be presented at the June Council meeting.

We also support the halibut stakeholder's recommendation to fast track a halibut charter moratorium as a long-term solution is worked on and winds its way through the process. This will freeze the current participation level and allow a possible solution without new entrants continually complaining that they aren't included and create a recency problem with any long-term management plan or option.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kathy H.', with a long horizontal flourish extending to the right.

Kathy Hansen
Executive Director

RECEIVED
MAR 29 2006
N.P.F.M.C.

GARY WILKEN
SENATOR
Fairbanks



State Capitol Building
Juneau, Alaska 99801-1182
Tel: 451-5501 (from Fbks)
Tel: (907) 465-3709 (outside Fbks)
Fax: (907) 465-4714
www.akrepublicans.org/wilken
E-Mail: Senator.Gary.Wilken@legis.state.ak.us

March 28, 2006

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage AK 99501-2252

via fax: (907) 271-2817

Re: Plenary Session Agenda
C-6 Charter Issues
April 10, 2006

RECEIVED
MAR 29 2006

N.P.F.M.C.

Dear Council Members:

Thank you for the opportunity to provide comment on the C-6 Charter issues before you. As elected representatives for Interior Alaska, we have many constituents who fish out of Valdez and Cordova. It is on behalf of these Alaskans that we respectfully submit the following pleadings:

- 1) Please take no restrictive action on any Guideline Harvest Limit until such time as a permanent solution of Limited Entry is developed to replace the current restrictive GHL.
- 2) The control date of December 9, 2005 needs to be followed in order to analyze Moratorium. The Moratorium can then wisely be replaced by a permanent Limited Entry or an expandable GHL.
- 3) The ALFA Separate accountability proposal should not be considered until a permanent solution has been instituted for the charter industry.

Again, thank you for the opportunity to participate and our best to you as you consider these important and difficult issues.

Sincerely Yours,

Gary Wilken
State Senator
Fairbanks

Gene Therriault
State Senator
No. Pole - Valdez

Ralph Seekins
State Senator
Outlying Fbks

Proudly Representing the Golden Heart of Alaska

N.P.F.M.C.

Please adopt the separate accountability option to stop the reallocation of Quota from the commercial to the charter sector. This will minimize the open-ended reallocation while the charter operators work out differences over details of the long-term halibut charter management plan.

Also use effective measures to ensure the GHL is adhered to by the charter fleet and move quickly toward a long term charter management plan that effectively addresses the diverse issues identified in the council's halibut charter problem statement. I've been writing letters for about 12 years on this issue.

Sincerely, Marty Remund
Port Alexander, Ak

REC

MAR 29 2005

N.P.F.M.C.

Fish Homer
P.O. Box 895
Homer, AK 99603
Phone / Fax (907) 235-5464

March 28, 2006

North Pacific Fisheries Management Council

Dear Member of NPFMC:

I support the Stake Holder Committee's motion which effectively suspends potential GHL restrictive measures for Halibut Charter Operators, at this time. I believe a moratorium on new entrance will effectively restrict this fishery until more data can be collected.

I am adamantly against the Alaska Longliner Fishermen's Association separate Accountability proposal.

At this time I would also like to add Jim Preston as a choice for the Board of Fish.
Thank you for your time.

Sincerely,

RICHARD BALTZER
Owner/Operator

Luck of the Irish Charters
Patrick & Peggy Bookey
P. O. Box 55194
North Pole, Alaska
99705

North Pacific Fisheries Management Council
Fax: 1 970 271-2817

March 28, 2006

Dear Sirs:

The NPFMC needs to take the actions listed below.

1. The current GHL program was based upon incorrect information. The information you now use shows that Charters – Guided Anglers should have a much larger piece of the halibut pie. You need to stair step up retroactively from the basis the GHL was established.
2. With the new IPHC data putting the Charters under the GHL there should be No action to restrict Charters – Guided Anglers.
3. The council should move forward with the recommendations of the Stakeholders Committee to set the GHL aside and work on the Moratorium Leading too a permanent solution of Limited Entry or an IFQ program.

Sincerely


Patrick M. Bookey

RECEIVED
MAR 29 2006
N.P.F.M.C.

Reel 'Em Inn, Inc.
dba Cook Inlet Charters
PO Box 39292
Ninilchik, AK 99639
907-345-3887 (Sept-April)
907-345-3887 (May-Aug)

March 27, 2006

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

RECEIVED
MAR 29 2006
N.P.F.M.C.

Dear Council Members,

I am a charter operator in Ninilchik, Alaska, and a member of the Deep Creek Charterboat Association, and I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6, Halibut GHL.

The current GHL is unfair and unreasonably restrictive. I request that you take no action or table all considered GHL actions until such time as a permanent solution for all users of the halibut resource has been found. The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Sincerely,



R. Bruce McLean
Cook Inlet Charters

RECEIVED

MAR 29 2006

March 28, 2006

N.P.F.M.C.

Dear Council:

We are writing this letter in regards to the Commercial/Charter, Halibut GHIL. As life long fishermen, we have heavily invested in the Halibut IFQ fishery over the years. We now have the charter fleet growing rapidly and unrestricted, and continually going over their GHIL, which eventually comes off our GHIL. We urge you and think it is very important that at your April meeting you adopt the most restrictive GHIL measures to ensure the GHIL is not exceeded. We also urge you to adopt the separate accountability option to stop the reallocation of quota from the commercial to charter section. It is very hard to run a fishing business with all its variables, and on top of that an unrestricted charter section chipping away at our over all quota.

On the long term measures, we urge you the council, to maintain the existing charter allocation as the starting point for any future management plans. Tie any future GHIL increases to the commercial fishery GEY and allow such increases only if the commercial industry is compensated.

Initiate analysis of an updated charter qualifying period, such as a leveling plan proposed by the charter industry. And please move quickly toward a long-term charter management plan that effectively addressed the multiple and diverse issues identified in the councils halibut charter problem statement.

Joe Short
Joe Short
Gwynne Short
Matthew Short

March 28, 2006

TO:

ALL NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL MEMBERS:

FROM: Dan Eames
Owner/operator SEACLUSION SALTWATER ADVENTURES
PRINCE WILLIAM SOUND ALASKA.

RECEIVED
MAR 29 2006
N.P.F.M.C.

RE: Halibut GHL/IFO

Dear fisheries council members;

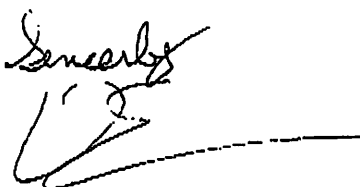
I am a life long Alaskan from the Valdez area. I have been operating a fishing charter business in Prince William Sound since retiring from the U.S. Coast Guard in 1991. In just this short time period I have witnessed the decline of Halibut catches in the sound and in the offshore areas surrounding the sound. It is next to impossible for a charter operator to catch a limit of fish for his clients on a regular basis let alone any time any more. This is not due to over fishing by charter or private boats this is done almost entirely by the long liners. Just try catching a fish where someone has been running there gear that place is dead for weeks or months and sometimes I have found that the fish have never come back in any numbers at all. Now I am not at all against commercial halibut fishing, but if it is not regulated and reined in Alaskan waters will soon resemble the once great fishing areas off New England, Florida, and so many other places where fishing was once bountiful and now there is nothing.

I also agree that something needs to be done to regulate the charter business. There has been an explosion over the past couple of years of new operators trying to get into the business some will make it but others will fail.

I think that one of the most important things that needs to be taken into consideration when deciding what is best for Alaska, and what is best for the long term management of the halibut fishing in Alaska is this. How will drastically reducing the number of fish that charter operators can catch going to effect the tourism in Alaska specifically in the coastal fishing towns. For example well over 80% of my clients are non- residents they fly, drive, or take the ferry to Alaska. They buy gas stay in hotels and campgrounds. Buy fishing and hunting licenses, take sightseeing cruises. In short they spend a lot of money, money that will be lost if they are not going to be able to do who most of them have dreamed about doing for a long time.

What does the commercial fishing industry contribute to this? Lots. But not as much as most people think. Many of the commercial fishing boats in Alaska are not owned or crewed by Alaskans, but by non residents and foreigners. Who owns most of the canneries and other processors? Not Alaskans. Who makes up he majority of employees working in the canneries and processors? Not Alaskans. So if the majority of these groups are not Alaskans, then where does most of the money go that they make? Not to Alaska.

If we are to plan for the future of Alaska and the fishing is wiped out by over fishing, tourism will drop drastically and the commercial fishing will come to a halt. How long will this last? I don't know but if you asked the former commercial fisherman all along the East Coast, England, Scotland, and many other places in the world I bet they could give you an idea. Then ask yourself which group of fishermen took the biggest chunk of the fish and wiped them out. The charter fleet that took less than 10% of the total catch, or the commercial fleet that took more than 90% of the catch.

Sincerely


RECEIVED
MAR 29 2006**N.P.F.M.C.**

March 27, 2006

To All North Pacific Fishery Management Council Members:

As a small business charter boat operator in Valdez, Alaska since 1989, I ask that you please consider the following comments that the stake holder's committee are suggesting.

They are:

- 1) Resend the GHL completely.
- 2) "No Action" or table all considered GHL restrictions until such time as a permanent solution of Limited Entry is decided upon replacing the current restrictive GHL.
- 3) The GHL should have a retroactive "stair step up" adjustment to fairly address guided angler allocation needs.
- 4) The control date of 12/9/2005 needs to be adhered to for analysis of a Moratorium, and then to be replaced by a permanent Limited entry, IFQ plan or expandable GHL.
- 5) The ALFA Separate Accountability proposal should not be considered until after a permanent solution has been put in place for the Charter industry.

I feel that this is a fair step in the right direction for charter boat operators and commercial fisherman.

Sincerely,

David Tousignant



Deep Creek Charterboat Association

P.O. Box 423—Ninilehik, AK 99639

Board of Directors

President
Tim Evers
567-3631
tjevers@alaska.com

Vice President
Marc Smith
567-4368
dmcharters@get.net

Secretary/Treasurer
Perry Flotte
Phone Fax 262-7631
aretotem@alaska.com

Member-at-Large
Mel Erickson
262-2080
gamefish@alaska.net

Member-at-Large
John Baker
567-5393
info@fishhunt.com

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

RECEIVED

MAR 29 2006

N.P.F.M.C.

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

The membership of the Deep Creek Charterboat Association request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

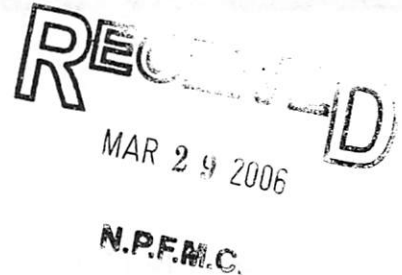
The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's or a Limited Entry program.

We are opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Tim Evers

Tim Evers
President, DCCA



**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL.

I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

Timothy R. Evers

P.O. Box 39547, Mile 137.3 Sterling Hwy. South, Ninilchik, Alaska 99639
<http://www.deepcreekfishing.com> fishward@alaska.com
(907) 567-3518 (year round) toll free: 1-888-324-3518



RECEIVED
 MAR 29 2006
 N.P.F.M.C.

North Pacific Fishery Management Council
 605 W 4TH Avenue, Suite 306
 Anchorage, AK 99501-2252
 Fax 907-271-2817

March 29, 2006

Dear Council Members,

I am writing this letter in opposition to the ALFA Separate Accountability proposal and ask that you not consider this as a viable solution to the charter sport-fishing management plan.

Furthermore, I would like to request that the council table all considered GHIL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon, replacing the unfair and restrictive GHIL which is currently in place.

I feel that the council should move with the recommendations from the Stakeholders Committee to work on a fast track Moratorium leading to a fair and permanent management solution.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert Candopoulos", written in a cursive style.

Robert Candopoulos

(907) 224-5232
 Fax (907) 224-5233
 Toll-free (800) 385-1007
 P.O. Box 1007
 Seward, AK 99664
 www.saltwatersafari.com
 email: sales@saltwatersafari.com

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

RECEIVED

MAR 29 2006

N.P.F.M.C.

Dear Council Members,

March 27, 2006

I am writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. I am a charter operator in Ninilchik-Anchor Point, Alaska, and a member of the Deep Creek Charterboat Association.

I would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

I am opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for your consideration.

DON ERWIN

Don Erwin

**ALASKAN TROPHY CHARTERS
PO BOX 39495
NINILCHIK, AK 99639**

Richard West
6424 E 14th Ct.
Anchorage, Alaska 99504
Richwest@alaska.com
(907)338-5822 (907)350-3401

March 28, 2006

RECEIVED
MAR 29 2006
N.P.F.M.C.

Dear Council Member:

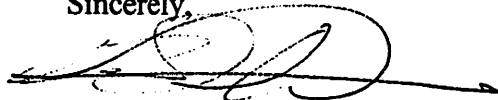
This letter is for the purpose of expressing my concern over the current items on the council's plate. I feel strongly that you moving forward on halibut restrictions based on bad information or numbers would be a mistake. You should not act on any of the current items until you get current and accurate information. One way to accomplish this is with the new logbooks being studied carefully.

If the GHF was designed correctly for fluid movement with the trends of the fishery it would have risen in both 2C and 3A meaning that the GHF would not have been exceeded by the charter fleet.

I applaud your earnest efforts to keep the resource healthy and support you in continuing in the paths you choose, but please use the right information to reach your decisions. I feel that ALFA's separate accountability proposal would make the GHF a set hard capped level, which it was not intended for. You should not support that.

Thank you for your hard work and for allowing me this moment. Allow all the committees to do their work and use sound data and you will be doing what I know you signed on for and that is manage the resource for betterment of all.

Sincerely,



Richard West

March 28, 2006

Dear Council Member,

I support the Moratorium on Halibut charter vessels as recommended by the Stakeholder Committee, and request the council move this to top of their agenda!

I also am opposed to the ALFA Separate Accountability Proposal.

The current GHM is flawed because it only stair-steps down below baseline, no matter how much halibut abundance goes up.

Sincerely,

A handwritten signature in black ink, appearing to read "Stan Loudon". The signature is fluid and cursive, with a large initial "S" and "L".

Stan Loudon

North Pacific Fishery Management Council
Attn: Stephanie Madsen, Chairman
Fax 907-271-2817
March 29, 2006

RECEIVED
MAR 29 2006
N.P.F.M.C.

Re: April 5-11, 2006 NPFMC meeting
Agenda item C-6 Halibut Charter

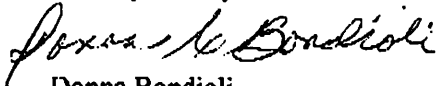
Dear Ms. Madsen and Council Members,

Final GHL action. Restrictive actions ***MAY*** be taken by the council if the GHL cap has been reached. The revised data presented by IPHC at the March stakeholders' meeting, shows that the original data used to set the GHL poundage was flawed and the biomass was more abundant than thought. Therefore, the GHL level, based on corrected data has not been reached. **I request that you table ALL GHL restrictive measures until a permanent solution for ALL users of the halibut resource replaces the current GHL.**

The council should "fast track" a Moratorium as recommended by the Stakeholders Committee. I recommend approval the Moratorium as a stop-gap measure for the purpose of accurate data collection and a **current comprehensive Economic** study of the value of Sportfishing to Alaskan communities.

The ALFA Separate Accountability proposal as written should not be considered for analysis. A Fishery Management Plan proposal would include all participants and sectors targeting halibut and those who catch halibut as bycatch and Separate Accountability would appropriately be discussed at that time.

Thank you for your consideration.



Donna Bondioli
PO Box 66
Homer AK 99603-0066

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MAR 29 2006

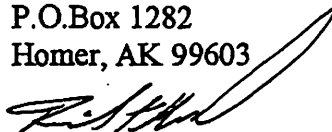
N.P.F.M.C.

3-27-06

N.P.F.M.C.
605 W. 4th Ave. #306
ANC. AK 99501

I urge you to support the motion for a moratorium on the Halibut Charter GHL/IFQ.
The recent new and critical information from the IPHC should DEMAND a
Moratorium.

Thank You,
Richard Koskovich
Alaska Gold 'n Sea Adventures
P.O.Box 1282
Homer, AK 99603



NPFMC
605 W. 4th Ave. Suite 306
Anchorage, Ak. 99501-2252

RECEIVED

MAR 29 2006

N.P.F.M.C.

March 27, 2006

Council Members,

Surge your adoption/approval of the motion forwarded to you from the Stakeholder Committee. Approving this motion effectively suspends potential E.H.R. restrictive measures assuring the opportunity to gain better reliable data & your input in developing a long term equitable solution.

Please oppose the ALFA Separate Accountability proposal.

Your decisions seeking the best & equal arrangement for all constituents affects my livelihood as a small business providing hospitality lodging on the Kenai Peninsula.

Thanking you in advance for your kind & thoughtful considerations

Cordially

Karen Couble

owner Skyline Bed & Breakfast

Past President Alaska B & B Association

63590 Skyline Dr

Homer, Alaska 99603

907. 235. 3832

RECORDED

MAR 29 2006

N.P.F.M.C.

March 29, 2006

I am writing in support of a moratorium to hold the sport fishing halibut charter fleet to its current level. I do not support GHF. I feel in Southcentral Alaska there are too many charter boats already and to add to the fleet would decimate the halibut stock. As an independent sport fisherman myself, I can not take my own 18 foot boat and readily access good halibut fishing without taking a gamble on the weather to travel where the halibut are. I have fished out of Anchor Point since 1986 and in the last 5 years have I have noticed a decline in the distance to find the fish. This makes the fishing unsafe and not worth my effort. Thanks for allowing me my input.

Richard Frisque
34388 Lourdes Ave.
Soldotna, AK
99669

(907) 262-1672

BRENT M. WESTERN

2500 Autumn Drive
Anchorage, AK 99516
Email: bmwfish@alaska.net

March 27, 2006

Ms Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th Ave, Ste 306
Anchorage, AK 99501
NPFMC FAX: (907) 271-2817

RECEIVED
MAR 29 2006
N.P.F.M.C.

**RE: CHANGING HALIBUT CHARTER RULES
IN THE MIDDLE OF THE GAME!**

Dear Ms Madsen, Chair,

Since the passage of the Charter IFQ program on December 8, 2001, which would create a more stable industry I have been planning to augment my operation to involve halibut sport charters. All along believing in the process, and now the rug has been yanked out beneath my feet.

Rescinding the previous passed Charter IFQ was a very unfortunate and unfair decision. Changing the rules of the game right in the middle has definitely effected my business plan and in turn has let the Johnny-come-latelies who cried and whined their way to have the council change the established rules and place a moratorium on new entrants. So now, are we going to let someone who had a handful of clients over the last year or two receive a halibut charter permit?

In 1983 the Secretary disapproved a proposed commercial halibut moratorium because it would not have resolved the basic problem of overcapitalization in the halibut longline fishery (Fed. Reg. Vol. 57, No. 233/Thurs. 12/03/1992 57131). This seems to be exactly the same scenario we currently now face with halibut sport charters.

The charter and longline sectors must be managed the same way with separate accountability (SA). The SA would align the accounting of sport halibut in Alaska more closely with sector management in other IPHC regions and put the charter and longline fleet on the same playing field by ending the open-ended reallocation of halibut to the charter sector from the majority of consumers who rely on the longline fleet to gain access to the halibut resource.

We also cannot understand the common practice of crew/skipper fish being used to provide charter clients a guarantee of fish. We thought the charter fleet was just providing an opportunity for their clients to "catch" halibut and not actually "selling" the product.

Halibut Charter
March 27, 2006
Page 2 of 2

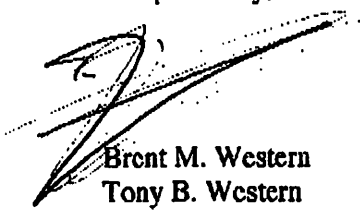
After exhaustive review of the various proposals, the proposal that still makes the most sense is the Charter IFQ. This type of resource management will protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. It is very unfortunate that ADF&G dropped the ball with not continuing the logbook requirement these past years and that this council also did not proceed forward in an efficient, timely manner with the implementation of the Charter IFQ program. However here we now stand, and we hope for the best.

If an IFQ program is not implemented for the charter fleet, a charter moratorium should be created with degrees of permits corresponding to historical participation. For instance, those who have been fulltime 100-day season operations for over 10 years should receive a 100-day annual permit, those with 5 years a 50-day permit and any recent entrants less than 5 years of history a 25-day permit. Those who wish to increase their operation would need only to purchase and stack an additional permit. This would enable new entrants into the fishery and help reduce the latent capacity that exists in the charter fleet.

We have fished Alaska's waters since the 1960s and depend on the commercial halibut fishery for over 50 percent of our annual income. We have invested heavily in IFQ because of the stability promised by the government. We represent the silent majority of American consumers who enjoy eating halibut and cannot afford to or are unable to catch their own dinner throughout all our great states!

For the benefit of all Americans, users, and the resource, we urge you to proceed forward with implementation of a long-term solution that will put longliners and charters on the same playing field with equitable, fair rules—most specifically a charter IFQ program.

Respectfully,



Brent M. Western
Tony B. Western
& Kirt J. Western

(IFQ Owners / FV Roulette)

BRENT M. WESTERN

2500 Autumn Drive
Anchorage, AK 99516
Email: bmwfish@ak.net

RECEIVED
MAR 29 2006
N.P.F.M.C.
VIA FAX

March 29, 2006

Ms. Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
NPFMC FAX: (907) 271-2817

RE: HALIBUT MANAGEMENT

Dear Ms. Madsen, Chair:

We urge you to adopt a forward, long-term solution that will allow the charter and longline fisheries socioeconomic stability. To that end, we believe the Council should proceed as follows:

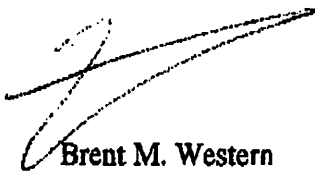
SHORT-TERM MEASURES

- Adopt the most restrictive GHL measures to ensure the GHL is not exceeded.
- Adopt the **separate accountability (SA)** option to stop the re-allocation of quota from the commercial to the charter sector that drains public and private resources on circuitous regulatory proceedings.

LONG-TERM MEASURES

- Maintain the existing charter allocation as the starting point for any future management plan. Tie any future GHL increases to the commercial fishery CEY and allow such increases only if the commercial industry is compensated and impacts on processors, consumers, coastal communities, non-guided sport and subsistence harvesters are addressed.
- Initiate analysis of an updated charter IFQ qualifying period, such as the leveling plan proposed by the charter industry.
- Move quickly toward a long-term charter management plan that effectively addresses the multiple and diverse issues identified in the Council's halibut charter problem statement.

Respectfully,



Brent M. Western
Tony B. Western
Kirt J. Western

Mar 29 06 04:49p

Halibut Coaliton

206 260 9111

P. 1

From: Steve Daniels [steve@highlinerlodge.com]
Sent: Wednesday, March 29, 2006 2:59 PM
To: pspa@alaska.com
Cc: Halibut Coalition; governor@gov.state.ak.us; Representative_Paul_Seaton@legis.state.ak.us; pspa@alaska.com; mckie_campbell@fishgame.state.ak.us; sue.salveson@alaska.gov; fugivog@aptalaska.net; ifish4u@gci.net; eolson@gci.net; rasmuseb@nelisargo.com; hyderrh@madras.net; tweitwmt@dfw.wa.gov; daveb@tridentseafoods.com; john@glacierfish.com
Subject: GHL and Separate Accountability for halibut Charter Fleet

MAR 29 2006

N.P.F.M.C.

Dear Chairman Madsen and Council Members,

Both the Halibut Charter and the Halibut Longline fleets are commercial users of the halibut resource and one should not be allowed to grow at the expense of the other. Please adopt very strict GHL measures and the separate accountability option put forth by ALFA. These measures together are the only fair and logical response to the growing encroachment on the Commercial Halibut Longline Fleet by the Charter halibut Fleet.

I don't pretend to be disinterested in taking my position, actually I am uniquely prejudiced. I own a sport fishing lodge AND I am a commercial halibut longliner.

I own a fishing lodge in Pelican AK. It's construction was just finished last summer. I have invested over \$1,500,000. I have no catch history. If some limited entry of IFQ plan is adopted, I will get no Halibut Charter IFQs or any limited entry permit. I will buy into either of these systems.

I am also a Commercial halibut Longliner. I own ~ 80,000 lbs of halibut IFQ with a market value equal to what I have invested in my Lodge. I have PURCHASED over \$800,000 of Halibut IFQ over the past 8 years. I am still paying off my loan from those purchases.

I am/was FOR Halibut Charter IFQs!

Aside from a fairness issue (to the halibut longline fleet). The charter effort is growing so rapidly that lodges are cannibalizing each other. The value of a halibut charter, adjusted for inflation, has actually gone down by over 70% in the last 20 years in SE Alaska!

Without Halibut Charter IFQs, the charter fleet will have the same problems as the pre-IFQ derby-style commercial halibut fishery: overcapitalization, low prices, low profit, bankruptcies, costly allocation battles, crowded fishing grounds, and depleted local halibut, lingcod and rock fish resources.

The local depletion and crowding could become so egregious that soon the sports and subsistence users will wonder, why we didn't solve these problems when we had the chance.

IFQs in the commercial fishery have had a very stabilizing and positive

Southeast Alaska Fishermen's Alliance

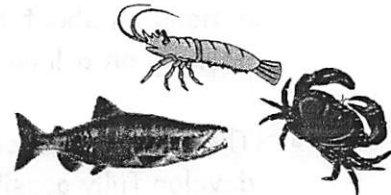
9369 North Douglas Highway

Juneau, AK 99801

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Fax 907-523-1168

Website: <http://www.seafa.org>



E-mail: seafa@gci.net

April 5, 2006

Ms Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th Ave, Ste 306
Anchorage, AK 99501

Dear Ms Madsen, Council Members and AP Members,

Re: Halibut Charter GHL / Stakeholder workgroup report & recommendations (C-6)

I am a stakeholder on the halibut workgroup and would like to take this opportunity to provide some of my thoughts regarding the stakeholder group and elaborate on the draft minutes. I will be offering some corrections at the April stakeholder meeting to the minutes. At this time I am unable to attend the council meeting to speak directly to you on these issues.

Let me explain my position with a couple of bullet points and will expand later on in the letter on the GHL recommendation.

- I abstained on the *recommendation that was made at the end of the third day for the Council to take no action on proposed measures to implement the GHL and fast track a moratorium leading to a permanent solution . . .* The abstention on this vote was very specifically made as to not impede the ability of the group to work together in the future on the long term solutions and to make the point that the moratorium and the long term solution are priorities. My feeling is that we were at a very pivotal point with no time left in the day to deal with all the issues that came to a head within a space of a few minutes. As I saw it, my choices were to, oppose everything that had occurred and permanently damage the ability of the committee to work together on a long-term solution or to temper the motion and abstain. In the interests of development of a long term plan, I abstained. In no fashion is that abstention to be taken to mean that the commercial interests I represent believe that the Council should not take

actions on short term GHL issues while the stakeholder committee is working on a long term plan.

- The stakeholder committee is engaged in a two step process. First to develop fully possible alternatives, and second, once developed, to indicate to the council how broad-based the support for an alternative might be. To date, the committee has recommended only a moratorium to the council with broad support. The qualifying years, and elements of the long-term alternatives are still in the first stage of development. The elements of the long-term allocation alternative from the March meeting are still under development and none of the information from these alternatives should be taken out of context or be assumed to have broad support, it might just be one individuals idea.
- I have understood that there is speculation that I am okay with or support the starting point for the long-term charter IFQ allocation or an allocation based plan to be 125% of the GHL. This is totally false. We are still in the process of putting pieces on the table for a long term plan and everything that is on the table is still open for discussion, negotiation, being taken off the table or opposed. Using this system of assumptions I would say that the charter industry supported the suggestion I made for an initial allocation based on a percentage that is calculated by dividing the current GHL poundage by the combined 2004 charter and commercial harvest (most current year for which final data is available). These percentages work out to be 12.07% for 2C and 12.86% for 3A. There is no agreement yet on anything other than the moratorium. Speculation about the long term alternatives is just that speculation.

GHL Recommendation Background: There is a lot of confusion surrounding the circumstances and what happened the last afternoon of the stakeholder meeting in March regarding GHL issues. To explain that situation fully the council would have to understand some of what occurred earlier in the meeting and the order in which events took place. After dealing with the data requests, the stakeholder committee had a discussion about whether we should be working on short term GHL issues (Alternative 2 in the organizational chart) or the long term. One of the arguments I made on this issue was that we should work on the long-term first as both options had the same elements and that you wouldn't want to recommend interim measures that did not make sense with the options developed for a long term plan. (i.e. sub-dividing the areas in an interim plan and then not using sub-divided areas in the long term plan.) At one point, I asked IPHC staff the following question: if a stair step up policy had been implemented at the same time as the GHL would it have ever kicked in? I was told no. That first day there was also

discussion about ALFA's separate accountability proposal and there was a lot of confusion around this issue. We started work on the moratorium plan day one and finished a first draft the morning of day two. During day two IPHC staff clarified that they had talked to ALFA and that IPHC staff and ALFA now understood each other and had basically been saying the same thing but using different terms that had caused confusion. However, they did not clarify the issue for the workgroup nor did they provide an explanation of the proposal and their new understanding of that proposal. At this point, we were also asked by staff to consider making at least one interim recommendation to the council specifically "to take the stair step down formula out of regulation and leave it up to the IPHC to determine if the stock has declined by 15%." The stakeholder group agreed to this by consensus with one abstention. It was explained that this would correct the formula and that there were problems with the way it is currently written. I believe that most charter operators received the impression that this action would prevent 3A from stair stepping down and voted without a full understanding of the action taken.

At this point we started work on an allocation based fishery management plan and discussed allocations, more on GHL, stair step up/down or float with abundance, limited entry, compensation for commercial IFQ's to allow the charter industry to grow and many other elements. By then it was late on the last afternoon and a request was made to clarify the motion we had made earlier regarding the stair-step down formula. At this point in time it became clear that the recommendation to change the formula would actually trigger the stair-step down in 3A and that leaving the formula alone would not trigger the stair-step down. This is where the discussion again became focused on interim GHL issues. At this point in time all the aspects of what the council would be considering, management restrictions, the action we had taken regarding the stair-step down formula being the opposite of what they had thought, past memories floating to the surface regarding stair step up in the original GHL process, confusion about numbers, IPHC original numbers versus the hindcast numbers now available, fairness, separate accountability and probably some aspects I'm not remembering were all part of the discussion. We were also told at this time that if a stair-step up had been implemented when the GHL was put in place, it would have been activated, which is the opposite of what we had been told on day one.

This is the atmosphere in which the motion to recommend the council take no action on GHL issues was made in. There was not time to clarify any of the issues so late in the afternoon and why I believe it was such a pivotal point. An issue like this could not be left unresolved for a month until we met again since the Council would be meeting before the stakeholders met again. The final motion replaced the motion that had been made earlier in the meeting regarding the stair-step down formula. During the work on this motion and the justification for the motion the

issue of having the stair-step up analyzed was mentioned and in a compromise dropped and the comment about the priority and fast track of the moratorium and long term solution was added in order to neutralize the commercial representatives from complete opposition. This did not mean that I necessarily agreed with all aspects, it was just that I and the members I represent supported some aspects of the motion.

