

**International Pacific Halibut Commission**

**Seventy-Fourth Annual Meeting**

**1998**

**Anchorage, AK January 26 - 29**

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## 1998 Catch Limit Recommendations

Regulatory Area	IPHC Staff	Conf. Board (Millions of Pounds)	PAG	Approved
2A	0.82	0.82	0.81	0.82
2B	13.46	13.00	14.38	13.00
2C	11.80	10.50	11.50	10.50
3A	29.57	26.00	28.75	26.00
3B	16.28	12.00	10.35	11.00
4A	5.64	3.50	3.38	3.50
4B	5.70	3.50	4.00	3.50
4CDE <sup>1</sup>	3.00	4.00	2.97	3.50
4C <sup>2</sup>	1.36	1.82	1.340	1.59
4D <sup>2</sup>	1.36	1.82	1.340	1.59
4E <sup>2</sup>	0.29	0.36	0.286	0.32
<b>Total</b>	<b>86.27</b>	<b>73.32</b>	<b>76.13</b>	<b>71.82</b>

<sup>1</sup> Allocation for combined Areas 4C, 4D, 4E

<sup>2</sup> NPFMC Plan: 4C , 4D- 46.43% of 80K less than 4CDE quota, 4E - 7.14% + 80K

# 1998 Commercial Fishing Period Recommendations

Under IVQ/IFQ Fishery Regulations except Area 2A

Area	IPHC Staff	Conf. Board	PAG	IPHC Approved
<b>2A</b> (Directed)	None recommended  10 hr periods with limits	Jul-22, Aug-12 Aug-26, Sep-9 Sep-23  10 hr periods with limits	Mar-15 to Apr-15 (30 Days)  no comments on period limits	Jul-22, Aug-12 Aug-26, Sep-9 Sep-23  10 hr periods