The stair step up policy is still on the halibut stakeholder committee table as is the separate accountability proposal as both a short term and long term issue at the stakeholder level. I don't believe that the stair step up has ever come to a decision point that a consensus or non-consensus position was ever taken. I have not abstained as stated in the minutes from this issue. I have argued to keep it from being a decision point, but have left it on the table for further discussion. We just have not had enough time to deal with all the issues we have to work through but we expect the Council to take appropriate actions for the short term as we continue to do our work.

The commercial interests that I represent as a stakeholder and the membership of SEAFA hopes and recommends that the Council takes action on management measures based on the best and most current information available which is the 2004 final figures that show the charter industry exceeding the GHL. These actions would include prohibiting captain and crew fish in 2C and 3A and an annual limit of five fish in 2C by the Council. The State's new logbook program is also an essential piece for more timely and accurate accounting with verification of data possible. We would also like to ask the Council to fast track the moratorium package. In the discussions that have occurred in the workgroup to date, this is an essential piece to start dealing with the latent capacity that currently exists in the charter industry and will address the issue of new entrants always complaining about the process that has been underway. SEAFA and the commercial interests I represent also believe that the ALFA separate accountability proposal should be considered and implemented with management measures reviewed and modified as appropriate pre-season on a responsive timeline for annual implementation.

Respectfully,

Kathy Hansen
Executive Director

GARY WILKEN
SENATOR
Fairbanks



State Capitol Building
Juneau, Alaska 99801-1182
Tel: 451-5501 (from Fbks)
Tel: (907) 465-3709 (outside Fbks)
Fax: (907) 465-4714
www.akrepublicans.org/wilken
E-Mail: Senator.Gary.Wilken@legis.state.ak.us

March 28, 2006

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage AK 99501-2252

via fax: (907) 271-2817
RECEIVED
APR - 3 2006
N.P.F.M.C.

Re: Plenary Session Agenda
C-6 Charter Issues
April 10, 2006

Dear Council Members:

Thank you for the opportunity to provide comment on the C-6 Charter issues before you. As elected representatives for Interior Alaska, we have many constituents who fish out of Valdez and Cordova. It is on behalf of these Alaskans that we respectfully submit the following pleadings:

- 1) Please take no restrictive action on any Guideline Harvest Limit until such time as a permanent solution of Limited Entry is developed to replace the current restrictive GHL.
- 2) The control date of December 9, 2005 needs to be followed in order to analyze Moratorium. The Moratorium can then wisely be replaced by a permanent Limited Entry or an expandable GHL.
- 3) The ALFA Separate accountability proposal should not be considered until a permanent solution has been instituted for the charter industry.

Again, thank you for the opportunity to participate and our best to you as you consider these important and difficult issues.

Sincerely Yours,

Handwritten signature of Gary Wilken.

Gary Wilken
State Senator
Fairbanks

Handwritten signature of Gene Therriault.

Gene Therriault
State Senator
No. Pole - Valdez

Handwritten signature of Ralph Seekins.

Ralph Seekins
State Senator
Outlying Fbks

**HALIBUT AND SABLEFISH IFQ PROGRAM
AMENDMENT PROPOSAL**
North Pacific Fishery Management Council
Fax: (907) 271-2817

Name of Proposer: MICHAEL DOUVILLE Date: 3/31/06
Address: P.O. Box 68 CRAIG, AK 99921
Telephone: 907 826 3407 EMAIL: MYRNAMIKE@HOTMAIL.COM

Brief Statement of Proposal:

To allow for the use of pots in the Gulf of Alaska southeast sablefish/blackcod fishery.

Objectives of Proposal (What is the problem?):

Provide fishermen an alternative type of gear to longline.

Need and Justification for Council Action (Why can't the problem be resolved through other channels?):

This proposal can address several problems which the Council is working on:

- a) sea bird by-catch
- b) interaction with whales

Foreseeable Impacts of Proposal (Who wins, who loses?):

There will be no negative impact on anyone. As an allowable gear type, fishermen could chose to use pots, but would not be required to invest, if they are happy with long line gear.

However, the use of pots could lead to a decline in bird by-catch, including albatross, and a decrease in fishing gear/whale activity. By catch of rock fish would also be reduced, less bait and man hours to catch the same amount of fish

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?

It is an excellent solution, because it provides a gear alternate opportunity for fishermen, and can lead to reductions in by-catch or unwanted marine mammal interaction.

The use of bird deterrent lines are cumbersome and unnecessary for many areas in Southeast Alaska. Research has demonstrated that whales will continue to take fish from longline gear.

Supportive Data and Other Information (What data are available and where can they be found?):

List of supportive data will follow

Signature: _____

MICHAEL S. DOUVILLE
P.O. BOX 68
CRAIG, AK 99921

PO BOX 68
CRAIG, AK 99921

To: N.P.F.M.C.

Re: Charter halibut GHL

Dear Council members,

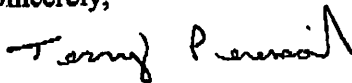
I am a skiff fisherman with a small amount of commercial halibut I.F.Q.

My concern is with the rapid expansion of the guided sport halibut harvest. I would like to strongly urge you to implement guideline harvest levels to limit the guided sport take of halibut. Also, the separate accountability option would help reduce the animosity between commercial and guided sport fishing sectors.

The long term solution, I think, rests with a stakeholder recommendation which is crucial. The existing allocation of commercial vs. charter harvest levels must stand as the basis for a future management plan. To include input from the charter fleet, an updated qualifying period must meet with their approval while maintaining stability for the commercial sector.

Thank you for your consideration.

Sincerely,



Terry Perensovich
Sitka, Alaska

**North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817**

Dear Council Members,

March 30, 2006

We are writing this letter in regards to your April 5th/ 11th Plenary Session agenda item C-6 Halibut GHL. We are a charter operator in Homer, Alaska, and a member of the Homer Charter Association.

We would request that you take no action or table all considered GHL restrictions until such time as a permanent solution for all users of the halibut resource is decided upon replacing the current unfair and restrictive GHL.

The council should move forward with the recommendations from the Stakeholders Committee to work on a Moratorium leading to a permanent solution such as IFQ's.

We are opposed to The ALFA Separate Accountability proposal and ask that you not consider it as a viable solution to the charter sport fishing management plan.

Thank you for you consideration.

C & Joanne Collins
Joanne Collins
Charles and Joanne Collins

**Tall Tales Charters
P.O. Box 545
Anchor Point AK. 99665**

North Pacific Fishery Management Council

605 W. 4th Avenue, Suite 306

Anchorage, Alaska 99501-2252

Fax: 907-271-2817

Dear Council Members

My name is Scott Glosser and I am an Alaska Charter Association Board Member and have been a charter boat captain out of Homer for 23 years.

I am writing in regards to your April 5th-11th Plenary Session agenda item C-6 Halibut GHL. I urge you to accept the Stakeholder Committee's Motion to take No Action to implement the GHL and to oppose the ALFA Separate Accountability proposal. With current data showing higher halibut biomass and lower charter catches than expected, the Stakeholder Committee's recommendations including a moratorium and the ADFG action to prohibit capt./crew fish when and where needed, appear to me to be more than adequate measures to deal with the issue.

Thanks You for your time,

Scott Glosser

Capt. Scott's Sportfishing

Box 3133 Homer, Alaska 99603

March 29, 2006

ProFish-n-Sea Charters

P.O. Box 693
Seward, Alaska 99664
(907) 224-5122

North Pacific Fishery Management Council
605 W 4th Avenue Suite 306
Anchorage, Alaska 99501-2252
Fax 907 271-2817

March 29, 2006

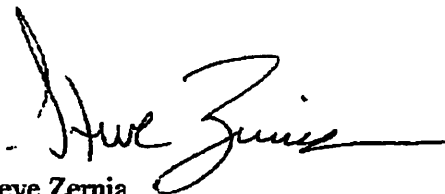
Dear Council Members;

This letter is in regard to the Halibut GHL, agenda item C-6.

I feel at this time, due to the ongoing work being done by the stakeholders committee with regard to finding a permanent management solution for the guided halibut fishery, action by the North Council to add restrictions to the guided halibut fishery based on the GHL should be postponed. In light of the fact that the guided halibut fishery GHL has remained unchanged as the commercial harvest has grown by around 40% since the implementation of the GHL, I feel it is unfair to place new restrictions on the guided fishery.

Furthermore, I would urge the council to give the guided halibut fishery its share of the gain in the CEY as has been done in the commercial fishery over the last 6 years. Given the rise in exploitable biomass due to modeling changes the charter industry should share in the gain just as it is forced to share in the pain in times of low abundance. I urge the Council to "fast-track" a moratorium for the halibut charter industry so complete catch data can be collected to formulate a comprehensive management plan without new entrants changing the scope of the industry during the process.

Thank you for your consideration.



Steve Zernia
ProFish-n-Sea Charters
Zernia Enterprises, Inc.

North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

April 8, 2006

Members of the North Council:

My name is Rex Murphy. I own and operate Winter King Charters in Homer, Alaska. I would like to comment on Separate Accountability, and GHL recommendations.

Regarding Separate Accountability, I urge the Council to take no action at this time. The effect of a simple accounting change is to transform a Guideline Harvest Level that is advisory in nature into a de facto hard capped recreational charter allocation. ALFA explains that GHL overages would be accounted for in the removals section of the IPHC flow chart, lessening the direct financial impact of a GHL overage to the commercial sector. What was left out of their explanation is the fact that each proposed version of Magnuson-Stevens Reauthorization contains provisions requiring the Council to deduct a previous years overage from the next year's allocation. I have included wordage from H.R. 5051 IH, introduced March 30 by Rep. Wayne Gilchrest, for your review. Members of the Council, was this an uncanny coincidence, or was it a back door attempt to massage the GHL into a hard allocation knowing full well what was coming next?

That said, I think it is safe to say that whatever proposals come out of the Stakeholder committee will be designed to stay within an allocation.. The Stakeholders will consider Separate Accountability in its deliberations. I would like suggest that the Council initiate analysis on "Total Accountability" where each sector's overage is deducted from its allocation, where all of each sector's wastage is deducted from its allocation, and where each sector's bycatch is paid for and not allocated. The most obvious effect of this proposal is a direct financial incentive for all sectors to minimize overages, wastage and bycatch. The most important effect of such an approach is true conservation of the resource. The best time to implement such a strategy would be concurrent with the long term solution.

Regarding the GHL, I again ask that the council take no action. ADF&G proposal 400 will be applied to area 2C, and will reduce the harvest with minimal economic impact. A 5 or 6 fish limit on recreational charter harvest in area 2C will disrupt business and will result in differential treatment of recreational fishermen, depending on the boat they choose to fish from. As the Council knows, both the Halibut Act and Magnuson-Stevens require fair and equitable treatment of all fishermen. A yearly charter limit will test that requirement. As far as area 3A goes, the 2004 harvest was on the order of 0.5% over and 3A is projected to be below GHL for 2005. Action on 3A at this point in time would be needless, arbitrary and capricious.

Finally, I urge the Council to fast track analysis and implementation of a charter

moratorium that will remain in place until a permanent solution is implemented.

I'll close with a couple of comments on the Stakeholders Committee. It has been a pleasure working with all of the committee, as well as Council staff, ADF&G, NMFS, and IPHC support personnel. We are working remarkably well together and we are all learning. I am confident that the team is committed to producing several viable and fair long term solutions to the halibut issue.

I thank you once again for listening.

Sincerely,

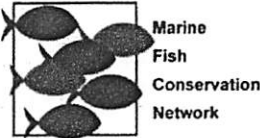
Rex Murphy
Winter King Charters
PO Box 3309
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rbmurphy@ptialaska.net
907-235-9113

Encl:

1. Press release from Marine Fish Conservation Network
- 2.. Pages 21-22 of Gilchrest Amendment

Source:

www.conservefish.org



FOR IMMEDIATE RELEASE:
March 31, 2006

Contact: Jo Knight, 202-543-5509
jknight@conservefish.org

Press Statement from Lee Crockett, executive director of the Marine Fish Conservation Network, on the introduction of the Magnuson-Stevens Fishery Conservation and Management Act Amendments of 2006, H.R. 5051

Yesterday, Representative Wayne Gilchrest, chair of the House Fisheries and Oceans Subcommittee, raised the bar in favor of better conservation of U.S. ocean fisheries by introducing the Magnuson-Stevens Fishery Conservation and Management Act Amendments of 2006.

Representative Gilchrest's bill includes many crucial improvements to our current fisheries law that, in some areas, go further than the Senate's version of the Magnuson-Stevens reauthorization bill. His bill, among other things, requires that science-based annual catch limits be set on the amount of fish that can be taken from the ocean, and requires that regional fishery management councils must deduct any overages from the next year's catch. Representative Gilchrest would mandate that overfishing end within one year of being identified, and he keeps a strong legal definition of "overfished" to ensure that depleted fish populations will be rebuilt. He also includes language that encourages an ecosystem-based approach to fishery management.

This bill, however, also has room for improvement. It does not provide protections for family fishermen or crew members against larger, wealthier fishing operations when managers divide up the catch in a fishery under a limited access privilege program. It also doesn't set a time limit on these quota-based programs to ensure proper review of their impacts on the fishery and marine environment. And, while the bill improves the public's opportunities to serve on the regional fishery management councils, it does not prevent direct financial ties to the fishing industry, already a problem with so many council members.

Representative Richard Pombo, the chair of the House Resources Committee, has also introduced a Magnuson-Stevens reauthorization bill. The bill would improve the councils by mandating training for new fishery managers, which exceeds the requirements of Representative Gilchrest's bill and the Senate bill. Representative Pombo also included a provision to enhance ecosystem-based management. And, the bill includes a provision for setting annual catch limits, but in name only, as it does not make fishery managers accountable if they exceed this limit.

Unfortunately, the bill also includes many measures that would reverse the conservation improvements made a decade ago. Representative Pombo would weaken requirements to rebuild depleted fish populations within 10 years, and he does not clarify that a quick

ending to overfishing is necessary to rebuild depleted populations, unlike the Gilchrest bill. The bill significantly weakens the definition of an overfished population, a step that will make it far less likely that necessary actions will be taken to reverse population declines. It also exempts the entire fisheries management process from compliance with the National Environmental Policy Act. NEPA protects public participation in management decisions that affect local fisheries, requires fishery councils to analyze how their management decisions will impact the environment, and requires that fishery managers analyze a range of alternatives when making these decisions.

U.S. fisheries will have a bright future if the House combines the best elements of these bills. Although the details need to be worked out, the Network thanks Representatives Gilchrest and Pombo for moving the Magnuson-Stevens reauthorization process forward so that we can craft a new, improved federal fisheries law. We look forward to working with Representatives Pombo, Gilchrest, Rahall, and Pallone, as well as other Members of the House Resources Committee to ensure that the final bill will protect our oceans and a future for those who derive their livelihoods from them.

###

The Marine Fish Conservation Network is a coalition of more than 175 national and regional environmental organizations, commercial and recreational fishing groups, aquariums, and marine science groups dedicated to conserving marine fish and to promoting their long-term sustainability. For more information, please visit www.conservefish.org.

1 302(b)(2)(D) of the Magnuson-Stevens Fishery Con-
2 servation and Management Act (16 U.S.C.
3 1852(b)(2)(D)) has resulted in a fair and balanced
4 apportionment of the active participants in the com-
5 mercial and recreational fisheries under the jurisdic-
6 tion of the Council.

7 (2) REPORT.—By no later than August 2011,
8 the Secretary shall transmit a report to the Senate
9 Committee on Commerce, Science, and Transpor-
10 tation and the House of Representatives Committee
11 on Resources setting forth the Secretary's findings
12 and determination, including any recommendations
13 for legislative or other changes that may be nec-
14 cessary to achieve such a fair and balanced appor-
15 tionment, including whether to renew the authority.

16 **SEC. 103. FISHERY MANAGEMENT PLAN REQUIREMENTS.**

17 (a) IN GENERAL.—Section 303(a) (16 U.S.C.
18 1853(a)) is amended—

19 (1) striking “and charter fishing” in paragraph
20 (5) and inserting “charter fishing, and fish proc-
21 essing”;

22 (2) by inserting “economic information nec-
23 essary to meet the requirements of this Act,” in
24 paragraph (5) after “number of hauls,”;

1 (3) by striking "fishery" the first place it ap-
2 pears in paragraph (13) and inserting "fishery, in-
3 cluding their economic impact,";

4 (4) by striking "and" after the semicolon in
5 paragraph (13);

6 (5) by striking "allocate" in paragraph (14)
7 and inserting "allocate, taking into consideration the
8 economic impact of the harvest restrictions or recov-
9 ery benefits on the fishery participants in each sec-
10 tor,";

11 (6) by striking "fishery." in paragraph (14)
12 and inserting "fishery; and"; and

13 (7) by adding at the end the following:

14 "(15)(A) specify, in the plan or implementing
15 regulations, annual catch limits that are rec-
16 ommended by the Council or established by the Sec-
17 retary based on the best scientific information avail-
18 able at a level that does not exceed optimum yield;
19 and

20 "(B) require that the amount of any harvest ex-
21 ceeding the specified annual catch limit shall be de-
22 ducted from the following year's annual catch
23 limit.".

Bryan Bondioli
Captain B's Alaskan C's Adventures
P.O. Box 66
Homer, Ak 99603
907-235-4114

Good afternoon, madam chair, council members. I would like to thank you for the opportunity to voice my opinion here today. My name is Bryan Bondioli. I own and operate Captain B's Alaskan C's Adventures in Homer. I have devoted my life to the halibut charter fishery since 1992.

I would like to encourage the council to adopt the stakeholders committee motion, as is. Please allow the stakeholders committee an honest opportunity to continue their hard work toward a long term solution....."in Good Faith" with a positive outlook into the future for all user groups, our communities as a whole, and the economic prosperity of our state.

- It is critical to the success of a long-term plan that a moratorium be "fast tracked" and implemented to prevent future "recent participation" issues and for the purpose of gathering **Accurate and comprehensive harvest and socio-economic data.**
- Given that the separate accountability proposal has been corrected, adjusted, and rewritten 4 times since it's initial appearance at the Feb. NPFMC meeting; **And STILL** there is massive confusion concerning it's applicability and future implications I feel it would be inappropriate, at this time, for the council to take action on this proposal. The process will be best served to keep separate accountability within the purview of the stakeholders committee for consideration under a long term solution.

At this time, in a period of increasing and high abundance I do not believe that imposing GHQ restrictions **Without** a retroactive **stairstep up** demonstrates "good faith", fairness, or equitability to **ALL** sectors.

As you might recall, each and every "problem statement" since 1992 cites the **rapid and dramatic growth** of the charter sector. If you would please refer to page 2 of the graph packet you were handed by earlier. The increase of 22 million pounds statewide in the longline sector in the three year period between 1996 and 1999 illustrates the very definition of "**rapid and dramatic**" growth. As you will also note, there has never been an even remotely similar spike within the charter sector.

I would like to point out with the significant and dramatic increase in available commercial quota; coupled with a three – four fold increase in the value of the quota shares and a comparable increase in ex-vessel value, as well as the significant volume of unharvested halibut on an annual basis. To this date, There has **NEVER, in reality** been a single pound of commercial quota taken away from the commercial sector.

I believe the real travesty here is the time and money spent over the past twelve years to appease the most aggressive user group of the halibut resource. The continual and perpetual manipulation by ALFA has directed this process away from conservation and resource management into the realm of an investment brokerage. The first line in the commercial IFQ rule states: "**Individual fishing quota is NOT a compensatory or ownership right and can be removed, reduced, or revoked at any time; without cause or public comment.**"

April 5-11, 2006 NPFMC meeting
Agenda item C-6 Halibut Charter

Dear Ms. Madsen and Council Members,


I'm Donna Bondioli. I'm a member of the Alaska Charter Association, partner in Captain B's Alaskan C's Adventures, member of the Alaska Outdoor Council and the President of the Homer Chamber of Commerce. I'm speaking today on my behalf and on behalf of the Alaska Outdoor Council and its 12,000 members.

You are charged today with Final GHIL action. Your **action** can be **No Action**. The Federal Register Final Rule states that restrictive measures **MAY** be taken by the council if the GHIL cap has been reached. You are **not obligated** to take any restrictive actions today. You charged a Stakeholders' committee to come with long term solutions for the Charter Industry. I personally sat at the last Stakeholders meeting and observed the committee in action. The committee is working well together and is committed to a **timely** long term solution. This is exemplified by their decision to extend the upcoming April stakeholders' meetings from 2 days to 3 days. **We request that you table ALL GHIL restrictive measures until a permanent solution for ALL users of the halibut resource replaces the current GHIL.**

The council should "fast track" a Moratorium as recommended by the Stakeholders Committee. We recommend approval of the Moratorium as a stop-gap measure for the purpose of accurate data collection and a **current comprehensive Economic study** of the value of Sportfishing to Alaskan communities. The moratorium should have consideration for military and also consideration for those who had boats under construction before the control date and have proven their intent to enter the fishery.

The ALFA Separate Accountability proposal should not be considered for analysis. It is confusing and should be further discussed by the Stakeholders' committee.

Thank you for your consideration.



Donna Bondioli
PO Box 66
Homer AK 99603-0066

I'm John Moline, Inn and Out Charters from Seward.

The stakeholders' committee was originally implemented to make recommendations for a long term plan. Why not let their recommendations be used. One of the recommendations was to not implement captain and crew fish limitations. We need some "real" numbers to justify major changes. New logbooks have the means to gain this information. Let the process proceed as originally set-up. Let's proceed as originally set – up. Let's back up and take a look at the whole picture here. We are looking at a starting point, we are not looking to solve all the future problems that may or may not appear. Limitations can be applied at a later date once numbers start coming in. Area 3A is not over the GHL on a regular basis so we should not overly restrict the catch of halibut by implementing Captain and Crew fish. Remember that as a charter operator, I am required to have a Sportfishing License. Not being able to bring home a couple of fish is in direct conflict with the reason for having my Sportfish License.

I support the NO ACTION as recommended by the Stakeholders' committee. I understand that 2C recommendations by the Advisory Panel are to limit the number of fish per client to 5 fish. I have number customers who fish with me 4 trips or more a year. It would be devastating to my business if that were to happen to me. Although my clients don't always catch 2 fish a day, they would want the opportunity to catch 2 fish as allowed by the State of Alaska Sportfish License and would limit their charters to two days. Then they would find a friend to take them out fishing and that fish would be unreported.

It is already happening to a certain extent. Charter price increases because of insurance, fuel and license fee increases, are causing more and more people to find a friend with an unsafe vessel to go fishing with. I have seen hundreds of people in 10' Avons with 3 people and 17' skiffs carrying recreational fishermen outside Resurrection Bay in search of Halibut. The people running these boats do not understand how unsafe it is to go to this area – now to save a few bucks – soon in order to catch two halibut a day. Fatalities have already happened. There will be more to come if limitations are placed on licensed charters.

Thank you,

John Moline
Inn and Out Charters, Inc.
PO box 2336
Seward, AK 99664

April 10, 2006

Good morning:

My name is Tina McNamee. My husband and I own and operate IslandView Resort & Charters out of Sitka, Alaska. We run 4 vessels and operate on a 100 day season. Our clients come to fish for 3 or 4 days.

We support a moratorium held to the December 2005 control date. Already I have received phone calls, resumes, and emails from displaced Washington & Oregon charter captains. Please put the moratorium on a fast track as the AP and stakeholder committee recommended.

I would now like to speak to the AP recommendation for a 5 fish annual bag limit in area 2C. This regulation would most certainly harm my business, as well as other Sitka lodges whose market segment is 100% multi-day charter guests. The brunt of the regulations to bring down the charter catch will fall squarely on a limited number of shoulders – charter companies that offer multi day trips (this represents the majority of Sitka charter companies). Potentially 50% or more of my current clientele may choose to not return, conduct nonguided halibut fishing, or fish in a different area or outside of Alaska altogether. The McDowell study on Sitka's economic impacts of charter fishing provides more details on the importance of charter sector to the community.

The commercial sector is allowed to credit 10% of their underages to following years, and take a 10% overage with no penalties. Abundance in 2C is predicted to rise at least 30% over the next 5 years – the commercial quota will move upward with that abundance, yet the guided sport fishery in 2C is proposed to be cut. What happened to the term "Share the Pain, Share the Gain?" I propose a GHF that stairsteps up and down with abundance in the interest of fairness and equity.

The health of both commercial and charter fisheries is important to our Alaska communities. I strongly urge you to NOT go forward with the 5 fish annual limit in area 2C. The impacts to businesses is unknown at this time – please just give the stakeholder committee the chance to come up with a solution that will work for all.

We support your commitment to the stakeholder committee process. I have hope that a long term permanent solution will be accomplished through collaborative means with representation from all directed user groups.

Thank you.



Tina McNamee
PO Box 6243
Sitka, AK 99835

F/V GARNET LEE
PO Box 828
Petersburg, AK 99833-0828
April 1, 2006

Ms Stephanie Madsen
Chair
North Pacific Fishery Management Council
605 West 4th Ave, Ste 306
Anchorage, AK 99501

Dear Ms Madsen,

Re: Final Action on Halibut Charter GHL (C-6)

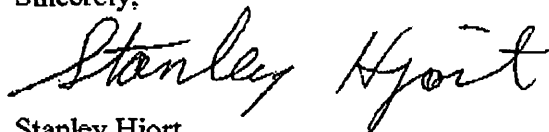
I support the adoption of the following management measures to bring the charter fleet under the GHL:

- Area 2C. The following elements of alternative 2: Prohibit harvest by skipper and crew and set an annual catch limit of five fish for individual clients.
- Area 3A. The following element of alternative 3: Prohibit harvest by skipper and crew.
- Adopt separate accountability for commercial setline and charter sector as proposed by the Alaska Longline Fishermen's Association using post-season adjustments to maintain harvest to the following year's GHL

The Council should honor December 2005 Council commitments to keep the charter fleet within the GHL until a long-term program is implemented. The Public Review Draft EA clearly demonstrates that the measures noted above will reduce the charter harvest in 2C but in the long run are not adequate given continued growth in the charter harvest. The Council needs to take action at this time and then refine the timeline for taking annual management actions to keep the charter fleet within the federally mandated GHL.

The Council also needs to adopt a long-term solution to halibut charter allocation that does not impose a recurring regulatory burden on the public treasury and halibut fishermen.

Sincerely,



Stanley Hjort

April 10, 2006

Good morning:

My name is Tina McNamee. My husband and I own and operate IslandView Resort & Charters out of Sitka, Alaska. We run 4 vessels and operate on a 100 day season. Our clients come to fish for 3 or 4 days.

We support a moratorium held to the December 2005 control date. Already I have received phone calls, resumes, and emails from displaced Washington & Oregon charter captains. Please put the moratorium on a fast track as the AP and stakeholder committee recommended.

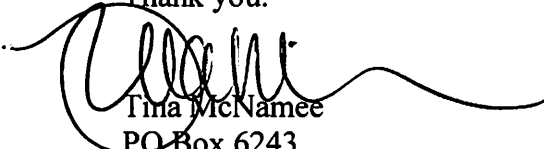
I would now like to speak to the AP recommendation for a 5 fish annual bag limit in area 2C. This regulation would most certainly harm my business, as well as other Sitka lodges whose market segment is 100% multi-day charter guests. The brunt of the regulations to bring down the charter catch will fall squarely on a limited number of shoulders – charter companies that offer multi day trips (this represents the majority of Sitka charter companies). Potentially 50% or more of my current clientele may choose to not return, conduct nonguided halibut fishing, or fish in a different area or outside of Alaska altogether. The McDowell study on Sitka's economic impacts of charter fishing provides more details on the importance of charter sector to the community.

The commercial sector is allowed to credit 10% of their underages to following years, and take a 10% overage with no penalties. Abundance in 2C is predicted to rise at least 30% over the next 5 years – the commercial quota will move upward with that abundance, yet the guided sport fishery in 2C is proposed to be cut. What happened to the term "Share the Pain, Share the Gain?" I propose a GHL that stairsteps up and down with abundance in the interest of fairness and equity.

The health of both commercial and charter fisheries is important to our Alaska communities. I strongly urge you to NOT go forward with the 5 fish annual limit in area 2C. The impacts to businesses is unknown at this time – please just give the stakeholder committee the chance to come up with a solution that will work for all.

We support your commitment to the stakeholder committee process. I have hope that a long term permanent solution will be accomplished through collaborative means with representation from all directed user groups.

Thank you.



Tina McNamee
PO Box 6243
Sitka, AK 99835

My name is Rene Cook, my husband, Denny and I own and operate a guide service and B&B in Sitka, we have been residents there for over 10 years now. I serve on the board of ACA and the Sitka Chamber of Commerce and I am a member of Sitka Charter Boat Operators Association. Denny is President of the Association. Needless to say we are and have been involved in this process for quite some time.

The most encouraging thing that has happened, is the appointment of the Stakeholders Committee by this Council, to address the charter halibut issue.

I am in hopes this Council will abide by Stakeholders Committee recommendations to TAKE NO ACTION. I strongly urge the Council to adhere to the control date of 12/5/09 and Fast track the moratorium .

We all want to see a long term , fair and equitable solution to this ongoing problem. It is time to do this right and get on with our lives.


Rene Cook

Hill Norvell Alaskan Fishing
PO Box 21847
Juneau, Ak 99802-1847
10 April 2006

To Whom it may concern:

In 2003, I decided to join the Army and serve my country in a time of war instead of starting my charter business in 2003. Now, I ^{was} ~~am~~ being penalized for this choice. Three years ago, I joined the U.S. Army, and I did not start my charter business even though the financial part was in place. Now that I have returned from overseas, I am in the process of beginning my charter fishing business in Alaska; however, now, there is the possibility that I will not be able to enjoy a freedom I was willing to die for. The opportunity for free enterprise should be available to any American.

In October 2005, I entered into a construction contract for a Sub-chapter T, passenger vessel with Carman Custom Boats. I did not become a fisherman or a soldier for the money, but only to ensure the American way of life. I am asking this council to ensure that I will not be denied the right to obtain my charter boat license as a 12 pack charter boat for halibut, salmon or rockfish.

Please do not let the fear of competition ruin small business entry into the charter fishing industry. Thank you for doing the best you can with data you receive, and I am asking you to please realize the effects of your decisions. If these limitations you are proposing were truly about the halibut fishery, both the commercial and charter industry could be greatly improved in other ways.

Sincerely,



Hill Norvell

North Pacific Fishery Management Council

605 W. 4th Avenue, Suite 306

Anchorage, Alaska 99501-2252

Fax: 907-271-2817

Dear Council Members

My name is Scott Glosser and I am an Alaska Charter Association Board Member and have been a charter boat captain out of Homer for 23 years.

I am writing in regards to your April 5th-11th Plenary Session agenda item C-6 Halibut GHL. I urge you to accept the Stakeholder Committee's Motion to take No Action to implement the GHL and to oppose the ALFA Separate Accountability proposal. With current data showing higher halibut biomass and lower charter catches than expected, the Stakeholder Committee's recommendations including a moratorium and the ADFG action to prohibit capt./crew fish when and where needed, appear to me to be more than adequate measures to deal with the issue.

Thanks You for your time,

Scott Glosser

Capt. Scott's Sportfishing

Box 3133 Homer, Alaska 99603

March 29, 2006

Submitted by
Butch Sims
C-6

April 7, 2006

Dear Members of the Council,

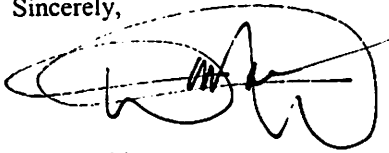
I became actively involved in the issues surrounding the Halibut Charter operation in Alaska about a year ago with the legislation to pass an IFQ. I am extremely pleased that your council had the wisdom to stop this unfair proposition. I am in full support of the moratorium on Halibut Charter Vessels as it is currently recommended. I further request that you Fast Track this item.

Once again I would like to express my opinion about issues surrounding halibut charters, that I understand are before your commission. I believe that the GHL in its current form is flawed and should be re-evaluated to determine if the stair step system going only in a downward direction fairly represents the amount of fish that can be safely harvested. If the amount of fish available rises then so should the amount allocated.

It is also my opinion, that the proposal for separate accountability establishes a "hard cap" on the harvest. I don't believe this was the intent of the GHL, which established a soft cap on the harvest.

Thank You for Your time and dedication to protecting this valuable resource and Industry.

Sincerely,



Dan Durkin

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
APRIL 10, 2006.

THE PURPOSE OF MY TESTIMONY IS TO DEMAND THAT THE ADVISORY PANEL AND NORTH COUNCIL RECOGNIZE THE EFFORTS AND RECOMMENDATIONS CURRENTLY BEING UNDERTAKEN BY THE STAKEHOLDERS COMMITTEE.

IMPLEMENTATION OF ANY CONTROL MEASURES RELATED TO THE GHL SHOULD BE SUSPENDED UNTIL THEY ARE FIRST EVALUATED BY THE STAKEHOLDERS, AS THIS IS THE PROCEDURE THAT WAS ORIGINALLY RECOMMENDED BY THE COUNCIL. IN ADDITION, THE MORATORIUM THAT WAS AGREED TO DURING THE DEC 9TH MEETINGS MUST BE IMPLEMENTED AS SOON AS PRACTICABLE.

THE ORIGINAL PURPOSE OF THE STAKEHOLDERS COMMITTEE IS TO DEVELOPE A FEASIBLE, EQUITABLE AND LONG TERM MANAGEMENT SOLUTION. I THEREFORE ENCOURAGE THE COUNCIL TO FOLLOW YOUR OWN PROCESS AND LET THE STAKEHOLDERS CONTINUE TO WORK TOWARDS A LONG TERM SOLUTION.

THANK YOU
JIKLAS RANTA
P.O. BOX 54
SEWARD, AK 99664
907-224-6026.

Mark Miller



April 10, 2006

Stephanie Madsen, Chair
North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Ms Madsen:

At the December meeting of the North Pacific Management Council (NPFMC), the Alaska Travel Industry Association (ATIA) introduced itself as a non-profit, member-based, visitor industry trade association representing over 970 tour related businesses, including charter fishing operators.

At that time, ATIA recommended two things:

- That the North Pacific Fisheries Management Council go back to the drawing board, collect current sport halibut charter participation and harvest data, and that the NPFMC reconsider all options
- Strongly proposed that the NPFMC suspend, during this re-evaluation period, any proposals to implement restrictions on the halibut charter catch to comply with the Guideline Harvest Level (GHL) until a permanent, long-term solution can be reached

We again strongly recommend that the NPFMC defer any action on the GHL until such time that the Halibut Charter Stakeholder Committee efforts are taken into consideration and the NPFMC implements a final solution.

You have orchestrated a very positive and all-inclusive process involving management agencies and users. It would be a shame to short-circuit the process that will produce a bottoms-up recommendation that can be supported by managers and the industry. The moratorium on new vessel entries was a positive first step to give the Halibut Charter Stakeholder Committee time to develop good options for your consideration, and ATIA requests that process continue before any restrictions due to the GHL are implemented.

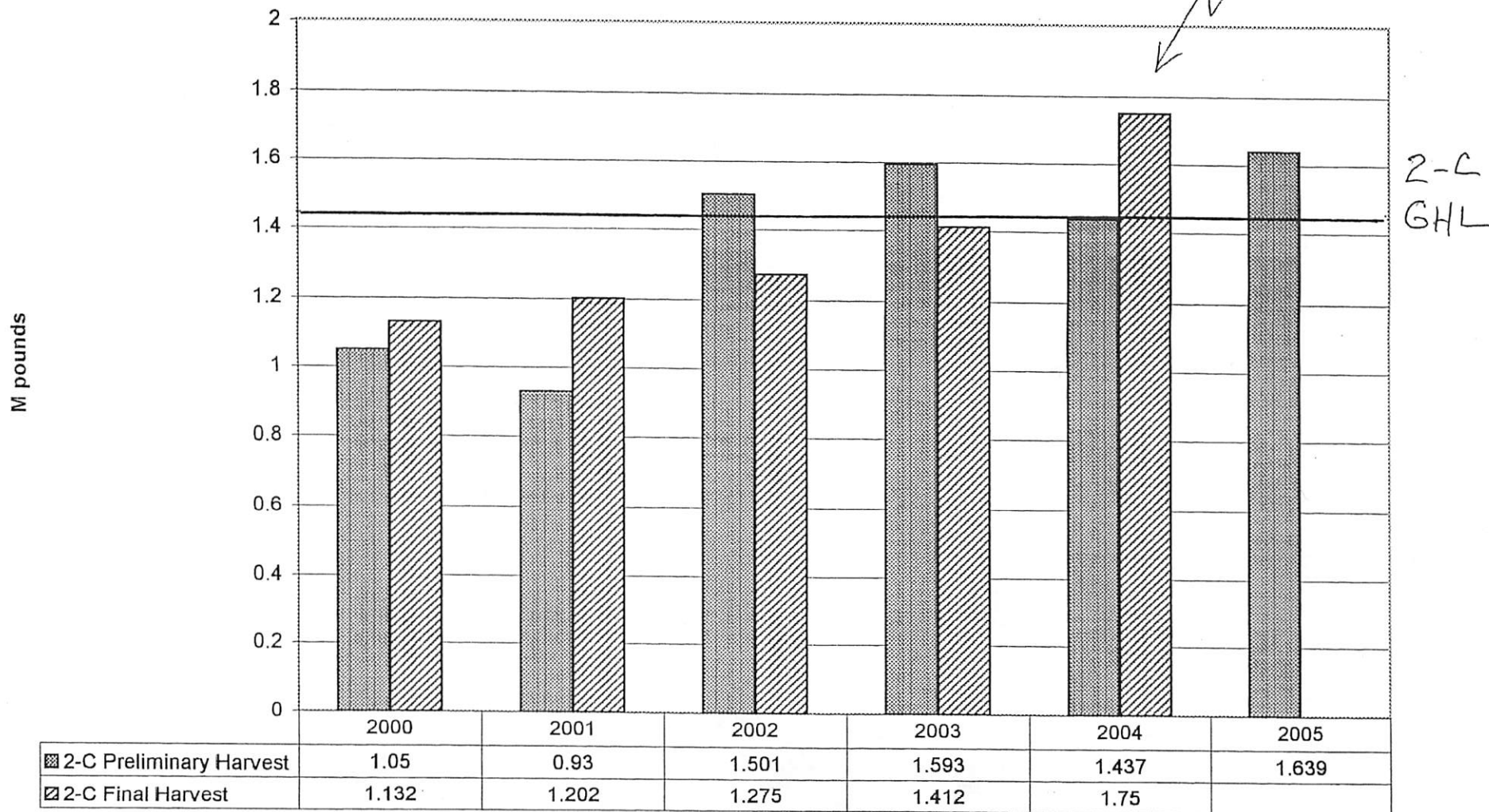
Thank you for this opportunity to comment on the proposal

Sincerely,

Ron Peck
President & COO

2600 Cordova Street, Suite 201
Anchorage, AK 99503-2745
Tel 907-929-ATIA (2842)
Fax 907-561-5727
ATIA@alaskatia.org
www.alaskatia.org

Area 2-C: Comparison of Preliminary and Final Estimates of Charter Harvest



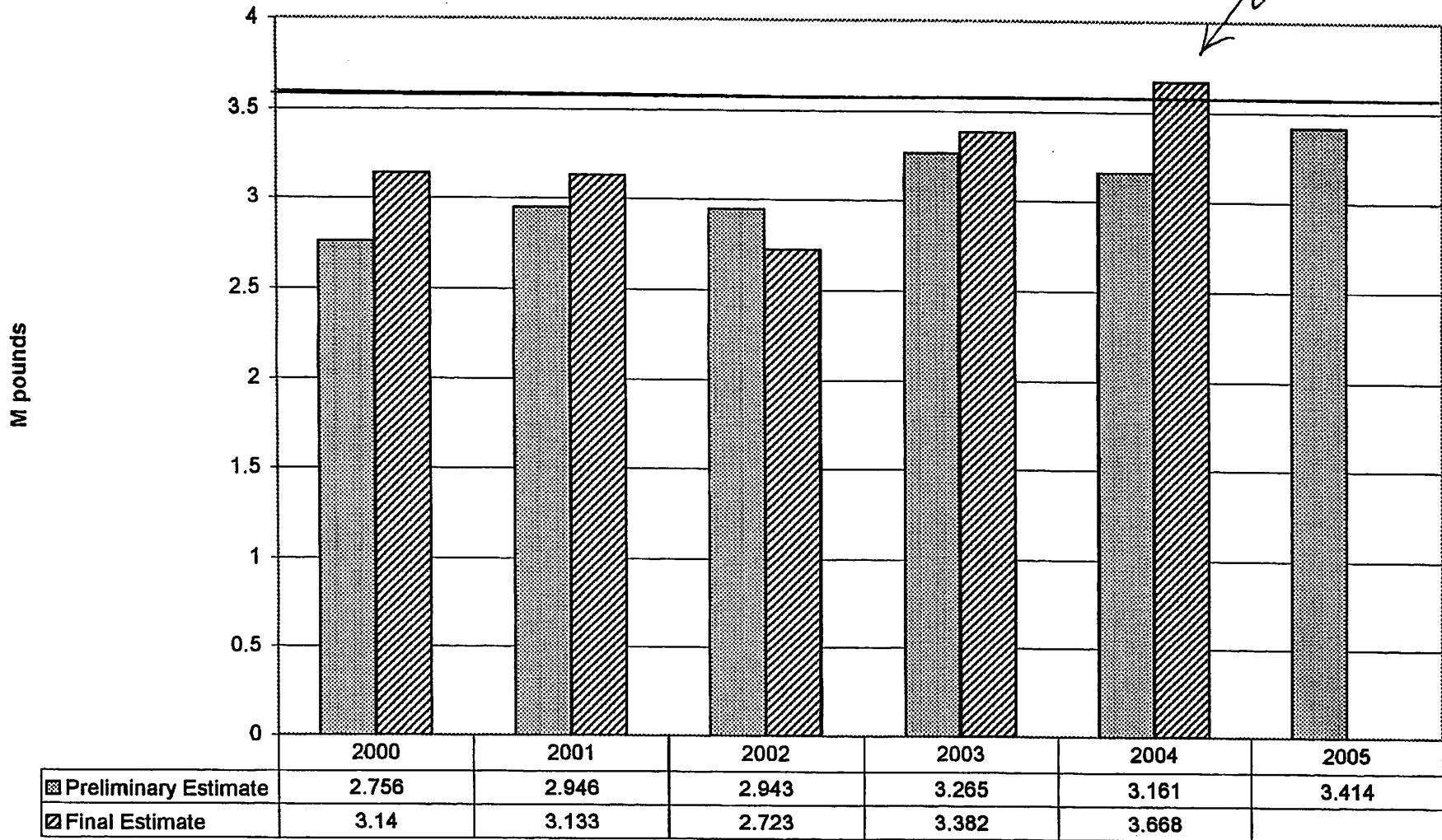
The average difference between the two estimates is + or - 16% and + or - 215,000 pounds per year.

PRELIMINARY HARVEST ESTIMATE EXCEEDED THE GH L 2002-2005

SOURCE: AD 16

MERRIGAN

Area 3-A: Comparison of Preliminary and Final Estimates of Charter Harvest



3A
GHL

The average difference between the two estimates is + or - 9% and + or - 283,000 pounds

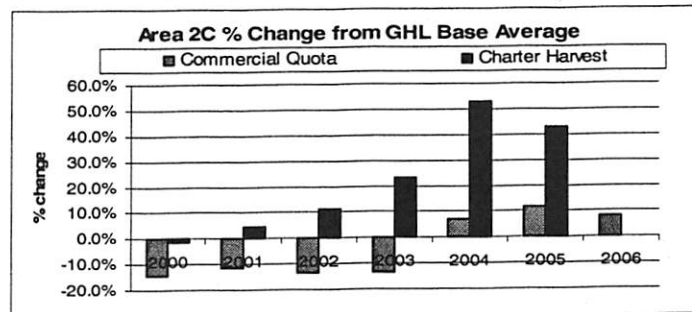
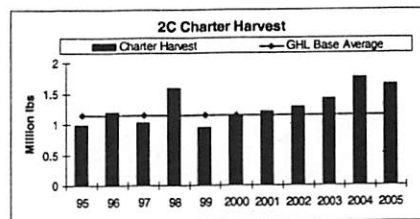
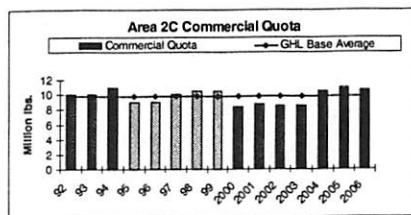
FINAL ESTIMATE EXCEEDED THE PRELIMINARY ESTIMATE
IN 2003, + 2004 - (AND IN 4 OUT OF THE 5 LAST YEARS)

Interim Stability

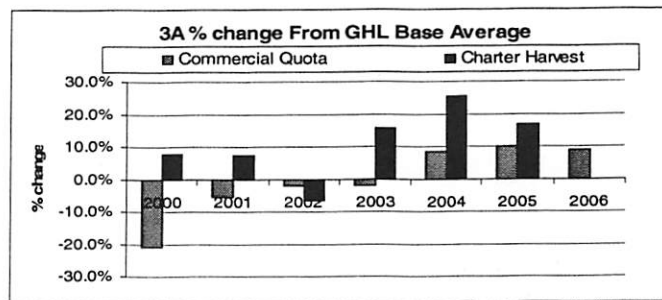
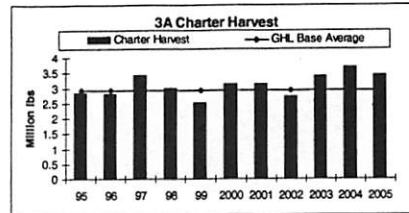
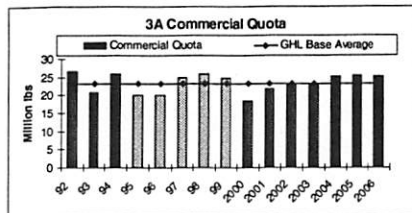
- ◆ Control harvest to GHL number during the interim period.

"... the important point I want to make here is we're very, very, aware of the concern about exceedance of the GHL and that we believe that for the short term, we have the tools to deal with that. And the short term, actually quite a number of years as it takes to resolve the situation with a longer term." Commissioner Campbell, Dec. 9, 2005; P 16, lines 19-25.

2C Abundance Increase



3A Abundance Increase



Maintain the GHL Number

- ◆ Implement skipper and crew restriction in both 2C and 3A
- ◆ Implement an annual limit of **5 fish/year** in 2C
- ◆ Commit to implementing additional measures **post season** as needed if the charter harvest exceeds the GHL before a long term plan is in place

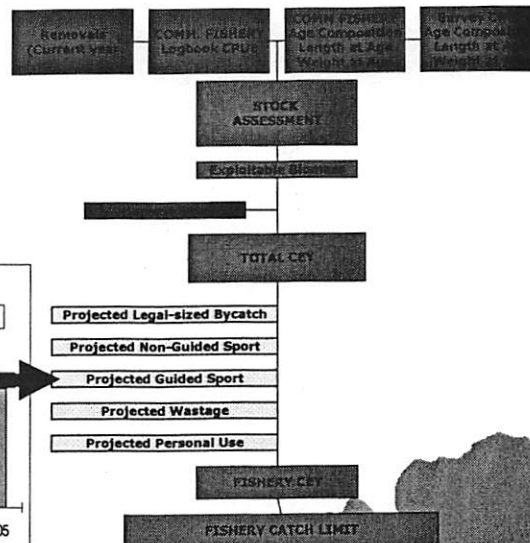
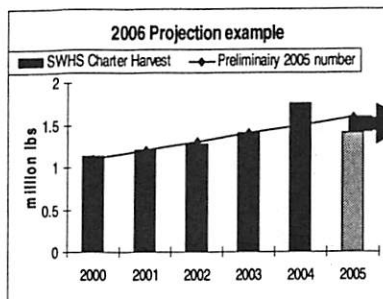
Separate Accountability

- ◆ Consistent with how all other gear splits are managed
- ◆ Consistent with how Salmon, Lingcod, and DSR are managed for charter sector
- ◆ Allows development of charter management plan with minimal commercial interference
- ◆ DOES NOT require in-season management or closures.
- ◆ Is applicable to both short-term and long-term solutions.
- ◆ Necessary to prevent short-term spill-over effects
 - GHL overages deducted from commercial quota
 - 2007 unnecessary reduction in commercial quota
 - Inconsistency between smoothed average weight to evaluate GHL status vs. real weight deducted from commercial quota

Minimize Spill-Over effects: GHL Overages Deducted from Commercial Quota

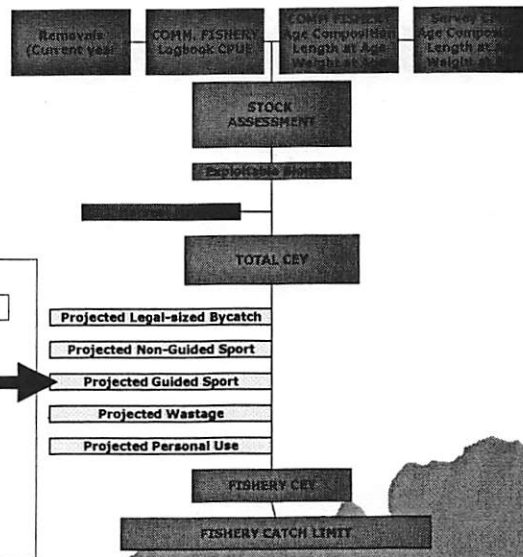
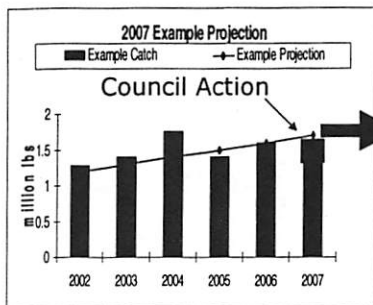
GHL = 1.432

Year	2C Prelim Number	Overage
2002	1.501	69,000 lbs
2003	1.593	161,000 lbs
2004	1.437	5,000 lbs
2005	1.639	207,000 lbs



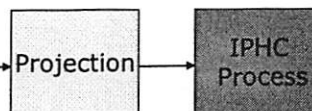
Minimize Spill-Over effects: Unnecessary Reduction in Commercial Quota

Action	2C Potential Reduction
Alt 2	180,000-210,000 lbs
Alt 3	280,000-300,000 lbs

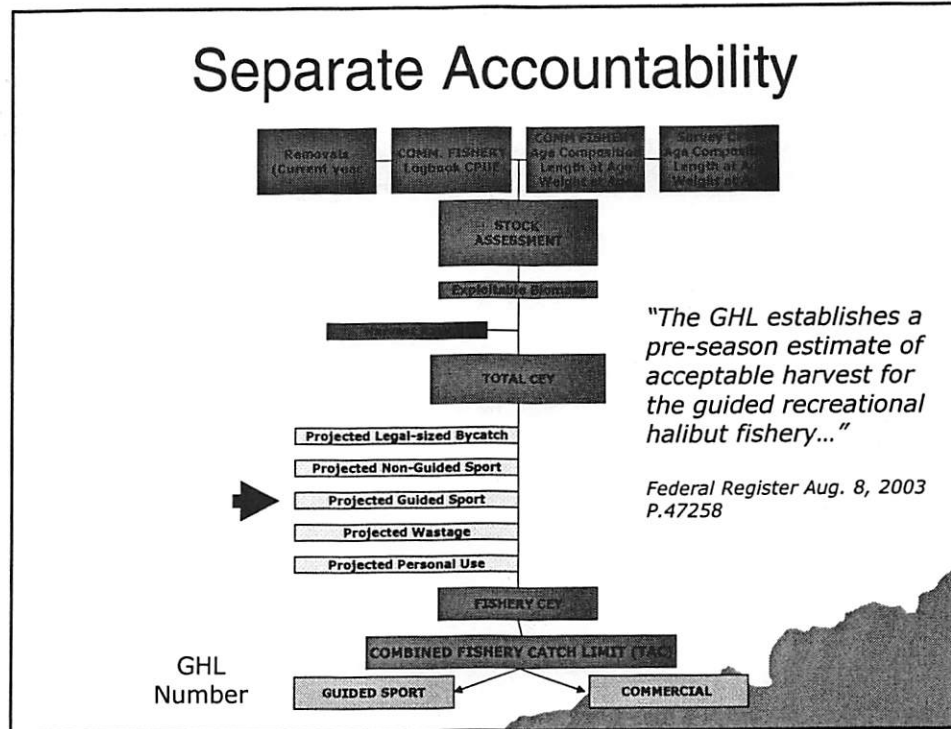


Minimize Spill-Over effects: Smoothed Average Weight vs. Real Weight

2004 2C Smoothed Weight	2004 2C Real Weight
1.643	1.750



Separate Accountability



Responsive Timeline

- ◆ Change Halibut Act
- ◆ Develop Council Process
 - Oct. 2007 Meeting:
 - ◆ 2006 Final SWHS Data 2006 & 2007 Logbooks
 - ◆ ADF&G Rec. Action
 - ◆ Public Input
 - Dec. 2007 Meeting
 - ◆ IPHC Staff Quota Rec.
 - ◆ Public Input
 - ◆ Initial Review
 - ◆ Final Action
 - May. 2008
 - ◆ IPHC Final Quota Rec.
 - ◆ Proposed Rule
 - ◆ Final Rule

"The way we envision that something like this could work is, A, short-term under the existing GHL, we can use the tools that we have here with the one season lag to bring down the harvest." Commissioner Campbell, Dec. 9, 2005; P 53, lines 4-8.

Short Term GHL Measures

- ◆ Control charter harvest to the GHL number until a long term plan is implemented.
- ◆ Adopt Separate Accountability to minimize spill-over effects on the commercial sector.
- ◆ Develop a responsive time line for implementing management actions

Final Action

Draft EA/RIR/IRFA for a Regulatory Amendment to Implement GHL Measures in the Charter Halibut Fisheries in Areas 2C and 3A

Alternatives

- For Area 2C:
 - Alt. 1. No action
 - Alt. 2. Limit vessels to one trip per day, prohibit harvest by skipper and crew, & set an annual catch limit of 6 fish for individual clients.
 - Alt. 3. Limit vessels to one trip per day, prohibit harvest by skipper and crew, & set an annual catch limit of 5 fish for individual clients.
- For Area 3A:
 - Alt. 1. No action
 - Alt. 2. Limit vessels to one trip per day.
 - Alt. 3. Limit vessels to one trip per day & prohibit harvest by skipper and crew

Limiting Vessels to 1 Trip/Day

- Estimation Technique
 - Utilized 1998, 1999, 2001 logbook data to estimate share of total harvest by these trips. High/Low Process.
 - Adjusted for changes in frequency of these trips over time using 2004 logbook data.
 - Used 2004 harvest estimates to estimate total harvest by these trips.
- Estimated Effect
 - 0.3%-0.6% Reduction in Area 2C
 - 4.4%-6.4% reduction in Area 3A
- Industry Input and Economic Effects
 - Disruptive to firms specializing in this business model.
 - Differential effects by location and business model.

Prohibition of Crew Harvest

- Estimation Technique
 - Utilized 1999-2001 logbook data to estimate ranged share of total harvest by crew.
 - Used 2004 harvest estimate to estimate total harvest crew.
- Estimated Effect
 - 3.3%-4.5% Reduction in Area 2C
 - 7.7%-10.5% reduction in Area 3A
- Industry Input and Economic Effects
 - Few identified firm level effects. Practice of crew harvest on a regular basis varies by location.
 - Some harvest likely to shift to recreational effort.

Annual Harvest Limit (Area 2C Only)

- Estimation Technique
 - Using SWHS data, ADF&G estimated portion of harvest taken by single-angler households which represent 70% of anglers taking charters in Area 2C and more than 70% of harvest.
 - Per angler estimates not available from multi-angler households.
 - Established minimum estimates for use in the analysis.
- Estimated Effect
 - Minimum 7.0% reduction associated with a 6 fish limit.
 - Minimum 12.2% reduction associated with a 5 fish limit.
- Industry Input and Economic Effects
 - Could be disruptive to business focusing on multi-day experiences or repeat customers within a year.
 - Differential effects by area/community which result in long-term redistribution of businesses.

Effects in Area 2C Using Method 1

Category	Management Measure/Effect (Reduction in %)	Alt. 1	Alt. 2		Alt. 3	
			Lower-Bound	Upper Bound	Lower-Bound	Upper Bound
Management Component	One Trip Per Day (2002)	N/A	0.4%	0.0%	0.4%	0.0%
	One Trip Per Day (2003)	N/A	0.4%	0.0%	0.4%	0.0%
	One Trip Per Day (2004)	N/A	0.3%	0.6%	0.3%	0.6%
	No Harvest by Skipper & Crew	N/A	3.3%	4.5%	3.4%	4.6%
	6 Fish Annual Limit (2002)	N/A	8.3%	8.3%	N/A	N/A
	6 Fish Annual Limit (2003)	N/A	7.5%	7.5%	N/A	N/A
	6 Fish Annual Limit (2004)	N/A	7.0%	7.0%	N/A	N/A
	5 Fish Annual Limit (2002)	N/A	N/A	N/A	13.7%	13.7%
	5 Fish Annual Limit (2003)	N/A	N/A	N/A	13.1%	13.1%
	5 Fish Annual Limit (2004)	N/A	N/A	N/A	12.2%	12.2%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	1,275	1,120	1,100	1,050	1,030
	Harvest as Percent of GHL	89.0%	78.2%	76.8%	73.3%	71.9%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	1,412	1,250	1,230	1,170	1,150
	Harvest as Percent of GHL	98.6%	87.3%	85.9%	81.7%	80.3%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	1,750	1,570	1,540	1,472	1,450
	Harvest as Percent of GHL	122.2%	109.8%	107.5%	102.8%	101.3%

Effects in Area 2C Using Method 2

Category	Management Measure/Effect (Reduction in %)	Alt. 1	Alt. 2		Alt. 3	
			Lower- Boun d	Upper Boun d	Lower- Bo und	Upper Boun d
Management Component	One Trip Per Day (2002)	N/A	0.4%	0.9%	0.4%	0.9%
	One Trip Per Day (2003)	N/A	0.4%	0.9%	0.4%	0.9%
	One Trip Per Day (2004)	N/A	0.3%	0.6%	0.3%	0.6%
	No Harvest by Skipper & Crew	N/A	3.3%	4.5%	3.4%	4.6%
	8 Fish Annual Limit (2002)	N/A	8.3%	8.3%	N/A	N/A
	8 Fish Annual Limit (2003)	N/A	7.5%	7.5%	N/A	N/A
	8 Fish Annual Limit (2004)	N/A	7.0%	7.0%	N/A	N/A
	5 Fish Annual Limit (2002)	N/A	N/A	N/A	13.7%	13.7%
	5 Fish Annual Limit (2003)	N/A	N/A	N/A	13.1%	13.1%
5 Fish Annual Limit (2004)	N/A	N/A	N/A	12.2%	12.2%	
Effect in 2002	Estimated Harvest with Restrictions (M lb)	1.350	1.190	1.170	1.110	1.090
	Harvest as Percent of GHL	94.3%	83.1%	81.7%	77.5%	76.1%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	1.395	1.240	1.210	1.150	1.130
	Harvest as Percent of GHL	97.4%	86.6%	84.5%	81.0%	78.9%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	1.643	1.470	1.440	1.360	1.360
	Harvest as Percent of GHL	114.7%	102.7%	100.6%	96.4%	95.0%

Summary of expected effects of Area 2C alternatives

Alternative	Who May Be Affected	Change in Charter Harvest	Economic Costs	Action Objectives
Alternative 1	Status Quo/Baseline	Baseline	Baseline	Baseline
Alternative 2	Approximately 620 charter vessels fished for halibut in 2004. Together these vessels carried 67,500 clients who harvested 84,200 halibut weighing 1.75 M lb.	Would have reduced charter halibut harvest in 2004 by between 180,000 and 210,000 lb and reduced total harvest to a range of 107.5 and 109.6 percent of the GHL from the current 2004 level of 122.2 percent of the GHL.	Costs associated with this alternative could include: the potential for lower angler demand and expenditures, higher marketing costs for operators, higher costs for crew dependent on halibut harvest for personal consumption, and the disruption of the multiple trips per day business model.	Lowers current harvest levels to a level closer to the current GHL, but provides less expected reductions than Alternative 3.
Alternative 3	Same as above	Would have reduced charter halibut harvest in 2004 by between 280,000 and 300,000 lb and reduced total harvest to a range of 101.3 and 102.7 percent of the GHL from the current 2004 level of 122.2 percent of the GHL.	Same as above. Costs related to the annual limit measure is higher than the likelihood under Alternative 2.	May best meet the objectives of the Council by lowering current harvest levels to a level closer to the GHL.

Effects in Area 3A Using Method 1

Category	Management Measure/Effect	Alt. 1	Alt. 2		Alt. 3	
			Lower Bound	Upper Bound	Lower Bound	Upper Bound
Management Components	One Trip Per Day (2002)	N/A	3.1%	4.5%	3.1%	4.5%
	One Trip Per Day (2003)	N/A	3.5%	5.1%	3.5%	5.1%
	One Trip Per Day (2004)	N/A	4.4%	6.4%	4.4%	6.4%
	No Harvest by Skipper & Crew	N/A	N/A	N/A	7.7%	10.5%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	2.720	2.640	2.600	2.430	2.310
	Harvest as Percent of GHL	74.6%	72.3%	71.2%	66.6%	63.4%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	3.380	3.260	3.210	3.010	2.860
	Harvest as Percent of GHL	92.7%	89.4%	87.9%	82.3%	78.2%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	3.670	3.510	3.430	3.230	3.050
	Harvest as Percent of GHL	100.5%	96.1%	94.0%	88.4%	83.5%

Effects in Area 3A Using Method 2

Category	Management Measure/Effect	Alt. 1	Alt. 2		Alt. 3	
			Lower Bound	Upper Bound	Lower Bound	Upper Bound
Management Components	One Trip Per Day (2002)	N/A	3.1%	4.5%	3.1%	4.5%
	One Trip Per Day (2003)	N/A	3.5%	5.1%	3.5%	5.1%
	One Trip Per Day (2004)	N/A	4.4%	6.4%	4.4%	6.4%
	No Harvest by Skipper & Crew	N/A	N/A	N/A	7.7%	10.5%
Effect in 2002	Estimated Harvest with Restrictions (M lb)	2.906	2.820	2.770	2.590	2.470
	Harvest as Percent of GHL	79.6%	77.3%	75.9%	71.0%	67.7%
Effect in 2003	Estimated Harvest with Restrictions (M lb)	3.175	3.060	3.010	2.820	2.680
	Harvest as Percent of GHL	87.0%	83.8%	82.5%	77.3%	73.4%
Effect in 2004	Estimated Harvest with Restrictions (M lb)	3.802	3.640	3.560	3.340	3.160
	Harvest as Percent of GHL	104.2%	99.7%	97.5%	91.5%	86.6%

Summary of expected effects of Area 3A alternatives

Alternative	Who May Be Affected	Change in Charter Harvest	Economic Costs	Action Objectives
Alternative 1	Status Quo/Baseline	Baseline	Baseline	Baseline
Alternative 2	Approximately 530 charter vessels fished for halibut in 2004. Together these vessels carried 116,600 clients who harvested 197,200 halibut weighing 1.75 M lb.	This alternative would have reduced charter halibut harvest in 2004 by between 160,000 and 235,000 lb and reduced total harvest to a range of 94.0 and 96.1 percent of the GHL from the current 2004 level of 100.5 percent of the GHL.	Costs associated with this alternative could include: the potential for lower angler demand and expenditures and the disruption of the multiple trips per day business model.	Lowers current harvest levels to a level below to the current GHL, but provides less expected reductions than Alternative 3.
Alternative 3	Same as above	This alternative would have reduced charter halibut harvest in 2004 by between 442,000 and 620,000 lb and reduced total harvest to a range of 83.5 and 88.4 percent of the GHL from the current 2004 level of 100.5 percent of the GHL.	Same as above and , higher costs for crew dependent on halibut harvest for personal consumption.	May best meet the objectives of the Council by lowering current harvest levels to a level closer the GHL.

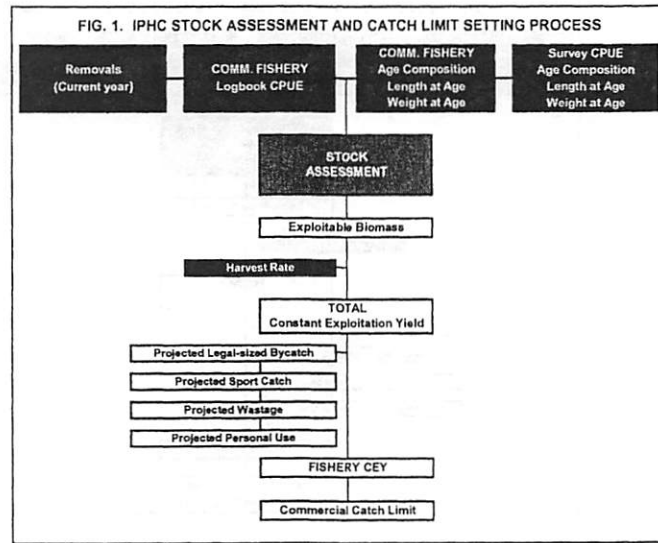
Separate Accountability Proposal

ALFA submitted a revised proposal on March 29, 2006, to incorporate two changes after discussions with agency staffs. The revised proposal recommends:

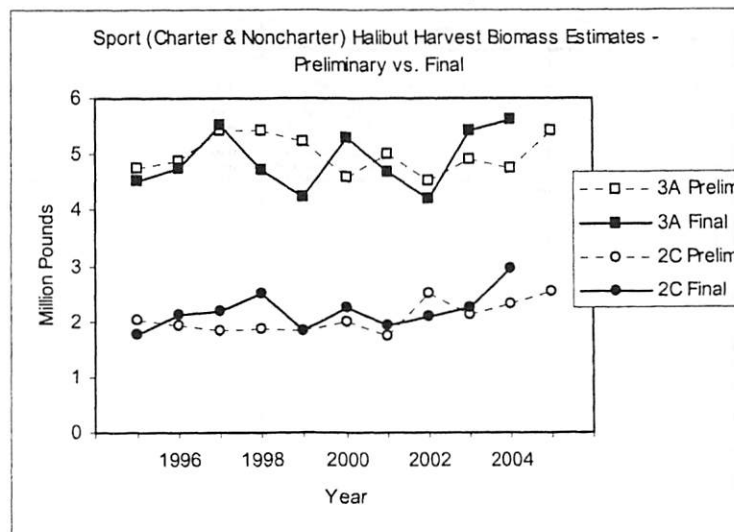
- 1) the IPHC set combined charter and commercial catch limits for Areas 2C and 3A; and
- 2) the Council use the GHLs as the charter sector allocations within the combined catch limit, with the remainder to be allocated to the commercial sector.

The effect of the revised proposal is the same as in the original proposal. Charter GHL overages would not reduce the commercial catch limit. The impact of this proposed procedure on the halibut resource is proportionate to the magnitude of any GHL overage.

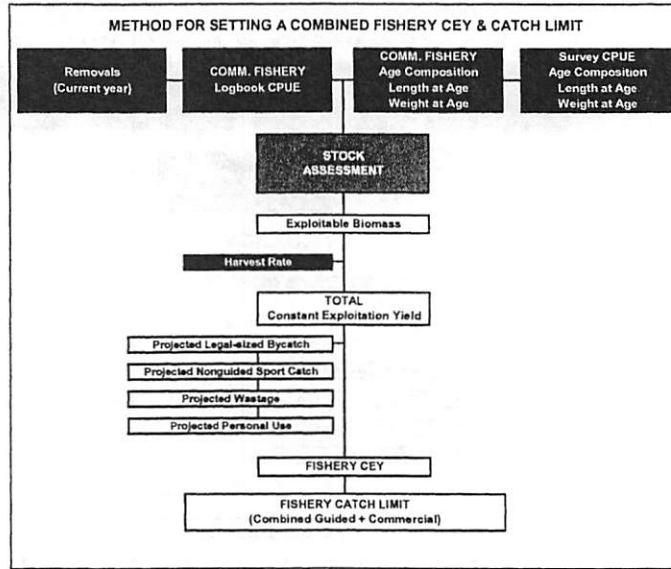
IPHC process for setting commercial catch limit



Comparison of projected and final sport halibut harvests, 1995-2004



Proposed IPHC process for setting commercial/charter catch limit



EFFECT OF PROPOSAL ON COMMERCIAL CATCH LIMITS

YEAR	AREA	TOTAL CEY	OTHER REMOVALS	STATUS QUO				COMB. COMM. CATCH LIMIT	PROPOSAL COMM. CEY						
				FISHERY CEY	COMM. CATCH LIMIT	OTHER REMOVALS	FISHERY CATCH LIMIT								
2003	2C	12,000	2,890	9,110	8,500	1,391	10,900	9,999	1,432	8,567					
	3A	40,000	5,780	34,220	22,850	2,838	37,192	26,572	3,850	21,922					
2004	2C	12,000	2,870	9,020	10,500	1,223	10,787	12,237	1,432	10,805					
	3A	35,000	6,520	28,480	25,060	3,255	31,745	28,325	3,850	24,875					
2005	2C	14,900	3,120	11,800	10,820	1,544	13,356	12,485	1,432	11,954					
	3A	32,900	6,610	26,300	21,470	3,453	29,447	28,617	3,850	24,967					
2006	2C	13,730	3,490	10,320	10,820	1,785	11,965	12,295	1,432	10,833					
		28,617	3,850	24,967											
								3A		32,180	7,240	24,940	25,200	3,823	28,357

EFFECT OF PROPOSAL ON COMMERCIAL FISHERIES

For Area 2C, the commercial quota would have increased:

- 67,000 lb (worth approximately \$200,000) in 2003;
- 305,000 lb (\$900,000) in 2004;
- 124,000 lb in 2005 (\$370,000); and
- 203,000 lb (\$600,000) in 2006.

For Area 3A, the commercial quota would have decreased:

- 708,000 lb (worth approximately -\$2,100,000) in 2003;
- 93,000 lb (-\$280,000) in 2004;
- 503,000 lb in 2005 (-\$1,500,000); and
- 233,000 lb (-\$700,000) in 2006.

CHARTER HALIBUT STAKEHOLDER COMMITTEE

Membership:

- **Dr. Dave Hanson, Chair**
- **Seth Bone**
- **Bob Candopoulos**
- **Ricky Gease**
- **John Goodhand**
- **Kathy Hansen**
- **Kelly Hepler**
- **Dan Hull**
- **Joe Kyle**
- **Larry McQuarrie**
- **Rex Murphy**
- **Chaco Pearman**
- **Greg Sutter**

CHARTER HALIBUT STAKEHOLDER COMMITTEE

Three meetings:

February 27-28

March 21-23

April 18-20

Will not meet over the summer

COMMITTEE RECOMMENDATIONS

- 1. Take no action on proposed measures to implement the GHL in April 2006, but instead focus efforts on a permanent solution.**

The GHL program was designed on an understanding of a lower halibut biomass with a declining trend. Instead new IPHC model estimates of biomass in Area 2C and 3A demonstrate a higher level of halibut biomass than was believed when the GHL program was adopted. Further, preliminary 2005 charter halibut harvests show a drop in charter harvests in both areas in 2005 relative to final estimates for 2004. Area 3A charter harvest projections indicate that GHL was not exceeded in Area 3A, and the overage in Area 2C dropped to 14% above the GHL in 2005. The anticipated action by ADFG to prohibit captain and crew fish in groundfish fisheries in Area 2C to address declining DSR biomass would lower charter halibut harvests in Area 2C.

COMMITTEE RECOMMENDATIONS

2. Take no action on Separate Accountability Proposal.

The committee felt that proposal was not appropriate in the GHL program because it could lead to in-season management, which is a consequence the Council and the charter sector have sought to avoid under the GHL. The committee thought that it could be considered under long term solutions being addressed by the committee.

COMMITTEE RECOMMENDATIONS

3. In April 2006, the committee will revisit the issue of revising the GHL to trigger up as halibut abundance increases.

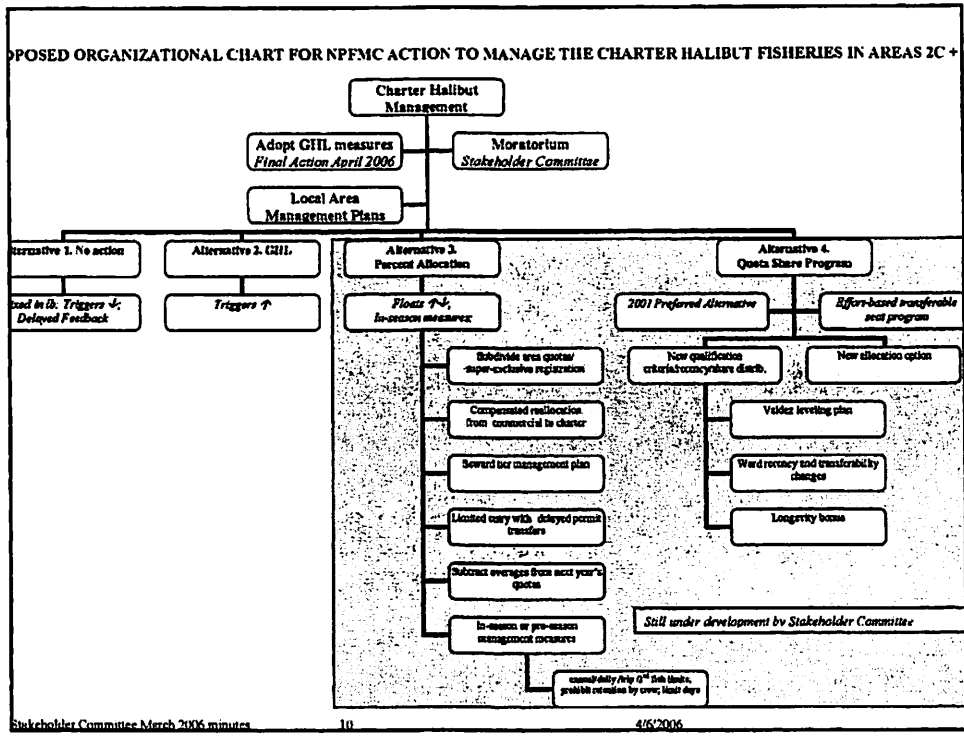
COMMITTEE RECOMMENDATIONS

- 4. Immediately initiate an analysis of a moratorium on entry into the charter halibut fishery using the December 9, 2005 control date. The Committee recommended that the Council schedule initial and final action in Winter 2006/2007 and have the program implemented no later than the 2008 fishing season.**

Reference Item C-6(c)(2) for elements and options

COMMITTEE RECOMMENDATIONS

- 5. In April, the committee will forward final recommendations for permanent solutions –**
 - **Percent allocations alternative**
 - **Quota share alternative**



Separate Accountability Proposal for Pacific Halibut Fisheries
Discussion Paper
NPFMC Staff
April 6, 2006

Introduction In February 2006, Alaska Longline Fishermen’s Association (ALFA) submitted a proposal entitled Separate Accountability to the Council as part of public testimony on the initial review draft of the Charter GHL analysis. The proposal would separately manage the charter and commercial halibut allocations in Areas 2C and 3A. It aims to remove the economic penalty placed on the commercial sector for overages of the GHL incurred by the charter sector. The proposal recommended that the IPHC set a combined charter and commercial Constant Exploitation Yield (CEY) for Areas 2C and 3A and replace the deduction of charter harvests from the Total CEY with an allocation to the charter sector equal to the GHLs in each area.

On March 29, 2006, ALFA revised the proposal to incorporate two changes after discussions with International Pacific Halibut Commission (IPHC), NOAA Fisheries Service, and Council staffs (Attachment). The revised proposal recommends that: 1) the IPHC set combined charter and commercial catch limits for Areas 2C and 3A; and 2) the Council use the GHLs as the charter sector allocations within the combined catch limit, with the remainder to be allocated to the commercial sector. The effect of the revised proposal is the same as in the original proposal. Charter GHL overages would not reduce the commercial catch limit. The impact of this proposed procedure on the halibut resource is proportionate to the magnitude of any GHL overage.

Background A brief review of the current IPHC process for determining how the commercial catch limit is set is necessary to understand the impacts of the proposal. The commercial catch limit is indexed to total CEY, minus other removals, and adjusted by other Commission considerations and policies (e.g., the slow up-fast down process) (see Figure 1). To apply IPHC terminology:

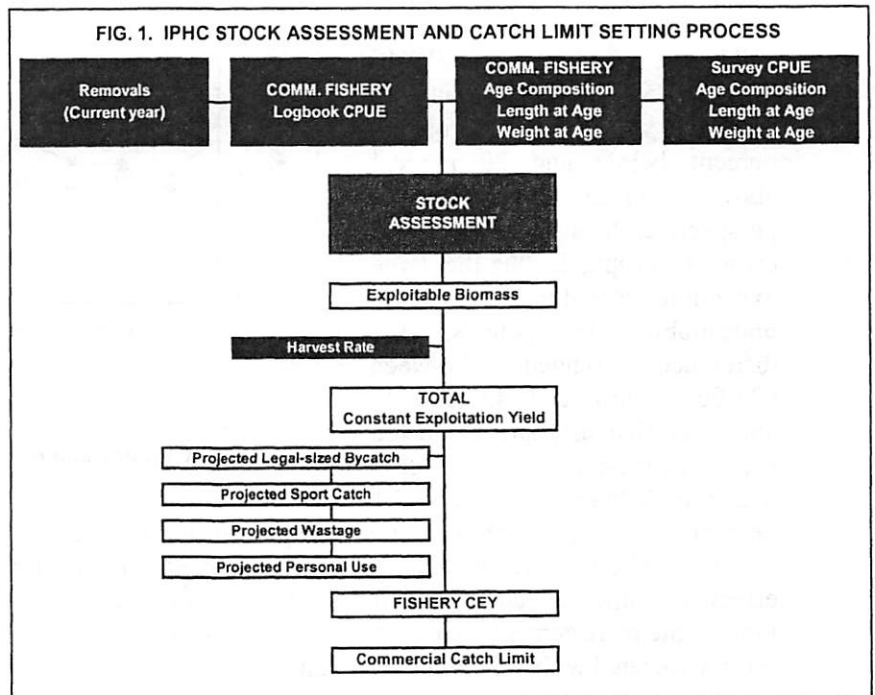
Exploitable Biomass x Harvest Rate = Total CEY.

Total CEY – Other Removals = Fishery CEY.

Fishery CEY x Policy considerations = Fishery Catch Limit.

All non-commercial projected removals for the next year are deducted “off the top” of the Total CEY and reduce the remainder available to be set as the Fishery CEY, which is then available to be set as the (commercial) catch limit, factoring in the Commission’s “slow-up, fast down” and other harvest policies. If actual removals are less than projected for any sector, then the stock benefits in future years. If they are higher, then the stock is marginally reduced.

IPHC staff uses the total reported harvest for all sectors in the estimation of population abundance (exploitable biomass). As such, an overage (or underage) of the GHL is simply part of the total harvest. It is



not treated separately or differently than the rest of the harvest by that sector. The same would hold true if one of the groundfish fisheries exceeded its halibut Prohibited Species Catch bycatch limit. Only the actual removal is used in the computations.

IPHC staff uses the estimate of removals from the most recent year available for projecting subsistence, wastage, and bycatch removals for the next year. Charter and non-charter sport harvest deductions are based on projections by ADF&G Sport Fish Division staff. Different methods are employed for Areas 2C and 3A. In Area 2C, the projected sport halibut harvest for the next year is based on the recent five-year average of the ratio between the final SWHS estimate and the respective in-season creel survey estimates for Ketchikan, Craig, Juneau, and Sitka, while the projections for the Petersburg/ Wrangell and Glacier Bay areas were based on the most recent three-year data due to a more limited database. The projected harvest for Haines/Skagway area was generated by applying the most recent five-year average of the Haines/Skagway proportion of the total Area 2C to the projected 2005 harvest for all Area 2C areas except Haines/Skagway. The respective charter/private proportions within each of the SWHS areas, based on the average proportion of the final 2003-2004 Statewide Harvest Survey (SWHS) estimates, were applied to determine the number of fish harvested within each user group. Average weight estimates of halibut harvested by charter and private anglers for the current year were then applied to each of those projected harvests and summed to generate the overall Area 2C projection of harvested biomass. In the past, Juneau average weights were applied to the harvest in Glacier Bay as a surrogate since no sampling occurred there. But because of the commencement of a catch sampling program in Gustavus and Elfin Cove in 2002, the Gustavus/Elfin Cove average weight is now being applied to Glacier Bay harvests. Juneau average weights were still used as the surrogate for Haines/Skagway harvests. For most of Area 3A, the number of fish taken by each user group in each of six subareas was based on a linear projection of the most recent five harvest estimates from the SWHS. Estimates for eastern and western Prince William Sound, corresponding to mean weights from Valdez and Whittier, are only available since 2001. Therefore, the projections for these two areas are only based on the last four years.

On average, the projections have been sufficiently accurate ($\pm 3\%$ over the long term), although the variance of the projections relative to the final number have been high (Table 1). Preliminary harvests for Area 2C during 1995-2004 were lower than final SWHS estimates by 6.7 percent on average, with a range of 25 percent below and 20 percent above. From a resource perspective, the average margin of error is acceptable but the large excursions around this average are undesirable. In pounds, the difference ranged between 631,000 below and 421,000 lb above the final estimate. Projected harvests for Area 3A were higher than final SWHS estimates by 2.1

percent on average, with a range of 15 percent below and 24 percent above. In pounds, the difference ranged between 863,000 lb below and 1,015,000 lb above the final estimate. Figure 2 depicts these data graphically. The effects of using the actual GHF in the proposal, in lieu of a projection, would have a resource-neutral effect, as long as the management measures can keep the charter harvest within a range around the GHF comparable to the error associated with ADF&G projections.

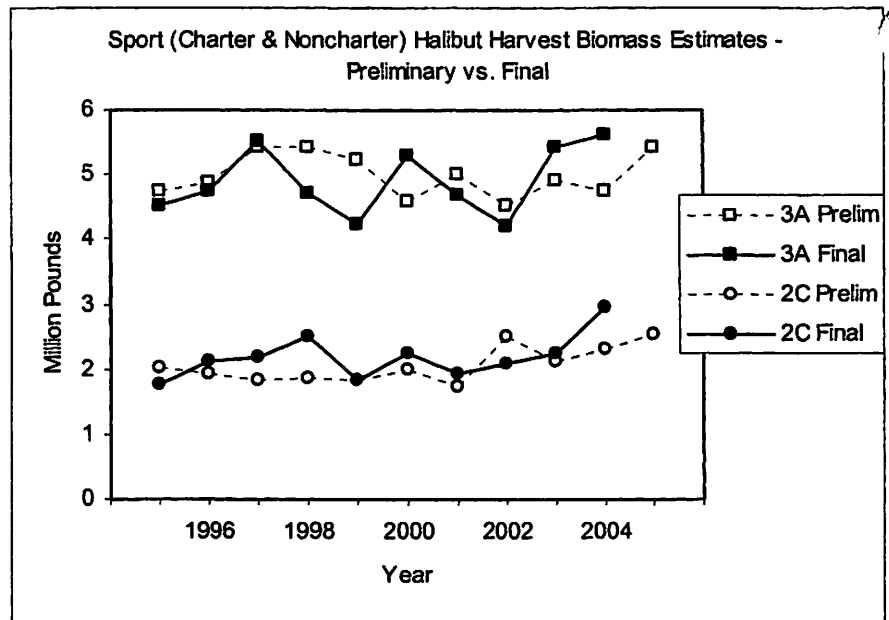


Figure 2. Comparison of projected and final sport halibut estimates

Table 1. Comparison of Preliminary (season's end) versus final estimates of sport harvest by ADF&G, 1995-present.

Error and error% are relative to the final, i.e., error is (pred-final)/final.

Source: ADF&G

Year	Area 2C				Area 3A			
	2C Prelim	2C Final	Error (M lb)	Rel Error (%)	3A Prelim	3A Final	Error (M lb)	Rel Error (%)
1995	2.010	1.760	0.250	14.2%	4.750	4.511	0.239	5.3%
1996	1.910	2.130	-0.220	-10.3%	4.871	4.740	0.131	2.8%
1997	1.830	2.170	-0.340	-15.7%	5.415	5.514	-0.099	-1.8%
1998	1.870	2.500	-0.630	-25.2%	5.407	4.702	0.705	15.0%
1999	1.830	1.843	-0.013	-0.7%	5.243	4.228	1.015	24.0%
2000	1.978	2.258	-0.280	-12.4%	4.596	5.305	-0.709	-13.4%
2001	1.733	1.925	-0.192	-10.0%	5.016	4.675	0.341	7.3%
2002	2.511	2.090	0.421	20.1%	4.511	4.202	0.309	7.4%
2003	2.125	2.258	-0.133	-5.9%	4.897	5.427	-0.530	-9.8%
2004	2.306	2.937	-0.631	-21.5%	4.743	5.606	-0.863	-15.4%
2005	2.544				5.437			
Average				-6.7%				2.1%
Min				-25.2%				-15.4%
Max				20.1%				24.0%

Proposal The ALFA proposal suggests that removing the direct effect of GHL overages on the commercial sector: 1) facilitates the development of a long term plan by allowing the Council to focus on measures appropriate for the charter sector without worrying about spill-over effects on the commercial sector; and 2) promotes stability by noticing all parties that the Council intends to adhere to the GHL number during the interim, and implement post-season restrictions, as necessary. The proposal would reduce the impact of overages associated with the GHL, which are currently charged directly to the commercial sector and cause a reallocation and economic impacts. It would better align the catch limit setting process for the two sectors.

The proposal addresses specifically: 1) how the charter sector could be brought into the IPHC process for setting catch limits, rather than having the projected removals taken "off the top" as occurs under the current IPHC process; and 2) how to remove the economic penalty currently paid by the commercial sector for charter GHL overages and distribute any resulting penalty to future yield across all managed sectors.

By taking the charter sector out of the "other removals" in the IPHC process, a GHL overage does not directly reduce the commercial catch limit. Instead, it will be accounted in the total removals for that year and reduce the exploitable biomass available for all sectors in the subsequent year.

Under the proposal, a combined commercial and charter Fishery Catch Limit would be set by the IPHC (see Figure 3). Any GHL overages would be resource neutral if the combined catch limit is not exceeded. The commercial fishery has under-harvested its allocations in Areas 2C and 3A by around 200,000 to 300,000 lb each year. This continued underage may buffer any resource impacts associated with GHL overages as the combined catch limit would not be exceeded unless the GHL overage was very large. However, a policy of combined management is undesirable because it removes accountability by each sector. In addition, the Council is considering changes to the commercial IFQ program that may reduce some of those underages through a "use it or lose it" provision for completely inactive IFQ permits under proposed Omnibus V regulations.

The current use of the ADF&G projection methodology in year 1, followed by the use of final SWHS estimate in year 2, affects commercial halibut fishermen in two ways. First, 100 percent of the projected harvest directly reduces the commercial quota. Second, if the final estimate is higher than the projection, then the over harvest reduces the biomass available to everyone in future years and the yield associated with this biomass reduction is lost to the commercial fleet; however, the actual harvest and thus the difference between the projection and the actual harvest, will not be known for another year. Conversely, GHL underages benefit the commercial fleet, but the GHLS will increasingly be constraining under projected growth in harvests. IPHC staff could simulate this effect

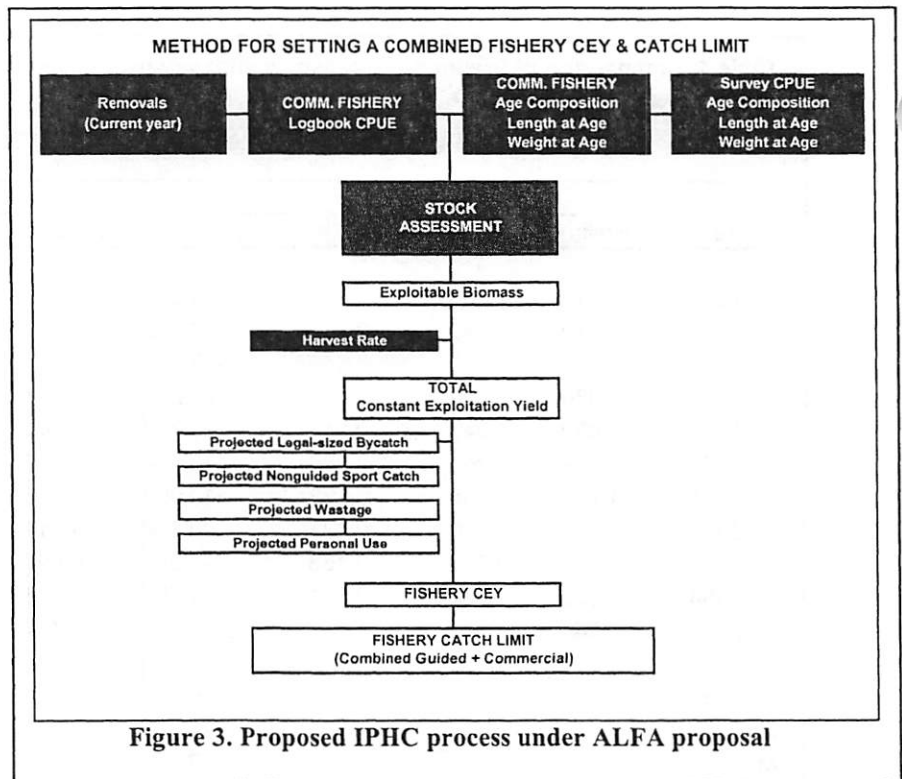


Figure 3. Proposed IPHC process under ALFA proposal

in the assessment model, but the effort is time-consuming and a qualitative examination results in the same conclusion. Fishery overages are miniscule compared with halibut biomass in each area, and the downstream effects to the populations are minor.

The ALFA proposal would eliminate this impact on the commercial fleet by using the actual GHL in lieu of a projection as the charter sector allocation as part of a combined charter-commercial catch limit. ALFA has suggested, based on previous IPHC work, that unharvested (i.e., “banked”) halibut would generate an additional 10-20% yield (spread over several years). Using Area 2C, for example, a 313,000 lb difference occurred between the projection and final estimate for 2004. The final 2004 number was supplied in the fall of 2005 so the yield available to the commercial fleet in 2006 was the final estimate for 2004. The effect of harvesting, and not banking, the extra 313,000 pounds is a yield loss of 32-64,000 pounds. Nevertheless, the IPHC staff responded that if the GHL is used as the removal quantity, then a higher than intended fishing mortality is being exerted. The IPHC recommends the best estimates of removals be used in all cases and, in this situation, the fixed GHL is not the best estimate. In the scenario described by ALFA, if the GHL is used as the preliminary estimate and the final is higher, then the target harvest rate would be exceeded, going against the IPHC harvest policy. And by the same argument above, there would be further loss of yield from fish that were not left in water and captured due to use of the GHL as the removal estimate (which is clearly low).

Table 2 compares the current IPHC process for 2003-2006 with the proposal to set a combined catch limit and not deduct charter harvests “off the top.” For the proposal, Other Removals is shown but this ONLY includes legal bycatch mortality, unguided sport harvest, subsistence (as was known at that time), and commercial fishery wastage. Finally, the combined commercial and charter CEY is calculated after subtracting Other Removals from the Fishery CEY. The combined Catch Limit would result from additional Commission considerations and may be different from the combined CEY (the table assumes that the IPHC made the same adjustments between Fishery CEY and Catch Limit for the proposal as under the under the status quo).

For Area 2C, the commercial quota would have been increased by 67,000 lb (worth approximately \$200,000) in 2003; 305,000 lb (\$900,000) in 2004; 124,000 lb in 2005 (\$370,000); and 203,000 lb (\$600,000) in 2006. For Area 3A, the commercial quota would have been decreased by 708,000 lb (worth approximately -\$2,100,000, in 2003; 93,000 lb (-\$280,000) in 2004; 503,000 lb in 2005 (-\$1,500,000); and 233,000 lb (-\$700,000) in 2006.

Table 2. Commercial halibut catch limits under status quo and ALFA proposal.

YEAR	AREA	STATUS QUO				PROPOSAL				
		TOTAL CEY	OTHER REMOVALS	FISHERY CEY	COMM. CATCH LIMIT	OTHER REMOVALS (-charter)	COMB. FISHERY CEY	COMB. CATCH LIMIT	GHL	COMM. CATCH LIMIT
2003	2C	12.000	2.890	9.110	8.500	1.391	10.609	9.999	1.432	8.567
	3A	40.000	5.780	34.220	22.630	2.838	37.162	25.572	3.650	21.922
2004	2C	12.000	2.970	9.030	10.500	1.233	10.767	12.237	1.432	10.805
	3A	35.000	6.520	28.480	25.060	3.255	31.745	28.325	3.650	24.675
2005	2C	14.900	3.120	11.800	10.930	1.544	13.356	12.486	1.432	11.054
	3A	32.900	6.610	26.300	25.470	3.453	29.447	28.617	3.650	24.967
2006	2C	13.730	3.400	10.330	10.630	1.765	11.965	12.265	1.432	10.833
	3A	32.180	7.240	24.940	25.200	3.823	28.357	28.617	3.650	24.967

ADF&G issues The proposal suggests that ADF&G projection methodology may change as a result of proposed GHL measures. In both areas, ADF&G first estimates the number of fish harvested and then multiplies by the current year's average weight. The number of fish harvested is estimated as follows.

In Area 3A, harvest is estimated from a simple linear projection of the past 5 years of mail survey estimates. This is done separately for charter and non-private sectors. There are no precise in-season indicators of harvest from the port sampling program. If management restrictions go into place, we would likely project the harvest as usual then adjust the projection for the anticipated reduction due to the regulation change. Even after the final harvest estimate becomes available, we won't be able to tell how much of a change in harvest was due to regulation changes versus year-to-year variation. For example, a restriction on crew harvest could be accompanied by an increase in client harvest, for a net increase in charter harvest overall.

In Area 2C, harvest is estimated from a projection of the ratio of creel survey and mail survey estimates for the past several years. In some subareas of 2C the recent 5-year time series is used, in other subareas 3 years is used, and in some subareas a different method is used all together. Methods differ by subarea based on the amount of available data. But at least for most of 2C, in-season harvest data from the creel survey is available that should reflect a change in harvest due to changes in regulations. Thus, methods shouldn't have to change significantly.

IPHC issues Earlier concerns regarding the original proposal have been resolved as a result of rewording in the revised proposal. Under this revised proposal, the IPHC would adopt a combined catch limit for charter and commercial fisheries at its January annual meetings. The IPHC would provide this combined catch limit to the Council for it to further allocate between the sectors. The IPHC's expectation would be that the Council and NMFS would manage each fishery to achieve their respective catch limits, as adherence to the allocations by each sector is most important from a resource perspective.

The IPHC staff is comfortable with post-season changes in the management of the charter fishery, to be implemented for the subsequent year. Council staff has identified that it takes a year to identify a GHL overage, another year to propose and analyze necessary management measures, and then two additional years to implement and measure the fishery performance to assess the adequacy of the measures. The IPHC staff does not believe this time frame is sufficiently responsive for effective management of the charter allocation. From the IPHC's perspective, effective management requires more responsive implementation of remedial measures, in order to ensure conservation. The Council is exploring mechanisms to shorten this delay.

From the IPHC's perspective, a formal catch sharing plan or catch management plan is the most desirable allocation process, but the necessity of such a plan is clearly a decision for the Council. The IPHC already follows

three Council catch sharing plans: 1) the NPFMC CSP for commercial fisheries in Areas 4C/D/E; 2) Pacific Fishery Management Council Area 2A multiple sector CSP (Washington, Oregon, and California); and 3) Area 2B multiple sector CSP (British Columbia), and has frequently recommended this approach to the Council for commercial/charter allocation issues. The success of the other CSPs is due to pre-season and in-season management measures that adequately restrict the harvests to their respective allocations. Area 2A, for example, has in-season monitoring for all but one of its sport fisheries (the remaining fishery has an accounting system that results in year-end data). Area 2B does not yet have an in-season catch accounting that is acceptable to the IPHC, but the Department of Fisheries and Oceans is currently developing such a plan.

Until a CSP is adopted, the IPHC would consider a written request from the Council to have the IPHC approve a combined commercial and charter fishery catch limit, with the understanding that this would be an interim approach while the Council works on a longer term solution. The IPHC could also consider adopting an allocation division of this catch limit, at the direct request of the Council.

IPHC staff has suggested that, under a combined commercial/charter catch limit, commercial wastage would be removed from the "other removals" deduction and be made a part of the commercial fishery allocation, so that the charter sector does not "pay" for commercial wastage. However, that wastage would need to be deducted subsequently from the commercial share of the combined limit, in order to arrive at an operating catch limit for the commercial sector. This may lead to a similar determination of charter wastage as well.

Council issues The proposal refers to "separate accountability," but the Council should consider how this proposal increases accountability for the charter sector because as presented, there is no direct accountability if the charter sector exceeds its GHL. The commercial sector, by virtue of its catch accounting system, cannot exceed its catch limit. The proposal eliminates the direct penalty to the commercial sector, but it does not replace it with a direct penalty to the charter sector due to process of post-season management under which the charter fishery is managed. Any overage simply gets factored into a slightly reduced biomass, a higher than intended harvest rate, and a lower total CEY in subsequent years, for which all sectors then pay any penalty. The effect of the proposal is to "charge" GHL overages (and underages) to the halibut biomass (and all users), rather than directly to the commercial sector (although with a fixed GHL, only the commercial sector share of the combined catch limit would change in response to changes in catch limits).

The effect of this biomass reduction cannot be simulated simply, because of numerous fluctuating model parameters. However, the overage amounts were small (200,000 – 300,000 lb) compared with exploitable biomass (e.g., age 8+ fish, estimated at 60 Mlb in Area 2C in 2005). Even over 20 or 50 years, "extra" removals of this magnitude likely would not have a significant impact on the Area 2C halibut population, or adjacent areas.

The Council should consider whether the proposed approach of using the GHL as an allocation within a combined fishery catch limit (with an implicit acceptance that the GHL can be adhered to using post-season management measures) is an improvement over the status quo of deducting projected harvests either now or under a permanent solution (note these issues are the same whether under a GHL or a percentage allocation, while individual charter fishing quotas would be more directly managed). The Council should consider whether it is confident that it can manage the charter allocations with post-season management so that they would not be exceeded. If the GHL is not equivalent to the actual harvest, then this proposal would create a procedure which has embedded in it, an incorrect amount of charter harvest and could systematize the *potential* for overharvest if corrective or remedial management measures are not adopted.

Lastly, NOAA General Counsel staff has advised that the Council should confirm that the administrative record has adequately noticed the public that the GHL was and continues to be intended as an allocation such that the existing record would satisfy a Council recommendation to use the GHL as the amount to use within the combined commercial/charter catch limit in a catch sharing plan.

Acknowledgments

Gregg Williams, Dr. Bruce Leaman, Dr. Steven Hare, IPHC and Scott Meyer, ADF&G Sportfish Division

CHARTER IFQ STAKEHOLDER COMMITTEE
Draft Minutes
Anchorage Alaska
March 21-23, 2006

Dr. Dave Hanson, Chair
Seth Bone
Bob Candopoulos
Ricky Gease (2 days)
John Goodhand
Kathy Hansen
Dan Hull

Joe Kyle (1 day)
Larry McQuarrie
Rex Murphy
Chaco Pearman
Greg Sutter
Kelly Hepler (1½ days)

Agenda/Minutes The committee approved corrected minutes from its February 2006 meeting. The committee reviewed the agenda, discussed the two charges to the committee, and the draft organizational chart that staff prepared based on the committee's actions from its February meeting. In December 2005, the Council first tasked the Stakeholder Committee with developing two permanent solutions (a percentage allocation and quota share program with recent participants) to problems in the fishery. In February 2006, the Council tasked the committee with also developing recommendations for interim solutions, based on recommendations from the GHIL Committee. After considerable discussion, the committee concluded that it not recommend that the Council address interim solutions, in favor of developing permanent solutions on a faster timeline than could be achieved if interim solutions were also implemented.

Data Requests The committee reviewed the results of a number of data requests from its February meeting. Gregg Williams, IPHC, addressed questions that were posed by the committee in February 2006, which related to the separate accountability proposal. The committee compared IPHC biomass estimates as it was understood in 2000 when the GHIL preferred alternative was selected and current biomass estimates from the 2005 halibut stock assessment. Halibut abundance is much greater now than was believed to have occurred then. Area 2C halibut abundance is on an upward trajectory, while Area 3A abundance is declining. This led to a discussion on the appropriateness of the fixed GHIL relative to increased commercial catch limits that resulted from revised stock assessments.

During its review of requested ADF&G sportfish data, committee requested that ADF&G revise their responses to its February data requests by revising the tables: (1) to address bottomfish effort only (exclude salmon); (2) address all registered participants rather than active; (3) by using bar graphs to depict businesses with bottomfish trips; (4) by using bar graph to define those vessels/participants whose business plans combine halibut and salmon trips, and part-timer operations; (5) to produce color graphs of distributions of charter halibut harvest by port for each year on ADF&G statistical maps; (6) logbooks report how many new/dropped out operations occurred each year for 1998 – 2005. The committee also requested additional detail on: 1) the State proposal for limits on the 2nd halibut in the bag limit; 2) the State proposal for limits on days when charter fishing would be allowed; 3) how ADF&G would modify its estimation procedure if skippers and crew are limited from retaining halibut while clients are onboard; 4) how to interpret logbook trips when no effort was recorded (1 percent of logbooks).

Doug Vincent-Lang, ADF&G, provided the State position on charter halibut management issues:

1. supports LAMPs, but through Board of Fisheries and not by Council initiative
2. orderly compensated reallocation through fees on guided sport industry ("buyback of QS", or fish stamp required on sport fish license) through State legislation
3. not use logbooks for in-season management
4. seeking delegation of authority to the State for pre-season management under current GHILs from Congress
5. supports parallel tracks (Federal and State) for moratorium on entry
6. supports percentage allocation in smaller geographies than IPHC area.

In its discussions of mechanisms to raise funds to compensate the commercial sector for any increased allocation to the charter sector, the committee learned of a State proposal to the Legislature for a charter stamp. Between \$500,000 and \$1,000,000 could be generated into a dedicated charter fishery fund (not specific to halibut, since fees come from all species) with either a \$5 or \$10 stamp. Funds could be used to permanently purchase commercial QS (it would occur separate from the king salmon stamp for all anglers). Funds are proposed to be used for a "buyback" of commercial quota. The State can implement an "access fee" for non-residents only if it were directed to all saltwater fish (including, but not only, halibut). The committee noted that non-profit entities could also be formed to purchase commercial QS for transfer to the charter sector. Pull tabs or "rippies" were identified as one possible way to raise needed funds through a voluntary process, rather than through fees.

The committee noted that the commercial sector would like any QS purchase to be able to be transferred back to the commercial sector. Commercial QS purchases should be limited to charter halibut demand, and not impact entry level opportunities for the commercial sector (i.e., do not include D shares). The committee heard that the State is opposed to federal stamps.

The committee requested that NOAA staff report to the committee at its April meeting on the possibility of a federal charter stamp. John Lepore, NOAA General Counsel, and Jason Gasper, NOAA Fisheries Service, reported that the Federal government can only charge fees commensurate with recovering administrative costs incurred in issuing permits (i.e., you can charge for issuing permits). For IFQ programs, the Federal government can charge fees (not to exceed 3% of ex-vessel value) for the actual costs directly related to the management and enforcement of the particular IFQ program. Fees could not be used to raise funds for a QS buyback program. Staff was requested to address:

- whether the federal duck stamp has dedicated funding;
- would Congressional authorization be required to implement an access fee to charter halibut anglers to generate funding for permanent QS purchase to reallocate from commercial to the charter sector;

Guideline Harvest Level The committee talked about the GHL several times throughout the three day meeting. The committee discussed whether to recommend that the Council initiate an analysis to mirror a stair step up with abundance, which would mirror the stair step down in regulations. Charter representatives view an increase to the GHL with increased abundance increases as a matter of fairness and an essential part of the GHL program. They felt that the Council should amend the regulations to add a stair-step up to the GHL to mirror the stair-step down. Two commercial representatives abstained; one commercial representative and the State representative were absent when this issue was raised again at the end of the meeting. Ultimately, a motion was not formally made to move this forward as a committee recommendation because it would have resulted in opposition from commercial representatives.

Based on its discussion of the stair step, the committee discussed that IPHC estimates of halibut biomass were much lower when the GHL program was designed. Instead, new model estimates in Areas 2C and 3A now demonstrate a higher level of halibut abundance. The committee noted that preliminary 2005 charter halibut harvests suggest a decline since 2004, with harvests in Area 3A projected to be below the GHL and Area 2C at 14 percent above the GHL. The anticipated action by ADF&G to prohibit captain and crew fish in charter bottomfish fisheries in Area 2C to address declining demersal shelf rockfish biomass also would lower Area 2C charter halibut harvests. The committee is developing long-term solutions that include a percentage allocation that would float up and down with halibut abundance. The charter stakeholder committee is committed to rapidly develop a long term solution. A moratorium is a critical first step in achieving this goal.

Following the discussion described above, the committee recommended that the Council take **no action on proposed measures to implement the GHL and instead, fast track a moratorium leading to a permanent solution**, which may include a percentage allocation, limited entry program or an IFQ program. This recommendation was adopted by the committee based on its comparison of halibut abundance estimates then and now, with two abstentions and two absences. To that end, the committee streamlined its recommendations for moratorium elements and options. Note that the abstentions were made in the spirit of cooperation for a fast track on the moratorium and the development of a long term plan and not agreement with the motion

Separate accountability proposal The committee recommended that the Council take no action on the ALFA proposal in April 2006. The committee felt that proposal was not appropriate in the GHL program because it could lead to in-season management, which is a consequence the Council and the charter sector have sought to avoid under the GHL. The committee thought that it could be considered under long term solutions being addressed by the committee.

Moratorium Council staff reviewed the suite of alternatives considered by the Council in two previous analyses for a charter halibut moratorium and the commercial groundfish and crab moratorium, and the Gulf of Mexico headboat permit moratorium. The committee reviewed draft moratorium options prepared by committee members for debate. **The committee recommended that the Council initiate an analysis at its April 2006 meeting to consider a moratorium on entry into the charter halibut fishery, consistent with the Council's December 9, 2005 control date on entry into this fishery.** The committee streamlined its final recommendations on alternatives, elements, and options to speed the preparation, analytical review, and implementation of a moratorium due to the urgency of the issue (Attachment 1).

Additional details for analysis are needed for "underdeveloped" coastal communities in Areas 2C and 3A. The committee has recommended consideration of excluding such communities from the moratorium, and allowing new entrants there only. The committee had hoped to rely on past action by the Council on this issue under the 2001 charter halibut analysis, but only criteria were developed and not a list of communities. Staff provided an excerpt from the 2001 analysis, which identified two different lists of communities that could be eligible, depending on final action. Halibut Cove appearance on the list raised questions by committee members. To refine this element of the analysis, the Council could: 1) define the criteria or list of communities in June based on past analysis; 2) task it to staff to further scope the element in the recommended moratorium analysis; 3) assign the issue to committee: a) Stakeholder Committee (which can not meet between May and September); b) GOA Coastal Communities Committee; or c) other committee.

Percent allocation alternative The committee began its development of the percentage allocation alternative, but did not complete its development of this alternative. The committee will finalize its recommendations at its April meeting, and forward those recommendations for Council consideration at its June meeting. The committee made preliminary recommendations for options for the allocation and limited entry options. Final recommendations will be forwarded to the Council for its June deliberations. Preliminary recommendations for some elements and options follow.

- Option 1. Based on 125% of average harvest of 2000-2004 (updated GHL)
 - a. 16.37% for Area 2C and 15.92% for Area 3A (of combined commercial/charter catch limit)
 - b. 1.693 Mlb for Area 2C and 4.011 Mlb for Area 3A
- Option 2. Based on 125% of average harvest of 1995-99 (adopted GHL)
 - a. 13.05% for Area 2C and 14.11% for Area 3A (relative to)
 - b. 1.432 Mlb for Area 2C; 3.650 Mlb for Area 3A; w/stair step up and down
- Option 3. Based on charter portion of combined commercial/charter catch)
 - 14.7% in Area 2C; 12.9% in Area 3A
- Option 4. Convert current GHL into percentage based on 2004 combined commercial/charter fishery
 - 12.1% of Area 2C; 12.9% of Area 3A

-Options 1 and 2 use catch limits in the denominator; Options 3 and 4 use catch in the denominator
-includes qualifying period; but not IPHC research fish, consistent with GHL

The committee discussed how a fishery allocation would be managed under the IPHC process at length. There was some confusion on how the proposed IPHC process of setting a combined fishery catch limit interacts with the ALFA proposal for separate accountability. Staff clarified that the effects of the ALFA proposal would be the same under a fixed GHL or percentage allocation.

Toolbox

- Subarea allocations/Super-exclusive area registration Doug Vincent-Lang spoke regarding the Commissioner's interest in developing subarea management for charter halibut, through some combination of LAMPs, subarea allocations, and super-exclusive areas. A majority of the committee was opposed to this element, while other members abstained. More detail will be available in revised ADF&G tables and graphs at the April committee meeting to assist in continued deliberation on this issue. The committee questioned how these programs would interact; would different lines be drawn for different purposes. The committee requested more detailed info/proposal from ADF&G by port/stat area for subarea allocations for continued committee discussion
- Annual limits Doug Vincent-Lang reported that the State proposed annual limits as a necessary management tool, but only one of many tools in the toolbox, to slow harvest. It can be enforced by crosschecking license and logbook data. The committee noted that there are a small percentage of anglers that harvest more than 4 halibut, and that this proposal would affect high end, multi-day anglers with limited effect on day anglers. The committee recommended that the analysis consider: 1) effects on other species if limits are placed on halibut and 2) the percent of charter vessels/operators that would be affected. The committee recommended options of: 4, 6, 8, 10 halibut per charter angler per year.
- Compensated reallocation The committee deferred action on this issue until it can review additional information to be provided to the committee in April.
- Kodiak Association of Charter-boat Operators (KACO) Plan The committee reviewed the KACO proposal, which was distributed prior to the meeting. It proposes to: 1) float the GH (or allocation) with abundance; 2) forming a non-profit organization to purchase commercial QS for reallocation to the charter sector; 3) lease unused portion of the GH (or allocation) to the commercial sector; 4) create a state charter halibut stamp to generate revenues to purchase commercial QS; 5) split halibut bycatch reductions between the commercial and charter sectors on a percentage basis; 6) implement the Seward Tier Management Plan when the GH is exceeded (vessels would be categorized into different tiers and measures could be implemented differentially between tiers). The KACO plan would eliminate community set asides because it would leave the fishery under open access.
- Limited entry The committee developed a preliminary suite of elements and options for a limited entry program under the percent allocation alternative (Attachment 2).

Next meeting The committee added a third day to its next meeting, April 18-20, 2006 in Anchorage.

Adjourn The meeting adjourned at approximately 5 pm on Thursday, March 23, 2006.

Attendance Staff included: Jane DiCosimo, NPFMC; Gregg Williams, IPHC; John Lepore, NOAA General Counsel; Jason Gasper, NOAA Fisheries Service; Doug Vincent-Lang, Scott Meyer, and Mike Jaenicke, ADF&G Sportfish Division. Members of the public included: Donna Bondioli, Bryan Bondioli, Burnis W. Sims, Dan Falvey, and Ed Hansen.

**CHARTER IFQ STAKEHOLDER COMMITTEE
MORATORIUM ALTERNATIVE
March 23, 2006**

Issue 1. Areas

- Option 1. 2C and 3A
- Option 2. Area 2C and 3A, exclude those communities previously identified by the Council

Issue 2. Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership.
Grandfather currently licensed vessels.

Issue 3. Qualifying years - State guide business registration for 2004 or 2005 with client activity for bottomfish effort logged in logbook for 2004 or 2005:

- Option 1: minimum of (1, 10, 20) active logbook entry (1 trip) for bottomfish
- Option 2: medical emergencies as developed recently for the commercial QS program
- Option 3: military exemption, as developed recently for the commercial QS program and Army boats
- Option 4: under construction as of December 9, 2005, as developed recently for the commercial QS program
- Option 5: constructive losses
and participation in the year prior to implementation

Issue 4. Owner v. Vessel

- Option 1. owner/operator or lessee
- Option 2. vessel

Issue 5. Mandatory evidence of participation:

1. State guide business registration
2. ADF&G logbook submitted in timely fashion, with bottomfish effort

Supplemental evidence of participation:

1. Alaska State business license
2. insurance for passenger hire
3. enrollment in drug testing program (CFR 46)
4. Coast Guard license

Issue 6. Annual permit renewal criteria (use it or lose it)

- Option 1. do not require renewal
- Option 2. must renew, minimum activity of 20 halibut charter days
- Option 3. not renewable, if permit holder lets it expire
- Option 4. emergency medical exception

Issue 7. License Designations

1. uninspected (6-packs) vessels : 6 clients;
2. inspected vessels : License designation is limited to highest number of clients on any given trip in 2004 or 2005, but not less than 4;
3. 12-packs : grandfathered in at previous limit;
4. new construction : 6 for uninspected and inspected vessels;
5. constructive loss : previous limit

Issue 8. Permit use caps, with grandfather¹ provision during the moratorium

uninspected vessels (limited to 6 or 12 clients) :

- Option 1. 1
- Option 2. 5
- Option 3. 10

inspected vessels:

- Option 1. 1
- Option 2. 2
- Option 3. 3

¹Grandfather provisions to mirror the commercial halibut IFQ program (transferred vessels lose their grandfathered status; block retains grandfather status)

Additional provisions

- Transfers would be allowed, permits may be stacked, immediately transferable
- No leasing
- Duration for review - in effect until subsequent Council action
- Definition of bottomfish effort for evidence of participation - any entry with recorded bottomfish statistical area, rods, or boat hours

**CHARTER IFQ STAKEHOLDER COMMITTEE
PRELIMINARY DRAFT
LIMITED ENTRY OPTION
March 23, 2006**

License Class by regulatory area 2C and 3A

Option 1. no license classes

Option 2. License class:

Class A. 1. Immediately transferable

2. more than or equal to a) 10; b) 30; or c) 50 days

Class B. 1. non-transferable, except to underdeveloped communities immediately, if Issue 1, Option 1 is selected

2. less than or equal to preferred alternative above [a) 10; b) 30; or c) 50 days]

Option 3. License class:

Class A. 1999 and earlier; and most recent year

Class B. 2000-2002; and most recent year

Class C. 2003-2005; and most recent year

Suboption to Options 2 and 3. By port/subarea

Yet to be defined

-Vessel classes created in case harvest restrictions would be implemented, then most recent entrants and latent capacity take the first hit.

-could be addressed differently in each area, perhaps for subareas – next meeting

-look at CFEC permits for permit classes on finer geographic areas, state reg areas

License recipients Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership. Grandfather currently licensed vessels.

Owner v. Vessel

Option 1. owner/operator or lessee

Option 2. vessel

License Designations –

Option 1. no designation

Option 2. area designation (2C and 3A)

Option 3. subarea designation

e.g., in Area 3A, create K class (around Kodiak intermediate between developed and underdeveloped); reduce by 10 days

committee will develop criteria for April 2006 meeting

Option 4. license designation

1. inspected

2. uninspected

Option 5. license designation

1. ave. no.clients (rods fished)

2. historical high per boat, upgrade by purchase seat share to step up to limit of class permit

Option 6. angler permit

Angler day option within limited entry plan (to address latent capacity, but rights based? Similar to transferable seat option)

Limited Entry Permits: would be issued to moratorium permit holders

Initial issuance of angler-day units:

(Angler day unit= 1 client fishing bottomfish/halibut in 1 day)

Using logbook data, determine number of angler days per vessel

Award number of angler day units that correspond to:

- a) Most recent year total
- b) Average of 2-3 most recent years
- c) Best of 2-3 most recent years

Transfers - fully transferable, but need angler days to fish halibut

Angler days have two types of transfers:

Option 1. Permanent: must go through NMFS (RAM division)

Option 2. In-season transfers: allowed between private parties (doesn't need to go through NMFS)

Enforcement / Administration

NMFS issues certificates annually (1 certificate per angler-day unit)

Before client starts fishing halibut, certificate must be filled out date, client name, fishing license #. Certificates stay on board vessel during trip and are turned in with that day's logbook sheet.

Tie the certificate to the harvested fish;

salmon trips that catch halibut should have certificates for that trip(?); how to handle if only 1 halibut is caught – do all fishermen require a certificate

needs mechanism to grow under increased allocation thru compensated reallocation and increased abundance

Angler permit – would makes fishery more efficient; affects capacity because it would not issue more permits than earned. The committee will discuss this proposal offline and report its recommendations at the April committee meeting

Who may purchase license - Permits would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership. [Anyone who can meet State and USCG licenses to charter or anyone who wants to hire skippers]

Leasing

Option. 1 not allowed, except for medical transfer, military or constructive loss

Suboption 1: medical emergencies as developed recently for the commercial QS program

Suboption 2: military exemption, as developed recently for the commercial QS program and Army boats

Suboption 3: constructive loss

Option 2. allowed, limited to cap

Vessel replacement and upgrade

Option 1. inspected vessels

Option 2. uninspected vessels

Grandfather 12-packs gross tonnage over 100 gross t, does not require lifeboats (super T (passenger for hire) typically not fishing from boat, more like tourboats)

Vessel use caps, with grandfather¹ provision during the moratorium	
inspected vessels (6 +12) :	for inspected vessels:
Option 1. 1	Option 1. 1
Option 2. 5	Option 2. 2
Option 3. 10	Option 3. 3

¹Grandfather provisions to mirror the commercial halibut IFQ program (transferred vessels lose their grandfathered status; block retains grandfather status)

Annual permit renewal (use it or lose it)

- Option 1. do not require renewal
- Option 2. must renew
- Option 3. not renewable, if permit holder lets it expire

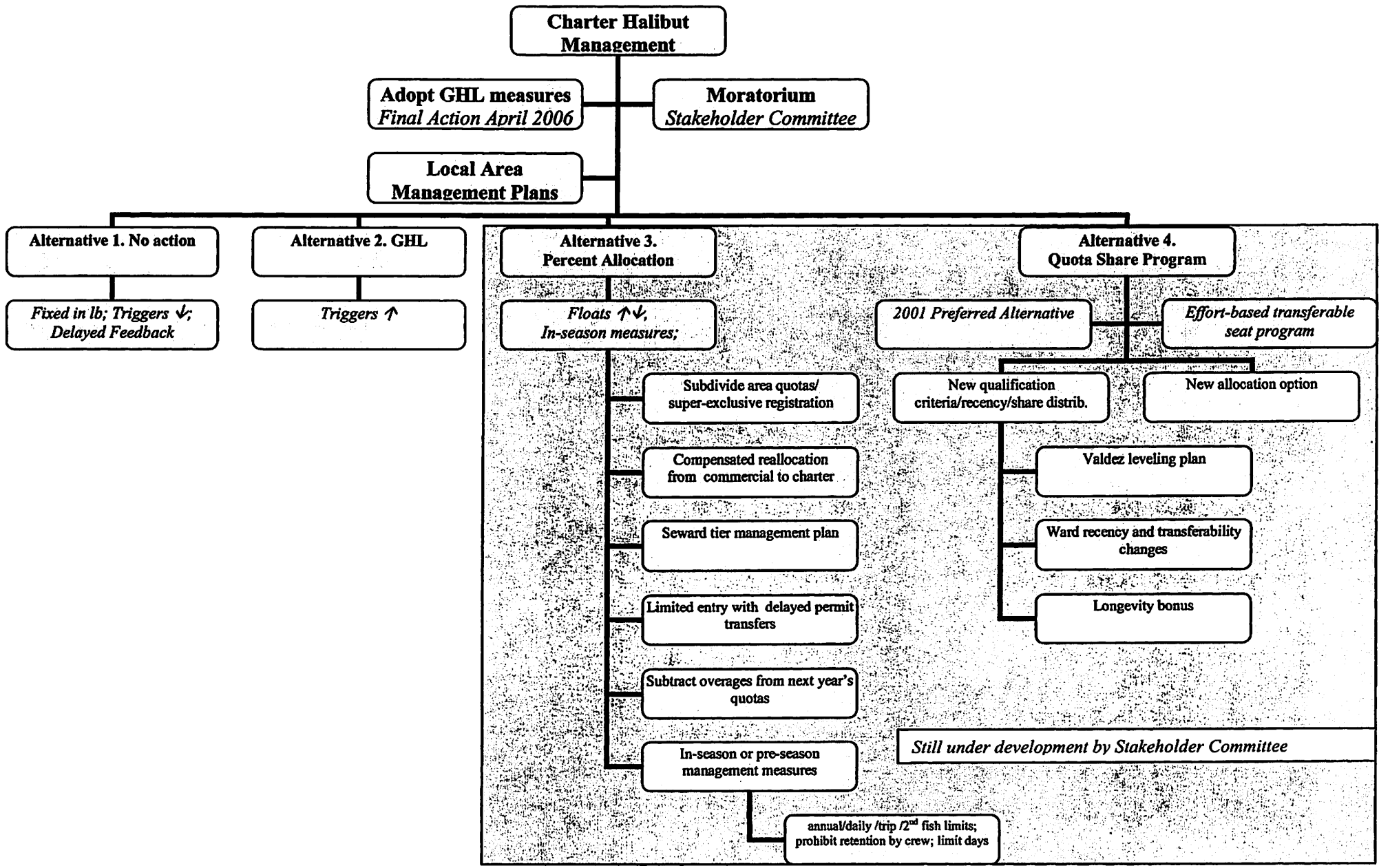
Transfers

- Option 1: allowed (see Issue 3)
- Option 2. permit stacking is allowed (tied to use caps)
- Option 3. Permit Class for each area
 - 1. No permit class
 - 2. Permit class with immediate transferability
 - Immediately transferable (A): more than or equal to a) 10 b) 30 c) 50 days
 - Non-transferable (B), except to underdeveloped communities immediately, if Issue 1, Option 1 is selected: less than or equal to a) 10 b) 30 c) 50 days

Additional Provisions

- Licenses represent a use privilege. The Council may convert the license program to an IFQ program or otherwise alter or rescind the program without compensation to license holders.
- Severe penalties may be invoked for failure to comply with conditions of the license.
- License may be suspended or revoked for serious and/or multiple violations.

PROPOSED ORGANIZATIONAL CHART FOR NPFMC ACTION TO MANAGE THE CHARTER HALIBUT FISHERIES IN AREAS 2C + 3A



**CHARTER HALIBUT STAKEHOLDER COMMITTEE
DRAFT AGENDA
Tuesday - Thursday
April 18-20, 2006
8:30 AM - 5:00 PM**

**Anchorage Hilton Hotel
Aspen/Spruce Room (1st Floor)**

- I. Approve agenda**
- II. Approve March 2006 minutes**
- III. Review April 2006 Council action**
- IV. Staff reports/data requests**
- V. Finalize Alternative 2. Revise the GHL to trigger up with abundance**
- VI. Finalize Alternative 3. Percentage allocation alternative, elements, and options**
- VII. Finalize Alternative 4. Quota share alternative, elements, and options**
- VIII. Other Business**
- IX. Next meeting**
- X. Adjourn**

Regulatory Options for attaining an 84% Commercial 16% Sport allocation of Demersal Shelf Rockfish (DSR) in the Southeast Alaska Outside Waters.

Data used in this analysis

Average DSR Total Mortality from 2001-2005=514mt

Average commercial mortality=430mt.

Average sport fish mortality=84mt

ABC=410mt (2006).

The allocation for Commercial and Sport Fisheries are

1) 84 16 would be 344mt (Commercial) and 66mt (Sport)

Under a user group specific allocation the following actions could be taken to control harvest if allocations were projected to be exceeded

The Commercial Fisheries Division would:

- 1) Close directed commercial fishing for DSR
- 2) Implement time and area closures to reduce bycatch.
 - analyze commercial halibut landings by more specific area, depth and time to better estimate DSR bycatch (for instance look at distribution of catch by depth, season, and habitat)
 - monitor landings and estimated unreported catch in-season and project potential catch for the next quarter

The Sport Fish Division would:

- 1) Reduce the bag and possession limit for nonresidents to 3 DSR, only one of which could be a yelloweye; the first three DSR caught must be retained.
- 2) Prohibit retention by charter operators and crew (proposal 231)

Substitute language:

Sport Fishery

5 AAC 47.0XX. Demersal Shelf Rockfish (DSR) delegation of authority and provisions for management

(a) If the commissioner determines that the DSR regulations must be modified to attain the sport allocation, the commissioner may establish by emergency order: 1) annual limits for DSR for nonresident and/or resident anglers; 2) require that all DSR caught by nonresident and/or resident anglers must be retained until the bag limit is reached; 3) operator and crew members of a charter vessel may not retain DSR while clients are on board the vessel; 4) reduce bag and possession limits for residents and/or nonresidents, and 5) implement time and/or area closures

Commercial Fishery

5 AAC 28.160 Harvest Guidelines and ranges for Eastern Gulf of Alaska Area.
(c)(C) for the remaining waters of the Southeast District, the [directed] demersal shelf rockfish fishing quota will be released January 1 and calculated based on the federal Total Allowable Catch with 84% allocated to commercial fisheries and 16% allocated to sport fisheries.

Corrected language to RC 46

(c) The guideline harvest levels for the taking of rockfish are as follows:

(1) in the Southeast Outside Subdistrict

(A) the annual allowable catch of demersal shelf rockfish will be calculated based on the federal total allowable catch (TAC) of demersal shelf rockfish with 84 percent allocated to the commercial fisheries and 16 percent allocated to the sport fisheries;

(B) the directed commercial demersal shelf rockfish quota will be calculated based on the commercial allocation of the TAC after an estimated bycatch mortality is deducted;



NEWS FROM NOAA

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION • US DEPARTMENT OF COMMERCE

Contact: Susan Buchanan
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NOAA -6-036
FOR IMMEDIATE RELEASE
March 30, 2006

NATIONAL RESEARCH COUNCIL ENDORSES ADMINISTRATION'S PROPOSAL FOR UNIVERSAL SALTWATER ANGLER REGISTRATION

The National Research Council, an arm of the National Academy of Sciences, has presented NOAA with preliminary findings of a study to improve the agency's scientific program for recreational marine fisheries. NRC's primary recommendation supports the Administration's call for a universal angler registration program as part of a comprehensive data collection system, included in the reauthorization bill for the Magnuson-Stevens Fishery Conservation and Management Act currently under consideration in Congress.

NOAA commissioned the NRC study in 2004 to gain unbiased scientific insight into ways the agency can strengthen its recreational fishing data collection program to meet the modern needs of fisheries managers. NRC presented the results yesterday at a meeting in Arlington, Va., to NOAA Fisheries Service leadership, the directors of the state fisheries management agencies, and recreational fishing industry leaders.

"NRC has provided us with guidance on the way forward with our recreational data collection program," said Bill Hogarth, director of NOAA's Fisheries Service. "The study underpins the Bush Administration's call for a comprehensive angler registration program, and I look forward to working in partnership with Congress, the states, and recreational fishermen to make sure it becomes a reality."

In response to angler concerns about how recreational data is used for fishery management decisions, Hogarth tasked NRC to review current scientific methodologies for data collection, recommend improvements, and identify potential new data collection methods. NRC calls a national registration of all saltwater anglers "the most effective way to achieve a comprehensive, universal sampling frame with national coverage" of recreational fishing data.

Representatives from NRC told NOAA that the current method of capturing recreational data – NOAA's Marine Recreational Fisheries Statistical Survey (MRFSS) – is handicapped by a number of issues, including a small staff, lack of a universal sampling for all saltwater anglers, lack of uniform participation in data collection efforts by all the states, and modest funding to run the data collection program.

The MRFSS program, launched in 1979, has been modified and updated over the years. However, NRC concluded that management goals and fishing practices have evolved over time, which calls for a revised fisheries data collection design and new analysis methods. NRC also called for better communication and outreach to the recreational fishing community about the need for accurate recreational fisheries data and standardization among state surveys, and between state surveys and the central MRFSS program.

- more -

"We are going to need the cooperation and partnership of all the states to implement the changes recommended yesterday by NRC," Hogarth said. "You have my commitment to improve the system. It's time we all roll up our sleeves and fix the MRFSS program so we can all be confident in the data we use to manage recreational fisheries."

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Review of Recreational Fisheries Survey Methods

Committee on the Review of Recreational Fisheries Survey Methods

Ocean Studies Board

Division on Earth and Life Studies

NATIONAL RESEARCH COUNCIL
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Summary

INTRODUCTION

Recreational fishing in the United States is an important social and economic component of many marine fisheries. However, in some cases, recreational fishing takes more fish than commercial fishing, and in an increasing number of cases, recreational fishing is the main source of fishing mortality. In addition, current assessments indicate that some marine recreational fisheries have exceeded their quotas, raising concern because fishing effort in marine recreational fisheries is projected to increase. It is important that catch monitoring systems are adequate for timely management of these fisheries.

Marine recreational fisheries are not monitored with the same rigor as applied to commercial fisheries. However, as concerns about the effects of all types of fishing have grown, more attention has been paid to the possible impacts of marine recreational angling. The growing interest in the effects of recreational fishing on fish stock size and composition has led to increased demands for timely and accurate data. Although the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration implemented the Marine Recreational Fisheries Statistical Survey (MRFSS) in 1979 to obtain statistics about marine recreational fisheries, management goals and objectives have changed since then, as has the complexity of the recreational fishing sector. The need for and use of marine recreational fishery statistics in science and management have changed as well. This committee has identified several areas in which designers of sampling programs, data collectors, and users of recreational fisheries data appear to have incomplete communication, mismatched criteria, or other obstacles.

The MRFSS has two major components; an onsite component, in which anglers are intercepted and interviewed on the water or at sites such as marinas where they access the water, and an offsite component, in which anglers are contacted and surveyed by telephone after their trips are completed. There has been widespread criticism of the nature and use of MRFSS information. The MRFSS was (and is) intended to be a national program, but not all coastal states participate. In some cases, states have their own surveys of recreational fish landings instead of the MRFSS; in other cases, states have surveys that complement the MRFSS. In addition to this lack of uniformity of coverage, the quality of the MRFSS data for management purposes has also been questioned.

Indeed, it is much more difficult to collect data on recreational saltwater anglers than on commercial fishing operations. There are far more saltwater anglers than commercial harvesters—approximately 14 million anglers fished each year in recent years—and they do not land their catches at specific points where there are dealers, as commercial harvesters do. In addition, there are many modes of angling (for example, charter-boat anglers, guided anglers,

shore-based anglers, private boat anglers, anglers who fish from private property, and so on), and many anglers release fish they catch. Some recreational anglers travel far to fish and often fish only a few times each year, which makes them difficult to encounter in surveys. Others, who live within 50 miles of the coast, are much more likely to be intercepted by the MRFSS program. Finally, most surveys of recreational anglers depend to some degree on the anglers' recall and willingness to volunteer valid information. As a result, designing a survey that will provide accurate and timely information, with good coverage and at acceptable cost, is a major challenge.

Despite the complexity of the challenge and its importance for fishery management, the MRFSS program staff have been severely handicapped in their efforts to implement, operate, and improve the MRFSS, including implementing the recommendations of earlier reviews. It is not reasonable to expect such a small staff—and one that lacks a Ph.D.-level mathematical statistician—to operate a national survey of such complexity, despite the dedication of the small staff the MRFSS does have. In addition, the MRFSS program is severely limited by the lack of a universal sampling frame for all saltwater anglers, a lack that is not of the MRFSS's own making. To make matters even more difficult, some of the data that the MRFSS depends on are collected by states, which use a variety of data-collection and sampling protocols. Finally, the financial resources allocated to the MRFSS program are modest in comparison to the challenge. This committee's findings and recommendations should be viewed with this in mind.

THE PRESENT STUDY

To help identify solutions to some of the above problems, NMFS asked the National Academies to assemble a committee to review current marine recreational fishing surveys and to make recommendations for improvements—especially to the MRFSS—and to recommend the implementation of possible alternative approaches (see Box S.1 for the committee's statement of task).

Box S.1 Statement of Task

This study will critically review the types of survey methods used to estimate catch per unit effort and effort in recreational fisheries, including state and federal cooperative programs. The committee will examine representative survey types, but will not evaluate every regional or state survey method currently in use. The study will consider the match or mismatch between options for collecting recreational fisheries data and alternative approaches for managing recreational fisheries.

In particular, the committee will assess current types of survey methods giving consideration to:

- The suitability for monitoring different types of fishing (e.g., charter boats versus private boats, offshore versus near shore species, fisheries with temporally or spatially restricted fishing seasons)
- The adequacy for providing the quality of information needed to support various approaches for managing recreational fisheries, with reference to how the management approach might be restricted by the type of survey method, stratification scheme, and sample size required. For example, is the management time frame (in-season, annual, or multi-year) consistent

with temporal design of the survey; is the geographic scale of management (e.g., state versus regional) appropriate for the resolution provided by the survey? How would the survey design need to be modified to match the requirements of the management approach?

- Make recommendations regarding possible improvements to current surveys and/or possible implementation of alternative approaches, including setting priorities for revising monitoring methods that will yield the greatest improvements in effort and catch per unit effort estimates.

Current survey methods and recommended alternatives will be compared with relation to costs, sources of bias, precision, and timeliness.

In response, the National Research Council (NRC) of the National Academies established the Committee on the Review of Recreational Fishing Survey Methods, composed of experts in survey design and statistics, biological statistics, fishery management, and the economics and sociology of recreational fishing. This chapter summarizes the committee's report. The background and support for the conclusions and recommendations are found in subsequent chapters.

CONCLUSIONS AND RECOMMENDATIONS

General

Conclusions

- The committee agrees with conclusions of previous NRC committees that marine recreational fishing is a significant source of fishing mortality for many marine species and that adequate scientific information on the nature of that mortality in time and space is required for successful management of those species.
- Marine fisheries management goals, objectives, and context have changed since the MRFSS program was begun in 1979. Management decisions are often made at finer spatial and temporal scales than they were earlier, the mix of recreational and commercial fishing has changed for many areas and species, and stock-assessment models now make greater use of data from recreational fisheries.
- The MRFSS is in need of additional financial resources so that technical and practical expertise can be added to assist in a major overhaul of the design, implementation, and analysis of data from the MRFSS program. Both the telephone and access components of the current approach have serious flaws in design or implementation and use inadequate analysis methods that need to be addressed immediately.
- This committee's review has focused primarily on the MRFSS program, but many of the component surveys of the MRFSS that are conducted by state agencies (with various degrees of federal funding) suffer from the same shortcomings as do the central MRFSS surveys. As a result, many of this committee's recommendations apply to state surveys as well as to the MRFSS.
- Many of the independent surveys conducted by the states, as well as state-run surveys that are components of the MRFSS, are different from each other and from the central

MRFSS in important ways, including sampling, data collection, and preparation of estimators.

- The committee concludes that users' concerns about the use of the MRFSS in fishery management are justified by the above-mentioned weaknesses, but they also result from inadequate communication and outreach on the part of the managers of the MRFSS at NMFS.
- The for-hire sector of marine recreational fisheries (i.e., charter, guide, and party-boat operations) is more like a commercial sector than it is like the private-angler sector.

Recommendations

- The MRFSS (as well as many of its component or companion surveys conducted either indirectly or independently) should be completely re-designed to improve the effectiveness and appropriateness of sampling and estimation procedures, applicability to various kinds of management decisions, and usefulness for social and economic analyses. After the revision is complete, provision should be made for ongoing technical evaluation and modification as needed to meet emerging management needs. To improve the MRFSS, the committee further recommends that the existing MRFSS program be given a firm deadline linked to sufficient program funding for implementation of this report's recommendations.
- A much greater degree of standardization among state surveys, and between state surveys and the central MRFSS, should be achieved. This will require a much greater degree of cooperation and coordination among the managers of the various surveys.
- The for-hire sector of marine recreational fisheries should be considered a commercial sector and survey methods and reporting requirements for that sector should therefore be different from those for private anglers.

Sampling Issues

Conclusions

- The committee concludes that the current methods in the MRFSS for sampling the universe of anglers and determining their catch and effort are inadequate. Sampling of each group of anglers (i.e., private anglers, anglers fishing with guides, party-boat anglers, and charter-boat anglers) presents challenges that can differ across the groups. Two complementary methods of sampling are used in the MRFSS. One is onsite (i.e., intercepting anglers while they are fishing or at their access [landing] points). The other is offsite, which includes a variety of sampling techniques for contacting anglers after they have completed their trips. Both onsite and offsite methods suffer from weaknesses that may lead to biases in catch and effort estimation. Finally, the estimation procedure for information gathered onsite does not use the nominal or actual selection probabilities of the sample design and, therefore, has the potential to produce biased estimates of both the parameters of interest and their variances.

- Onsite methods fail to intercept anglers who have private access to fishing waters, or intercept them only sporadically. It is impossible, using current methods, to obtain information on the target species of anglers who have private access. In addition, various physical, financial, and operational constraints often lead to spatial or temporal biases in onsite sampling coverage that are not adequately accounted for in the estimation equations.
- Offsite sampling methods that rely on telephone interviews are complicated by the increasing use of cell phones, especially in surveys of residents of coastal counties. This is because cell phones are not restricted to a geographic region as are landline telephones. If cell phones are excluded, then undercoverage of the survey will be increasingly problematic over time, as the number of people who use only cell phones is growing.
- The existing random digit dial (RDD) survey suffers in efficiency from the low proportion of angling households among the general populations and may allow bias in estimation from its restriction to coastal counties only.
- Reliance on fishing license-based lists of saltwater anglers is not yet feasible as a means of improving offsite sampling methods to avoid the inefficiency of RDD, undercoverage due to cell-phone use, and restriction to coastal counties. Although many states collect angler information at the time of purchase of saltwater fishing licenses, there are license exemptions based on age, residence, access points, existence of a boat license, mode of fishing, and other factors. As a result, angler information for those states is incomplete. Some states have more complete information than others, and in those states that have no saltwater license, there is no list of saltwater anglers. The lack of a universal sampling frame (registry or license requirement) for all saltwater anglers is a major impediment to the development of a reliable and accurate survey program.
- Catch and release fishing (release of fish that survive capture) is increasingly common in many marine recreational fisheries. Although some fish survive capture and release, mortality may be high, in some cases exceeding 50 percent. The survey fails to provide a valid and reliable method of accounting adequately for fish caught and *not* brought to the dock (including fish released alive or dead as well as fish caught for bait or given away before reaching the dock). This shortcoming affects estimates of catch and total removals.
- The correct identification of fish species, especially in places with diverse fish faunas, is a difficult challenge, both for many anglers and for those conducting surveys. Incorrect identification obviously has the potential to lead to incorrect conclusions from survey data.

Recommendations

- A comprehensive, universal sampling frame with national coverage should be established. The most effective way to achieve this is through a national registration of all saltwater anglers or through new or existing state saltwater license programs that would allow no exemptions¹ and that provide appropriate contact information from anglers fishing in all marine waters, both state and federal. Any gaps in such a program (for example, a lack of registration in a particular region or mode, exemptions of various

¹ There is no scientific reason that a state should not continue to allow certain groups (e.g., seniors) to fish for free, as long as everyone is required to register in the universal sampling frame or have a state salt water license.

classes of anglers, and so on) would compromise the use of the sampling frame and hence the quality of the survey program. An updated, complete registration list would greatly improve sampling efficiency in terms of time and cost. Although these savings might not cover the entire cost of maintaining such a database, the benefit from the increased quantity and quality of the data would be worth the extra cost, especially if there is an associated increase in public confidence in the final estimates.

- Future telephone surveys should be based on the above universal sampling frame.
- Charter, party, and other for-hire recreational fishing operations should be required to maintain logbooks of fish landed and kept as well as fish caught and released. Providing the information should be mandatory for continued operation in this sector, and all the information should be verifiable and made available to the survey program in a timely manner.
- Additional studies are needed to understand the extent to which fish are kept and inspected as well as the extent of catch not available for inspection to improve the accuracy of catch estimates.
- Panel surveys, which contact individual anglers repeatedly through time, should be considered in recreational fishing surveys to gather angler trend data and to improve the efficiency of data collection.
- The onsite sampling frame for the MRFSS should be re-designed. The estimation procedure depends critically on the assumption that catch rate does not vary according to the nature of the access point. In particular, small or private access points that most likely are missed might have different catch rates than larger access points, which would lead to bias in the resulting estimators. In addition, the sampling process requires greater quality control (less latitude on the part of the samplers) than it has at present. See the recommendation below for the establishment of an independent research group to investigate matters such as these.
- Dual-frame procedures should be used wherever possible to reduce sample bias. For example, if a state has an incomplete list frame based on licenses, the use of a different sampling frame of the state's residents (e.g., random telephone dialing) would reduce the bias. The existence of a universal frame described above would make this approach unnecessary for offsite sampling.
- Internet surveys should be considered for their potential use in recreational fishing surveys, especially in panel surveys as a way for anglers to submit information.

Statistical Estimation Issues

Conclusions

- The designs, sampling strategies, and collection methods of recreational fishing surveys do not provide adequate data for management and policy decisions. Unknown biases in the estimators from these surveys arise from reliance on unverified assumptions. Unless those assumptions are tested and the degree and direction of bias reliably estimated, then the extent to which the biases affect final estimates will remain unknown.

- The statistical properties associated with data collected through different survey techniques differ and often are unknown. The current estimators of error associated with various survey products are likely to be biased and too low. It is necessary at a minimum to determine how those differences affect survey results that use differing methods.
- Current analysis procedures used in the MRFSS survey do not exploit the current knowledge of finite-population sampling theory. The current estimates are particularly deficient when applied to small areas. They do not use information in adjoining areas or time periods, nor consider relationships between species that occur together. Therefore, they are of lower precision than would be possible if this information were used. Improvements in these estimates would be of great use to managers who need to make quick decisions concerning spatial areas that are smaller than typical in the early years of the MRFSS.

Recommendation

- The statistical properties of various sampling, data-collection, and data-analysis methods should be determined. Assumptions should be examined and verified so that biases can be properly evaluated.
- A research group of statisticians should design new analyses based on current developments in sampling theory. These examinations should include experimentation, such as specific sampling of activities like nighttime fishing or fishing from private property, whose current under-representation in the MRFSS sampling has the potential to create bias.

Human Dimensions

Conclusion

- The MRFSS was not designed with human dimensions (i.e., collection of social, behavioral, attitudinal, and economic data) in mind. The qualities of social, economic, and other human dimensions data have been compromised for many of the same reasons that the biological data have been compromised, including such issues as those related to coastal populations, telephone surveys, sampling protocol, and so on. The human dimensions data have been further compromised by simply being added onto the biological data collection efforts that have different sampling requirements and survey design needs. Current surveys are largely focused on biological factors (e.g., numbers, sizes, and kinds of fish landed) and not on human dimensions factors. The statistical and sampling problems associated with social, behavioral, attitudinal, and economic data often can be considerably different from those associated with biological factors.
- If the number of marine fishing trips increases, it is likely that additional fishing access sites will be developed. In addition, social and environmental changes (e.g., changes in the distribution and numbers of people, a major hurricane) also can affect the availability

and use of access sites. To ensure adequate coverage of the recreational fishery, a periodic updating of lists and descriptions of fishing locations and access sites is needed.

Recommendations

- An independent national trip and expenditure survey should be developed to support economic valuation studies, impact analyses, and other social and attitudinal studies. The sampling and survey procedures of the independent survey should be designed for the purpose of social and economic, not biological, analyses.
- Add-on surveys for human dimensions should be continued, but in a more focused way than is done currently to target specific management needs and to supplement the national data as needed.
- The national database on marine recreational fishing sites and their characteristics should be enhanced to support social, economic, and other human dimensions analysis. Sites should be defined at levels as fine as possible. The data set should include site characteristics that matter to anglers in making fishing choices, such as boat ramps, facilities, natural amenities, parking, size and type (beach, pier, launch point, and so forth). To account for changes in the number and patterns of trips and the changing characteristics of sites, a periodic updating of the data should be conducted.

Program Management and Support

Conclusions

- A large number of complex, technical issues associated with surveys of marine recreational fishing remain unsolved, and a significant investment in intellectual and technical expertise is therefore needed.
- A greater degree of coordination between federal, state, and other survey programs is necessary to achieve the national perspective on marine recreational fisheries that is needed.
- The recommended changes to the design and operation of the MRFSS program and its continued development and operation will require additional funding above current levels.

Recommendations

- A permanent and independent research group should be established and funded to continuously evaluate the statistical design and adequacy of recreational fishery surveys and to guide necessary modifications or new initiatives. Human dimensions expertise should be included as well.

- Additional funding is needed for a survey office devoted to the management and implementation of marine recreational surveys, including coordination between surveys conducted in various state and federal agencies.

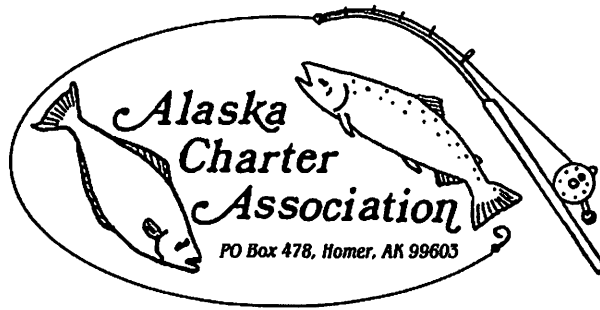
Communication and Outreach

Conclusions

- It is difficult for individual anglers to see the effects of angling on their target species and to distinguish daily and seasonal fluctuations from trends. As a result, no matter how well designed and implemented a marine recreational survey is, it will not fully succeed without the cooperation of anglers. Unless anglers believe that the survey is well designed and implemented and that it is being used intelligently to address appropriate management issues, they are unlikely to participate.
- In particular, anglers need to have a basic understanding of the relationship between a statistically based sampling scheme and the frequency with which each of them is (or is not) contacted by a data collector.
- If anglers believe that their input is influencing the design and use of surveys, they are more likely to be satisfied with those surveys than otherwise.
- If anglers understand the basic purposes and decisions to which recreational fishing survey data are being applied, and how those data are interpreted and used, they are more likely to feel confident that the approaches used are legitimate, and are more likely to participate willingly and provide valid information.

Recommendations

- Outreach and communication should be improved in several ways. The MRFSS managers should advise anglers and data users on the constraints that apply to the use of the data for various purposes. Managers and anglers also should be informed clearly about any limitations of the data.
- Outreach and communication should be institutionalized as part of an ongoing program, so that their importance is acknowledged and appropriate expertise can be developed.
- Angler associations should be engaged as partners with survey managers through workshops, data collection, survey design, and participation in survey advisory groups. Many NRC and other reports stress the importance of making use of local and traditional knowledge, capacity building, and involving local communities in knowledge-gathering and dissemination activities. Those recommendations apply, as well, to the recreational fishing community.



"To preserve and protect the rights and resources of Alaska's Sport Fishermen."

www.alaskacharter.org

Madame Chair and Council Members. On behalf of the Alaska Charter Association, thank you for this opportunity today. I'm Greg Sutter, owner of Captain Greg's Charters and I'm speaking on behalf of the ACA.

The ACA supports the motion from the stakeholders committee which recommends that this council, "take no action on proposed measures to implement the GHL and instead, fast track a moratorium leading to a permanent solution which may include a percentage allocation, limited entry program or an IFQ program."

Elements of this motion that the ACA would like the council to consider are:

- 1) GHL
- 2) Moratorium
- 3) Long term solution

The ACA believes if the GHL is utilized, it needs to be amended to a "Stair step up" provision in times of increased abundance to mirror the current "step down" provisions when stocks fall. This is common practice in all other fisheries. Also, the GHL should be increased to a fixed poundage basis of 4,011,000 pounds for 3A and 1,693,000 pounds in Area 2C. The increase is warranted due to recency issues of current participants and the lack of adherence to previously established control dates.

A moratorium must be fast tracked to prevent further speculation of new entrants. Councils initiated 3 control dates on the Charter issue. Each date allowed new participants to enter. To protect the integrity of this Council and minimize future allocation changes, **we must make this control date stick**. A moratorium must be enacted as soon as possible. Also, a moratorium will allow the Stakeholders' Committee to proceed with its task and develop a long term solution. A long term solution is forth coming. I have full confidence in this committee as a whole and in each one of its members. The committee will get the job done.

POWER POINT PRESENTATION (Charts)

Harvest Poundage Chart 2C and 3A chart Illustrates that charter catch growth is not rapid, nor has it reduced amounts of halibut to the commercial sector.

*NOAA document dated 01/20/04, titled: Charter Halibut Management; Its problem statement: "Rapidly growing charters...reduce the percentage of the halibut resource available to the commercial sector."

Harvest Poundage chart Highlights importance of fixed poundage amounts for charter industry stability.

Stair-Step Up chart Keeps current charter catches under the GHL and maintains fair and equitable treatment when abundance rises. The first mechanism to reduce charter harvests should be elimination of skipper/crew fish during the peak season when demand and activity is highest: June, July and August.

Federal Register/Vol 68, No.1 153/Friday, 08/08/03 Rules and Regulations Pg. 47262 , 2nd column, 2nd paragraph "If stock abundance does increase and the GHL is exceeded...review the appropriateness of pursuing additional subsequent rulemaking at that time, **including review of mechanism used to set the GHL.**"

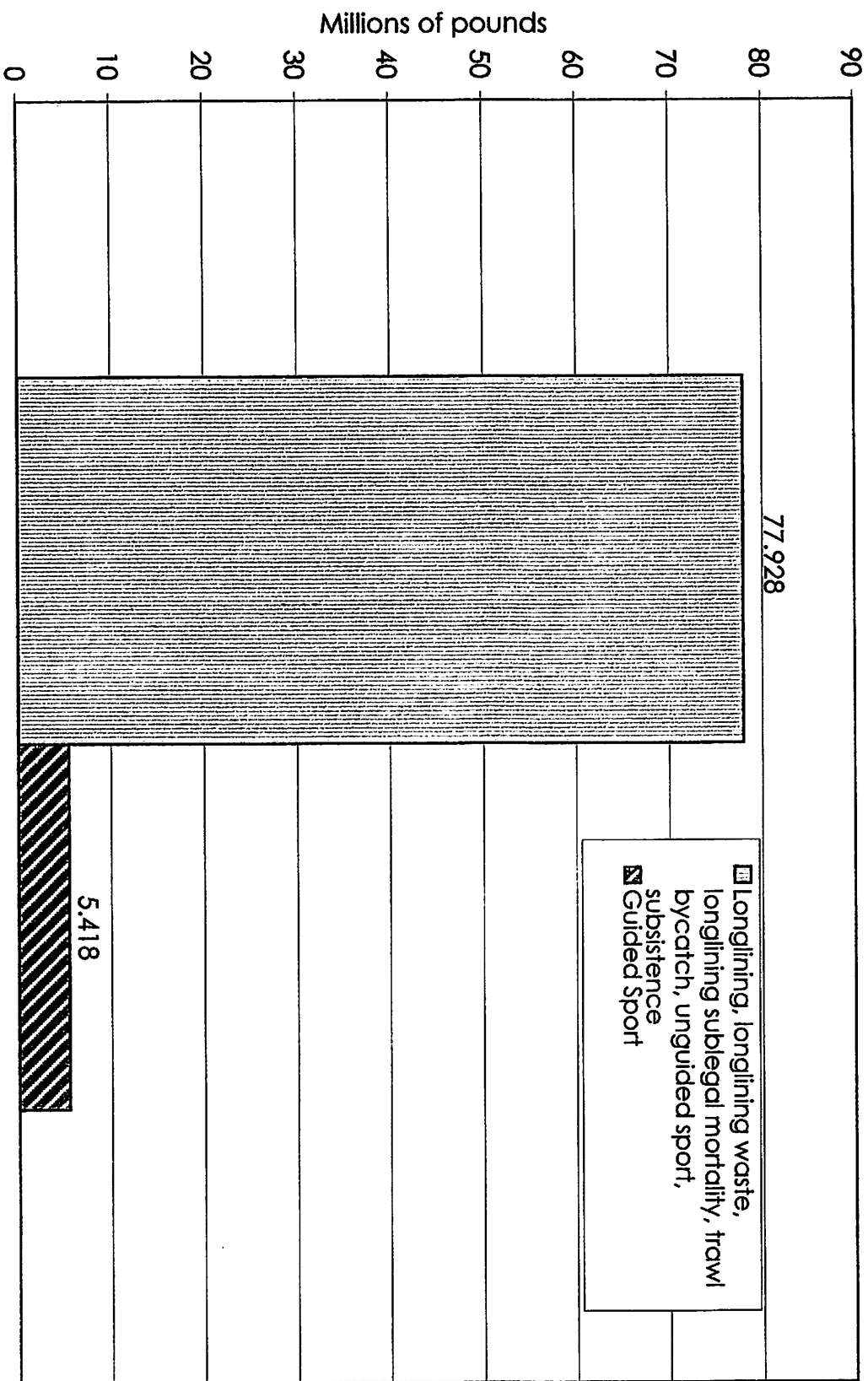
Uncaught Commercial Quota vs. Charter GHL Overages/Underage's chart
Commercial underages would have covered the charter overages. Share the gain!
Commercial harvesters were not negatively impacted economically, nor had their catch reduced due to charters, nor lost quota share.

Fed. Register/Vol 68, No. 153/Friday, 8/8/03 rules and Regs Pg 47257, 1st column, 4th paragraph: "Hence, as the guided recreational expands, its harvests reduce the pounds available to...the commercial halibut fishery...and...value of (commercial) quota shares (QS) in the IFQ program."

Bycatch and Wastage (CHART) Highlights deceased fish no longer available to any sector or to the future benefit and health of the resource.

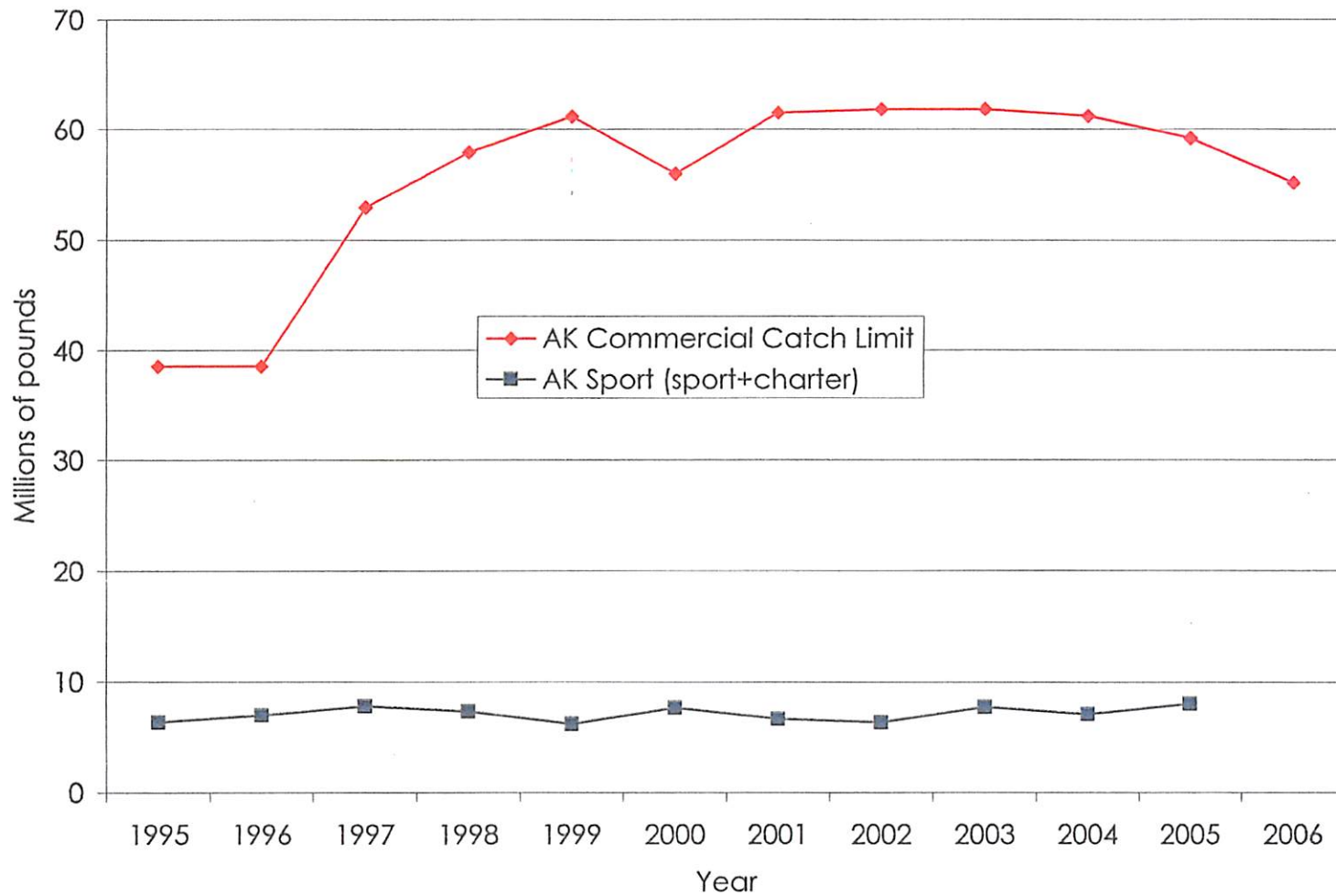
In summary, if we are going to employ the GHL, the first step should be to remove inequities inherent in the GHL and add a Stair-step up provision. Concerning the Separate Accountability proposal, the only thing the ACA likes about it at this time is its name: Separate Accountability. Please allow the stakeholders to review it, and make its recommendations when the committee develops a long-term solution. Lastly, the ACA requests that you instruct the Stakeholders to consider a Fishery Management Plan (FMP) when the committee recommends a long-term solution. Let's get it right this time!

Chart A. Total Alaska Halibut Removals, 2004



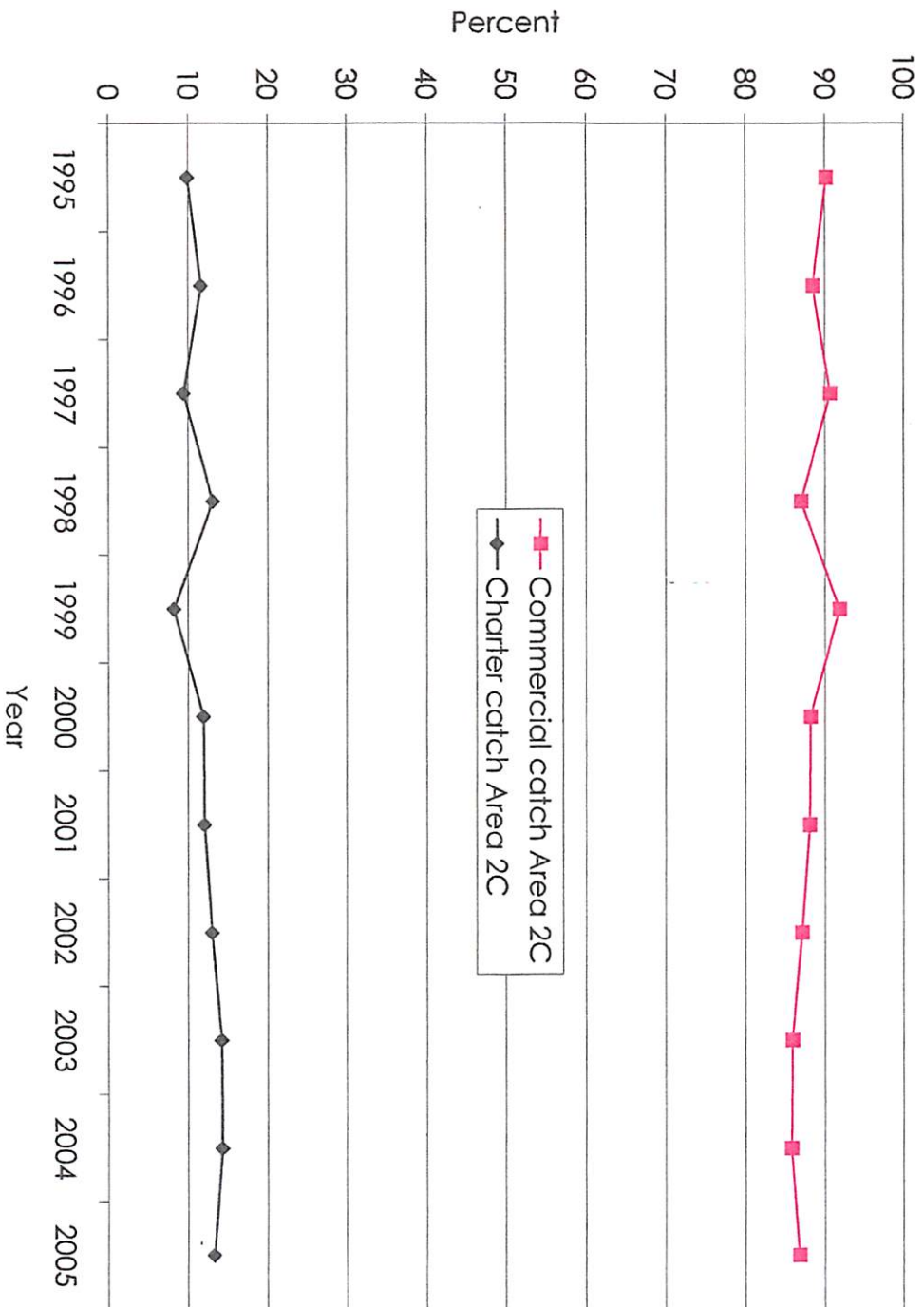
Source: IPHC Annual Report, 2004.

Chart B. Alaska Commercial and Sport Halibut Harvest



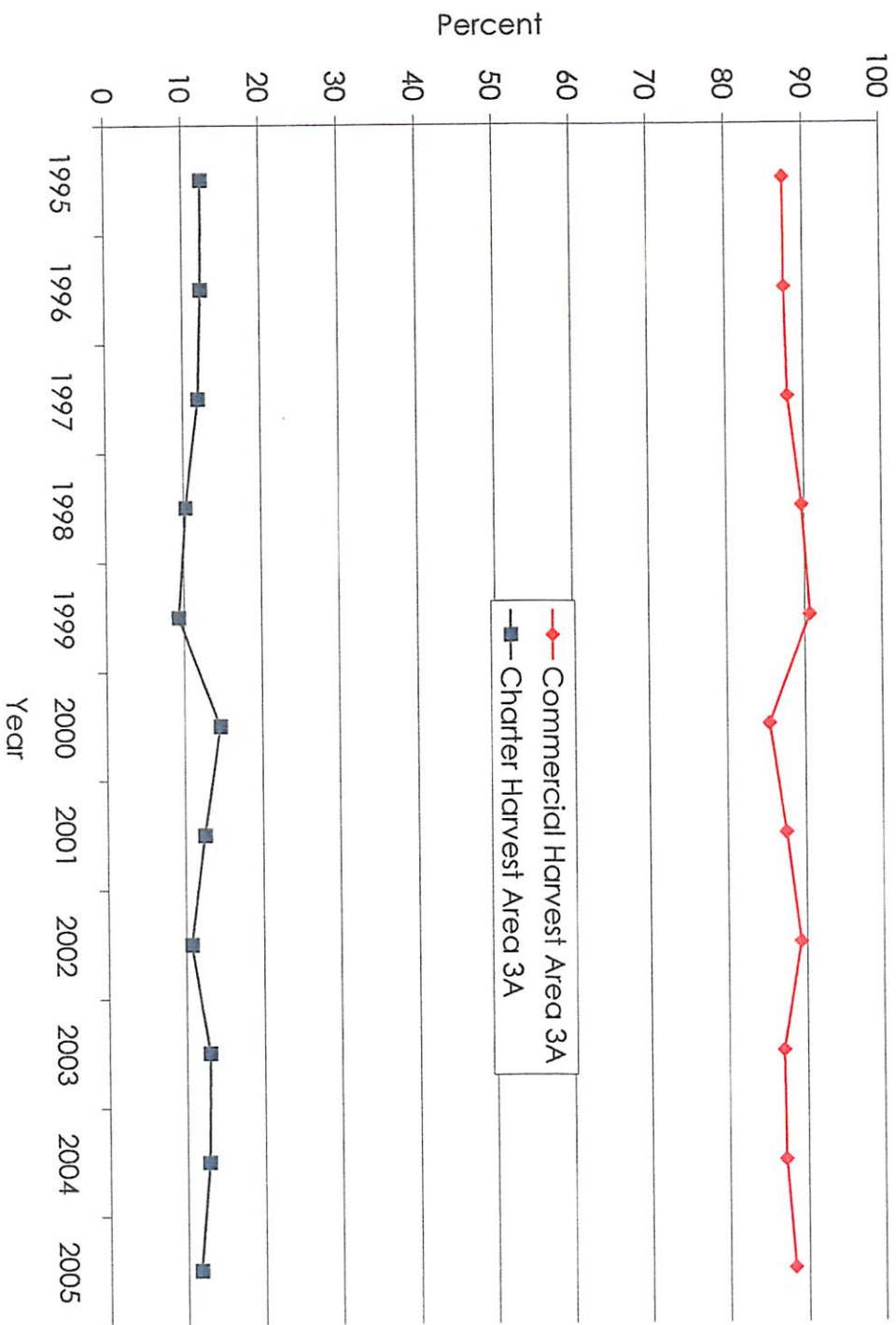
Footnote: 2005 sport harvest figure preliminary; 2006 sport harvest figure not available
Source: IPHC Annual Reports, ADFG Statewide Harvest Survey

Chart C. Area 2C Halibut Harvest By Percent, 1995-2005



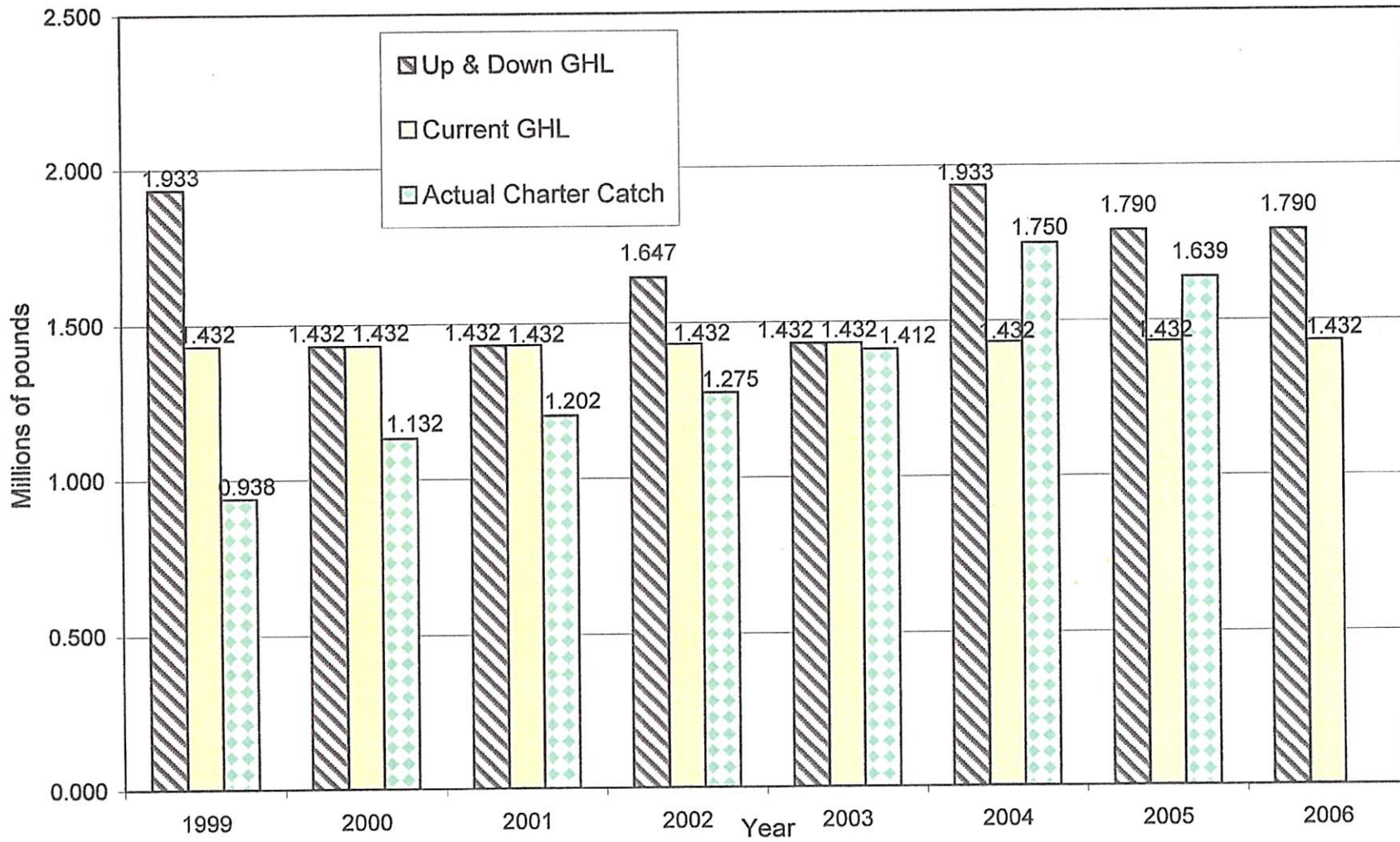
Footnote: 2005 sport harvest figure preliminary
Source: IPHC Annual Reports, ADFG Statewide Harvest Survey

Chart D. Area 3A Halibut Harvest By Percent, 1995-2005



Footnote: 2005 sport harvest figure preliminary
 Source: IPHC Annual Reports, ADFG Statewide Harvest Survey

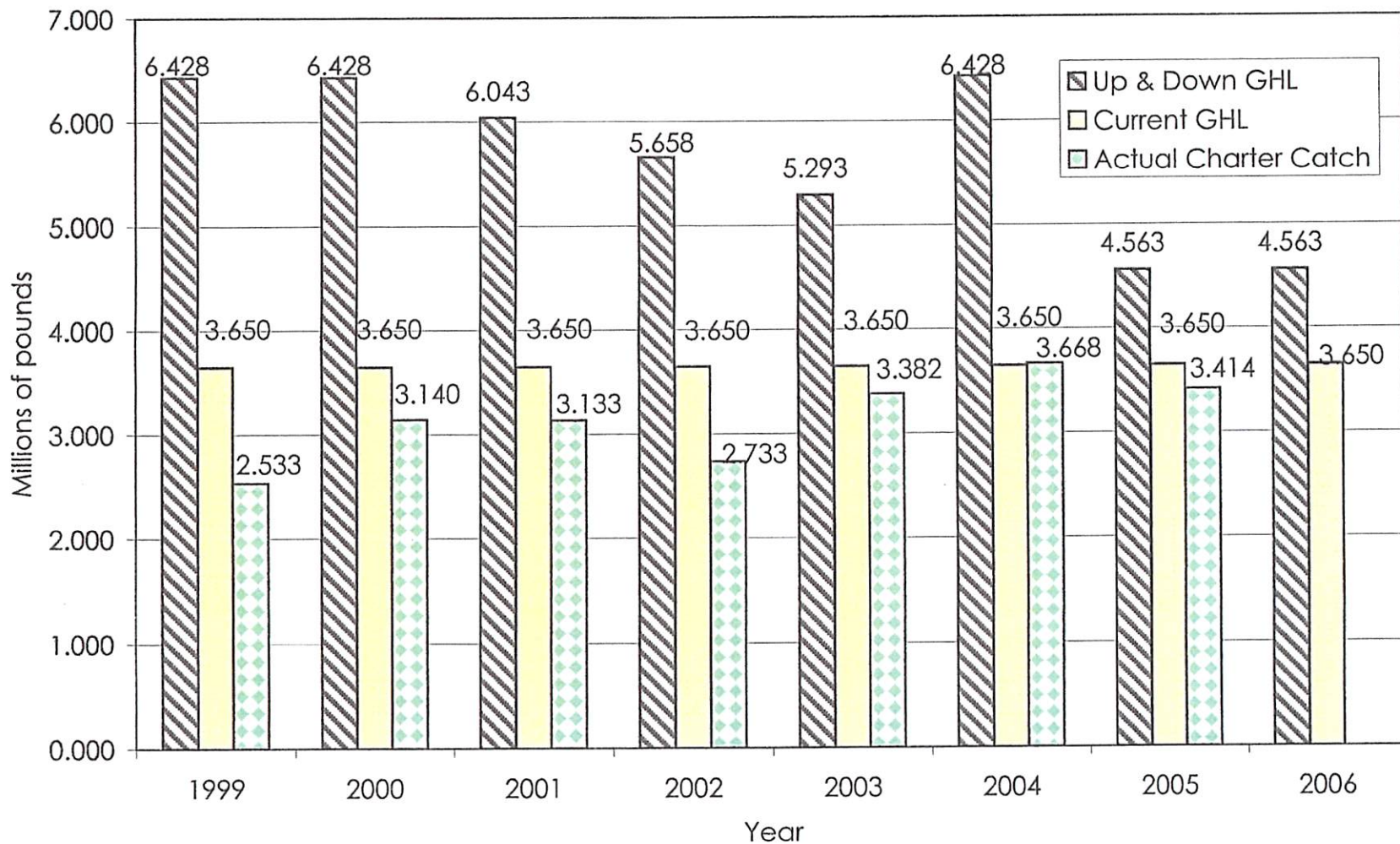
Chart 4. Area 2C Comparing Actual Charter Catch With Current and Up And Down Stairstep Charter Halibut GHL



Page 5

Footnote: 2005 charter catch figure preliminary, 2006 charter catch figure not available
 Source: IPHC handout to GHL Stakeholders Committee, NPFMC EA/Regulatory Impact Review, ADFG Statewide Harvest Survey

Chart 9. Area 3A Comparing Actual Charter Catch With Current and Up And Down Stairstep Charter Halibut GHL



Footnote: 2005 charter catch figure preliminary, 2006 charter catch figure not available

Source: IPHC handout to GHL Stakeholders Committee, NPFMC EA/Regulatory Impact Review, ADFG Statewide Harvest Survey

Halibut biomass harvest by charter and commercial fishery in 2C during 1995-2005

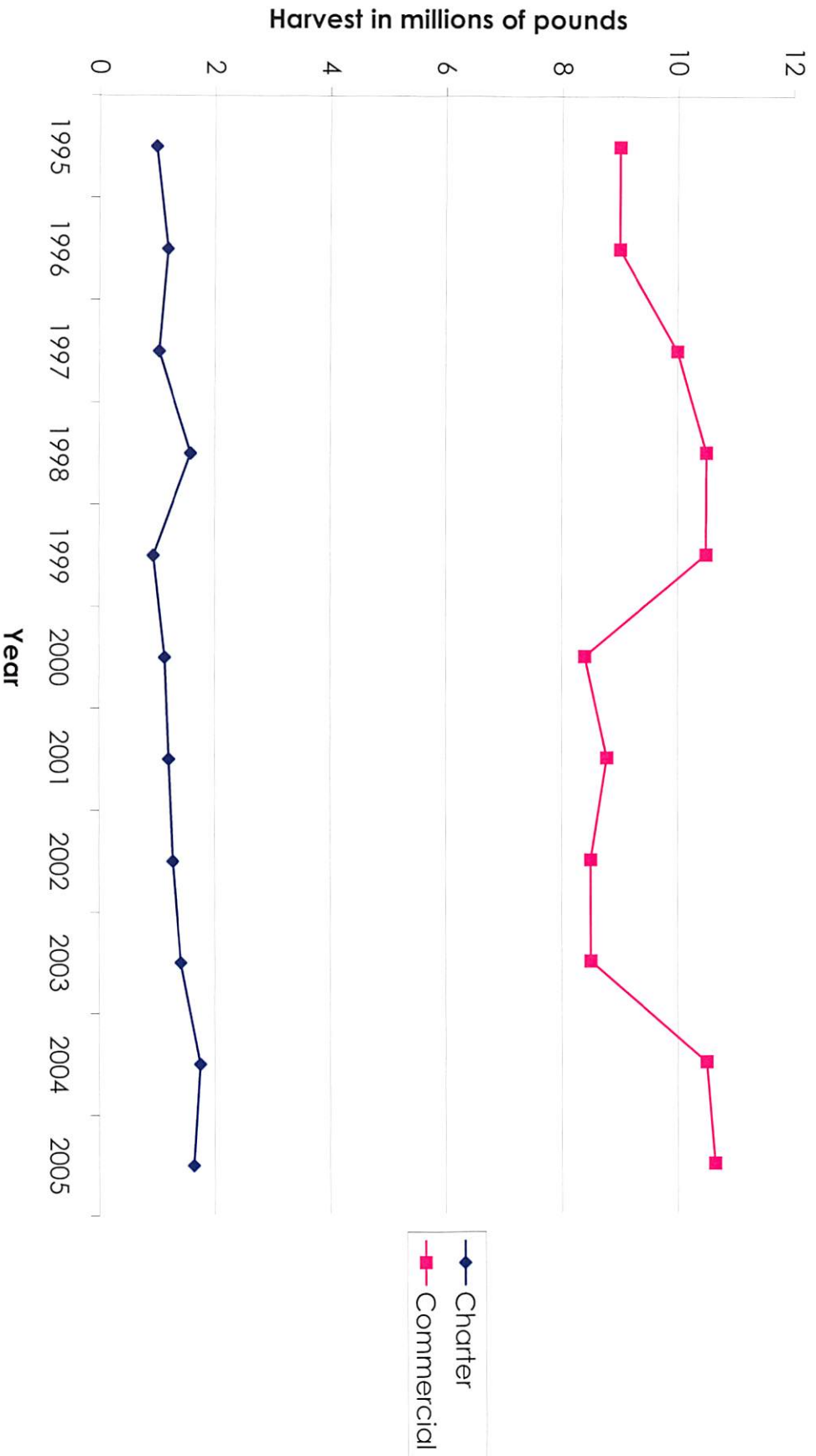


Chart B. Alaska Commercial Catch and Charter Halibut Harvest



Chart C. Area 2C Halibut Harvest By Percent, 1995-2005

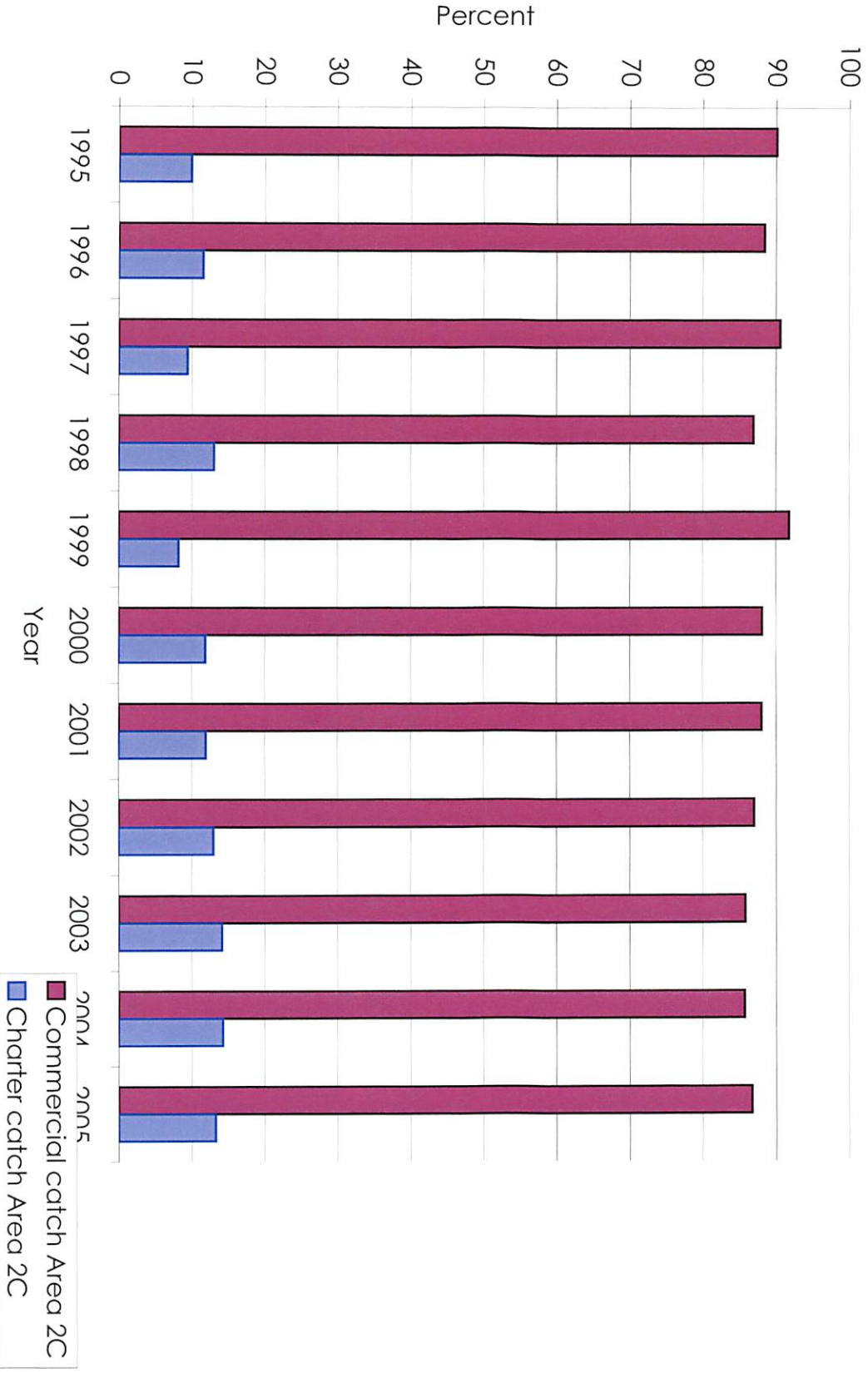
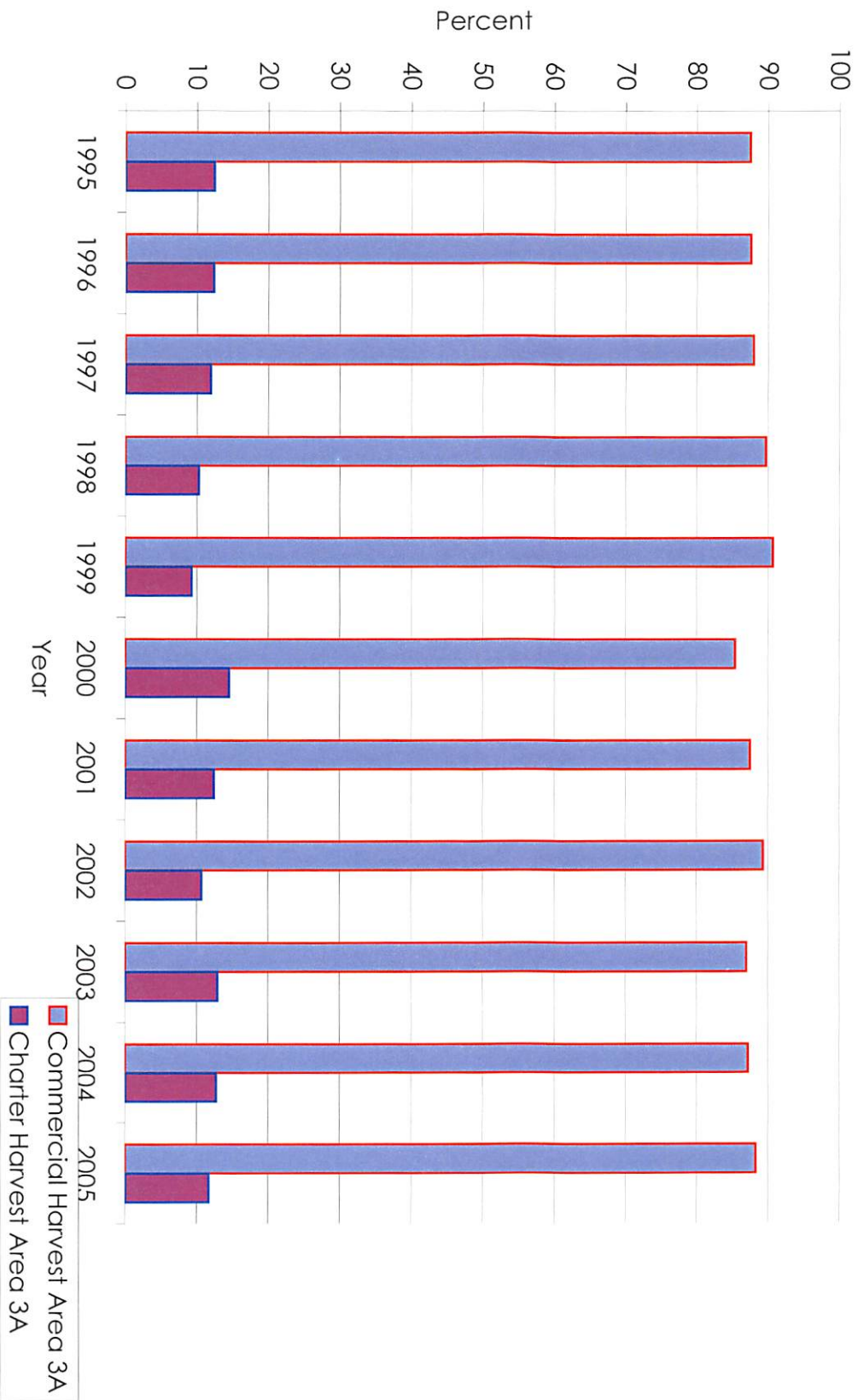


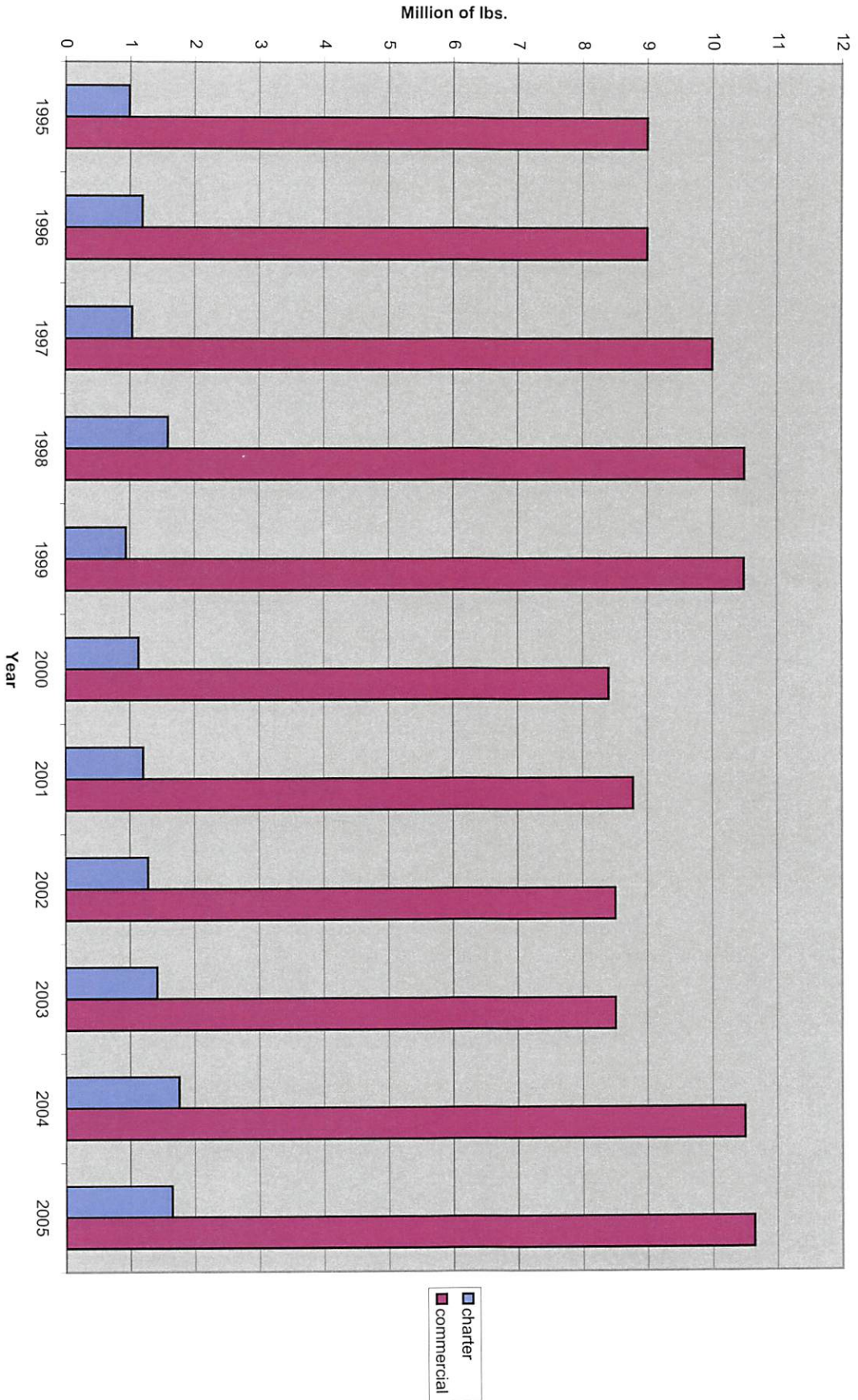
Chart D. Area 3A Halibut Harvest By Percent, 1995-2005



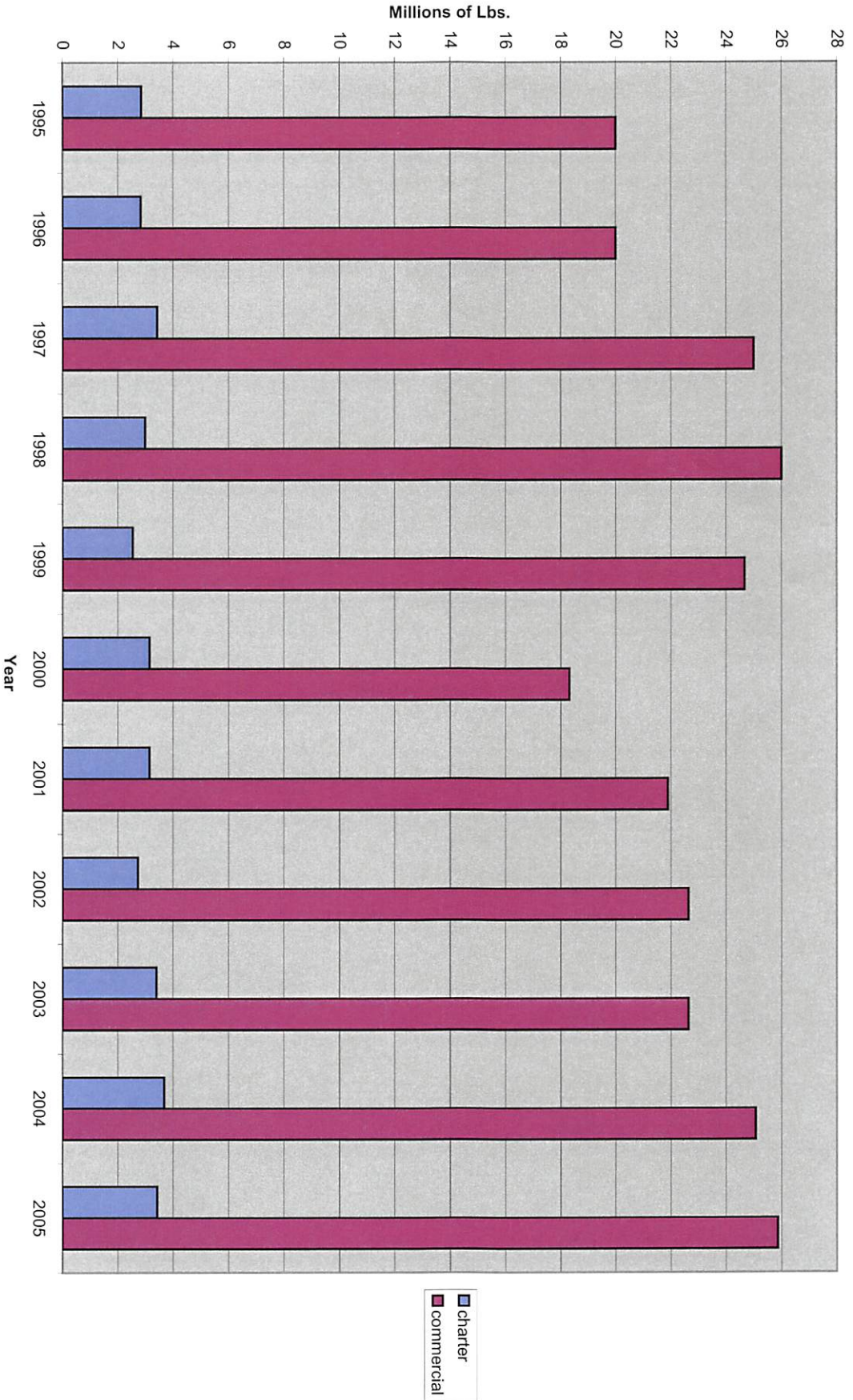
Footnote: 2005 sport harvest figure preliminary

Source: IPHC Annual Reports, ADFG Statewide Harvest Survey

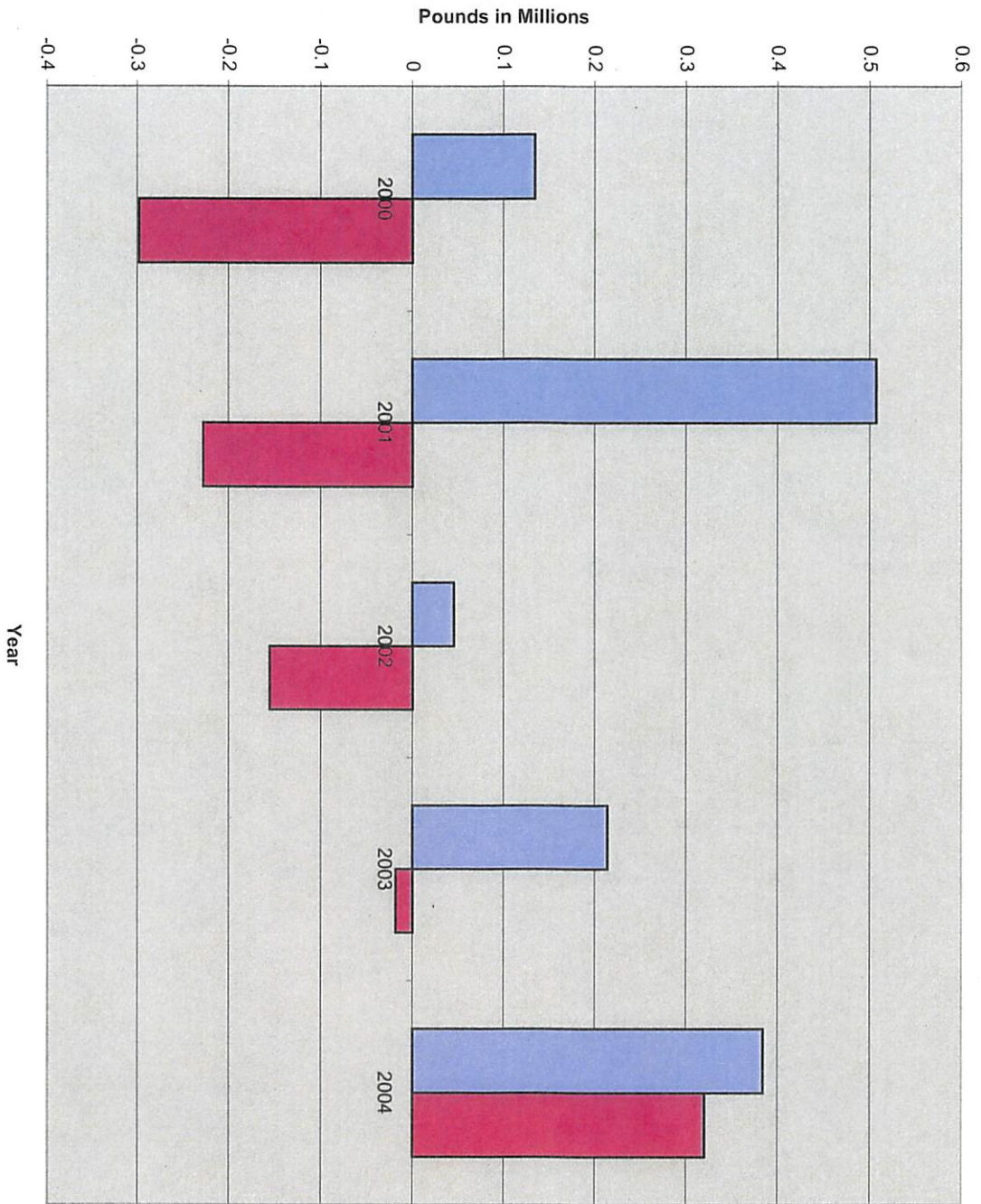
Charter vs. Commercial Harvest (2C)



Charter vs. Commercial Harvest (3A)

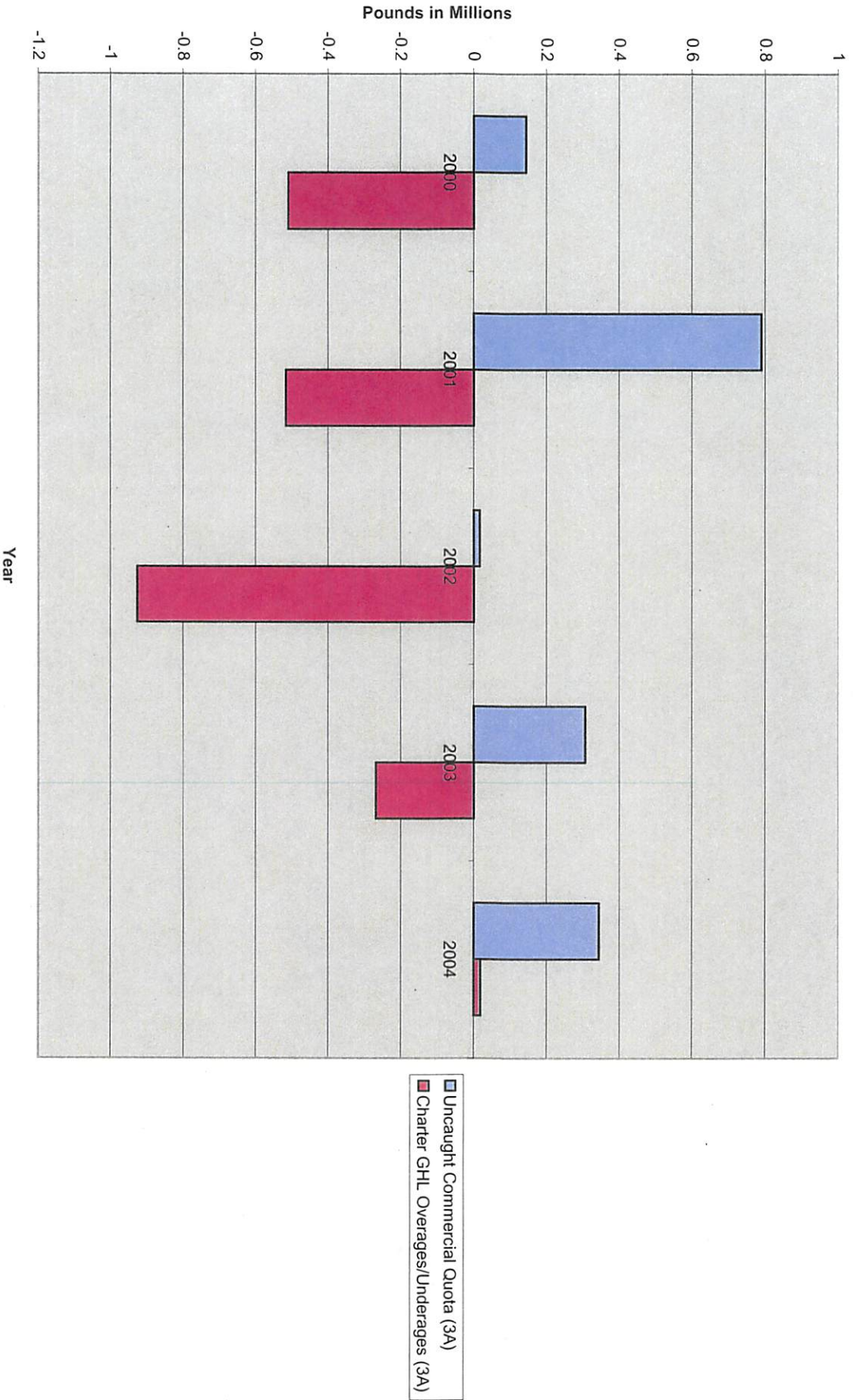


Uncaught Commercial Quota vs. Charter GHL Overages/Underages (2C)

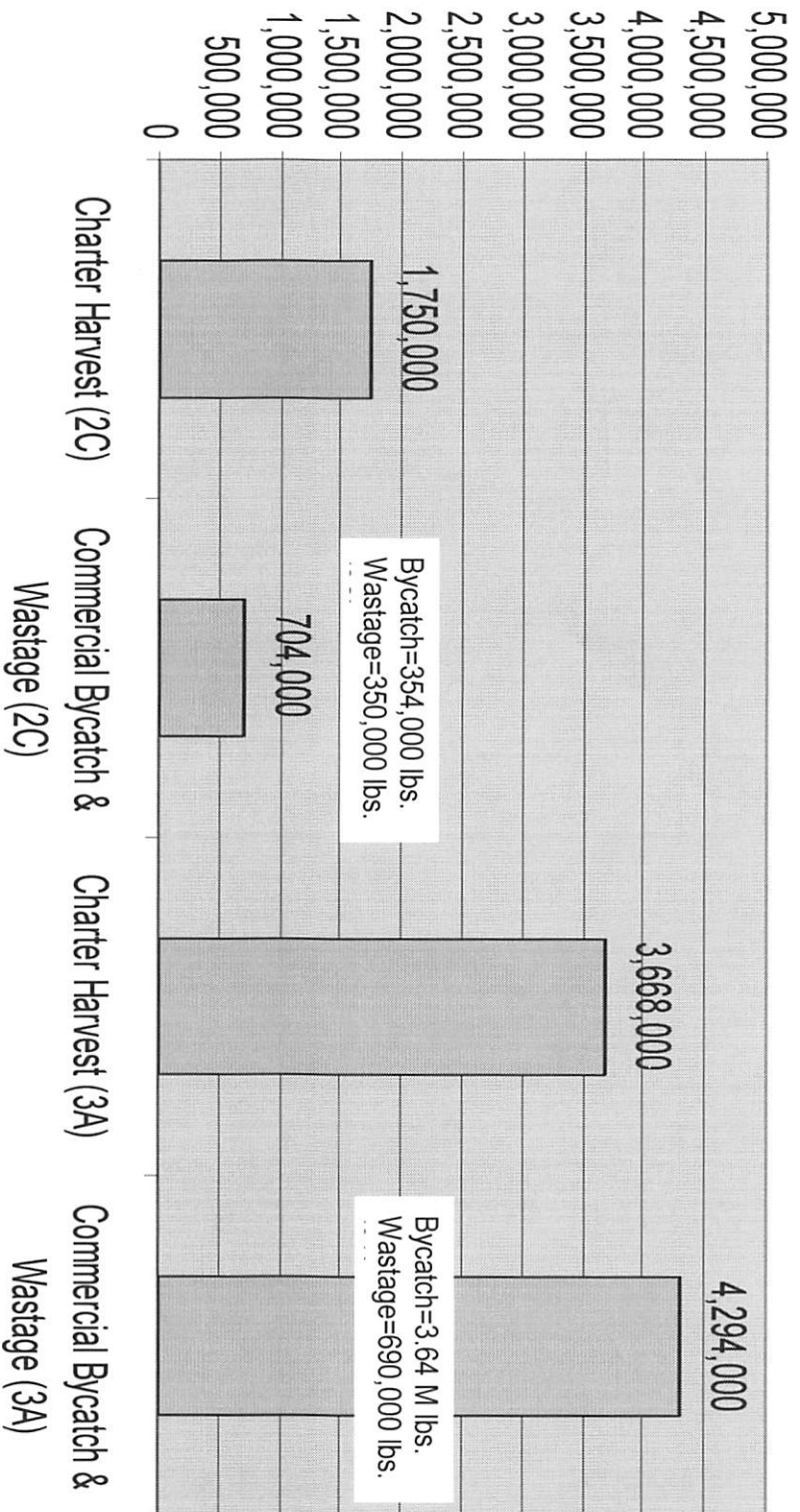


Uncaught Commercial Quota (2C)
Charter GHL Overages/Underages (2C)

Uncaught Commercial Quota vs. Charter GHL Overage/Underage (3A)



Reported Commercial Bycatch & Waste vs. Charter Harvest (2004)



Source: IPHC 2004 Annual Report



Charter Halibut Management

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Eightieth Annual Meeting of the International Pacific Halibut Commission

Halibut Management

Halibut is managed by the International Pacific Halibut Commission (IPHC) and National Marine Fisheries Service (NMFS) under the Northern Pacific Halibut Act of 1982 (Halibut Act).

The IPHC establishes regulations governing the Pacific halibut fishery between the United States and Canada. Additional management regulations that are not in conflict with regulations adopted by the IPHC, may be developed by the North Pacific Fishery Management Council (Council) and implemented by NMFS to allocate harvesting privileges among U.S. fishermen.

In addition to the IPHC regulations governing catch limits, gear type, and seasons, allocations in the commercial halibut fishery off Alaska are managed under the halibut IFQ Program which was implemented in 1995.

Recommendations for new regulations that are made by the Council are subject to approval by the Secretary of Commerce and are implemented by NMFS. Any recommendations made by the Council must analyze the environmental, social, and economic aspects of the recommendation, and consider other alternative management recommendations as well. Once the Council makes a recommendation, establishing regulations typically requires publishing a proposed rule with a public comment period in the Federal Register. After those comments are addressed, NMFS publishes a final rule which implements the recommendation. Proposed and Final Rules are available on the NMFS website at <http://www.fakr.noaa.gov/>.

History of Regulatory Changes

During the early 1990's, there was increasing concern about the potential for reallocation of the halibut resources from the commercial sector to the rapidly growing guided recreational charter sector (Charter). The IPHC establishes the commercial harvest after accounting for bycatch, subsistence harvests, and sport fish harvests. This mechanism does not establish a fixed cap on sport fishery harvests. Therefore, sport fishery harvests are not limited relative to the commercial harvest. Expanding sport fishery harvests effectively reduce the percentage of the halibut resource available to the commercial sector.

The Council has discussed the expansion of the halibut charter fleet since 1993, when the rapid increase in charter vessel effort in some small Alaskan communities, gave rise to concerns about localized depletion of the halibut resource and the potential reallocation of greater percentages of the constant exploitation yield (CEY) from the commercial fishery to the charter fishery. The Council initiated a series of measures to address this concern. Key changes include

- Establishment of a Work Group to review possible approaches in (1993).
- Council begins review of possible management measures (1995)
- Council recommends a guideline harvest level (GHL) for the fishery in Areas 2C and 3A based on a percentage of the overall combined charter and commercial harvests. State begins to collect logbook data under the Saltwater Charter Logbook Program (1997).
- NMFS informs the Council that specific harvest restriction measures must be specified for the GHL (1997).
- Council begins development of GHL with specific harvest restriction measures and begins to consider implementing an individual fishing quota (IFQ) program for halibut charter fisheries in Areas 2C

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Response: The EA/RIR/IRFA indicated that the Harvest Survey could be used and the one-year lag between the end of the fishing season and availability of that year's harvest data was anticipated as was the possibility that it would take up to two years for management measures to be implemented. This final rule does not implement harvest restrictions and Logbook data are not required for monitoring fleetwide harvests. NMFS currently is reviewing alternative data collection methods for the guided recreational fleet and reduce this delay between exceeding the GHL and notification of the Council. These data collection methods would supplement the existing Harvest Survey and provide additional information on fleetwide and individual vessel harvests.

Comment 10: The proposed rule does not provide a mechanism for the GHL to increase if the stocks increase and therefore limits guided recreational harvests if halibut abundance increases. This would limit the guided recreational fleet to a smaller percentage of the overall available exploitable biomass relative to the commercial fleet. The GHL should be modified to increase during periods of higher stock abundance.

Response: The goal for the GHL is to provide a limit on the total amount of harvests in the guided fishery that would be designated as a fixed poundage based on an amount equal to 125 percent of the average 1995-1999 harvests. This amount was set higher than existing harvest levels to accommodate some future growth in the recreational sector. The intent is not to close the fishery, but additional management measures may be triggered in years following attainment of the GHL. The overall intent was to maintain a stable guided recreational fishing season of historic length, using area-specific measures.

The GHL is not a fixed percentage of the total halibut biomass available for exploitation and it was not envisioned that the GHL would increase if stock abundance increased. The decision to fix the GHL at a maximum level with some reduction in the GHL as stock abundance decreases was based on several factors including: (1) Halibut are believed to be at high abundance but are declining, according to recent Commission stock assessments, making it unlikely that stock abundance will increase; (2) the current level of harvests by the guided recreational sector are below the GHLs in both Area 2C and 3A; and (3) public comment received during the Council deliberations advocated setting the GHL as a fixed

poundage that would be adjusted in a stepwise fashion if abundance decreases.

Based on these factors, the GHL is not designed to increase if stock abundance increases. However, this final rule does not impose specific harvest restrictions if the GHL is exceeded. If stock abundance does increase and the GHL is exceeded in a specific area, then the Council can review the appropriateness of pursuing additional subsequent rulemaking at that time, including a review of the mechanism used to set the GHL.

State Comments on the Proposed Rule

The ADF&G also provided written comments on the proposed rule.

Comment 1: The description of CEY in the preamble to the proposed rule as it relates to total allowable harvests is incorrect.

Response: The preamble to the proposed rule described the CEY as a specific allocation to the commercial fishery, which is not accurate. The statement in the preamble to this final rule has been corrected to more accurately describe CEY as an estimate of the total allowable harvests, including harvests by the guided fishery, sport anglers, and as bycatch in other fisheries.

Comment 2: The preamble to the proposed rule does not adequately define how stock biomass is defined. Differences exist between the Commission model estimates of CEY and the setline CEY actually approved by the Commission for the commercial fishery. These differences could affect how stock abundance is measured and applied relative to the GHL.

Response: The Commission determines the total biomass based on a variety of model estimates, data sources, and consideration of uncertainty in the model estimates. The proposed rule did not specify the particular method that would be used to estimate changes in stock biomass and model estimates may vary among years. An appropriate measure is the CEY. The CEY is a numerical determination of the amount of biomass available for total removals (i.e., harvests, bycatch) from the fishery.

The CEY incorporates uncertainty that may exist in the fishery stock assessment models and may vary from the stock assessment models based on the professional judgment of the Commission. The CEY reflects the amount of biomass available for harvest on an annual basis and is therefore a reasonable proxy for comparing stock abundance on an interannual basis. The CEY is distinct from the "setline CEY" which is the specific catch limit for the

commercial fishery, and is a portion of the overall CEY. The final rule has been modified from the proposed rule to clarify that the CEY will be used as the means for comparing stock abundance among years.

Comment 3: The proposed rule does not specifically address localized depletion concerns that are described in the Council's Problem Statement which guided the development of this proposed rule. The proposed rule does not address these concerns because the GHL and associated harvest restriction measures would apply on an area-wide basis.

Response: This action does not directly resolve all of the problems raised in the Problem Statement adopted by the Council. This final rule does not impose harvest restrictions and the specific management measures which may address any possible localized depletion would need to be developed by additional future rulemaking.

At the time the Council developed the Problem Statement, it was concerned about the potential adverse effects of localized depletion and cited localized depletion as well as allocation debates as problems in the management of the guided halibut fishery. The EA/RIR/IRFA indicated that localized depletion may not be as great of a concern as originally assumed. Allocation issues also are addressed by the proposed rule. Because this final rule does not impose harvest restriction measures, it would not address potential localized depletion.

Comment 4: The preamble to the proposed rule does not provide adequate consideration of overall economic efficiency and the impact of this rule on the guided recreational halibut fishery.

Response: The preamble to the proposed rule notes that the Council prepared an EA/RIR/IRFA that examines the economic effect of this rule. The EA/RIR/IRFA notes that the economic effects on the guided recreational fishery were calculated with the best available data which was limited for some aspects of the analysis. The preamble to the proposed rule provides a brief review of the effects of this action on economic efficiency. The preamble to the proposed rule refers the reader to the EA/RIR/IRFA for additional discussion. An FRFA was prepared and it addresses the economic impacts of this final rule.

Comment 5: Logbook data should not be used for the estimation of harvests or management of the guided recreational fishery.

SUPPLEMENTARY INFORMATION: The Commission makes recommendations regarding management of the Pacific halibut fishery under the Convention between the United States and Canada. The Commission's recommendations are subject to approval by the Secretary of State with concurrence of the Secretary of Commerce (Secretary). Additional management regulations that are not in conflict with regulations adopted by the Commission, may be developed by the North Pacific Fishery Management Council (Council) to allocate harvesting privileges among U.S. fishermen.

The Halibut Act provides NMFS, in consultation with the Council, with authority to implement such allocation measures through regulatory amendments approved by the Secretary. In addition to the Commission regulations, the commercial halibut fishery off Alaska is managed under the halibut Individual Fishing Quota (IFQ) Program implemented in 1995.

Each year the Commission staff assesses the abundance and potential yield of Pacific halibut using all available data from the commercial fishery and scientific surveys. Harvest limits for ten regulatory areas are determined by fitting a detailed population model to the abundance and harvest data from each area. A biological target level for total removals in a given area is then calculated by multiplying a fixed harvest rate presently 20 percent to the estimate of exploitable biomass. This target level is called the "constant exploitation yield" (CEY) for that area in the coming year. Each CEY represents the target level for total removals (in net pounds) for that area. The Commission then estimates the sport and personal use, subsistence harvests, wastage, and bycatch mortalities for each area. These are subtracted from the CEY and the remaining amount of fish may be set as the catch quota or "setline CEY" for each area's directed commercial fixed gear fishery. The setline CEY is a fixed quota, but other removals of fish are not allocated a specific quota.

Harvests by the guided recreational fishery and other non-commercial harvests are thus unrestricted within the CEY because no specific amount is allocated to the guided fishery. This represents an open-ended allocation to the guided recreational fishery from quota available to the commercial halibut fishery. Hence, as the guided recreational fishery expands, its harvests reduce the pounds available to be fished in the commercial halibut fishery and, subsequently, the value of quota shares (QS) in the IFQ Program.

The Council recognized the growth of harvests in the guided recreational

fishery and adopted a problem statement in 1995 that recognized that ever increasing harvests in this fishery may make achievement of Magnuson-Stevens Act National Standards more difficult. Of concern was the Council's ability to maintain the stability, economic viability, and diversity of the halibut industry, the quality of the recreational experience, the access of subsistence users, and the socioeconomic well-being of the coastal communities dependent on the halibut resource. This policy statement led to the development of a GHL policy that would address allocative concerns in the Council's problem statement. More detail on the development of the GHL policy is provided in the preamble to the proposed rule, published in the Federal Register on January 28, 2002 (67 FR 3867).

Development of the GHL

This final rule establishes a GHL policy which specifies a level of harvest for the guided recreational fishery. If the GHL is exceeded, then NMFS will notify the Council within 30 days of receiving information that the GHL has been exceeded. At that time the Council may initiate analysis of possible harvest restrictions and NMFS may initiate subsequent rulemaking to reduce guided recreational harvests. This final rule does not establish specific harvest restrictions for the guided recreational fishery. This final rule does not prevent the Council from recommending management measures before the guided recreational fishery exceeds a GHL, nor does it obligate the Council to take specific action if the GHL is exceeded. Under this GHL policy, NMFS would notify the Council if a GHL for the guided recreational harvests has been met or exceeded.

This final rule is the result of ongoing efforts by the Council to address allocation concerns between the commercial IFQ halibut fishery and the guided recreational fishery. The Council has discussed the expansion of the guided recreational halibut fishery since 1993. In September 1997, the Council adopted two management actions affecting the halibut guided recreational fishery, culminating more than 4 years of discussion, debate, public testimony, and analysis.

First, the Council adopted recording and reporting requirements for the halibut guided recreational fishery. To implement this requirement, the Alaska Department of Fish and Game (ADF&G) Sport Fish Division, instituted a Saltwater Charter Vessel logbook (Logbook) in 1998. It complemented additional sportfish data collected by

the State of Alaska (State) through the Statewide Harvest Survey (Harvest Survey), conducted annually since 1977, and the on-site (creel and catch sampling) surveys conducted separately by ADF&G in Southeast and Southcentral Alaska.

The Council's second management action recommended GHLs for the guided recreational halibut fishery in Commission regulatory areas 2C and 3A. The GHLs were based on the guided recreational sector receiving an allocation of 125 percent of its 1995 harvest. This amount was equivalent to 12.76 percent and 15.61 percent of the combined commercial/guided recreational halibut quota in areas 2C and 3A, respectively.

The Council stated its intent that guided recreational harvests in excess of the GHL would not lead to a mid-season closure of the fishery, but instead would trigger other management measures to take effect in years following attainment of the GHL. These measures would restrict the guided recreational fishery and maintain harvests within the GHL allocation. The overall intent was to maintain a stable guided recreational season of historic length, using area-specific harvest restrictions. If end-of-season harvest data indicated that the guided recreational sector likely would reach or exceed its area-specific GHL in the following season, NMFS would implement measures to reduce guided recreational halibut harvest.

Given the one-year lag between the end of the fishing season and availability of that year's harvest data, management measures in response to the guided recreational fleet's meeting or exceeding the GHL would take up to two years to become effective. However, the Council did not recommend specific management measures to be implemented by NMFS if the GHL were reached.

In December 1997, the NMFS Alaska Regional Administrator informed the Council that publishing the GHL as a regulation without specific management measures would have no regulatory effect on the guided recreational fleet. Further, because the Council had not recommended specific management measures by which to limit harvests if the GHL were reached, no formal approval decision by the Secretary would be required for the Council's proposed GHL policy. Hence, a GHL proposed rule would not be developed and forwarded for review by the Secretary.

After being notified that its 1997 GHL policy recommendation would not be submitted for Secretarial review, the Council initiated a public process to

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Moratorium Suggestions:

Issue 1, Option 2: Add to the AP language so as to read: "Area 2C and 3A, those communities previously identified under Amendment 66 should be provided community eligibility programs to purchase moratorium shares"

Issue 3. Qualifying Years:

Suboption 2, 3, 4: Must have prior ADF&G logbook activity.

Issue: 4 Owner v. Vessel

Delete Option 2: Vessel and retain only Option 1: Owner/Operator or Lessee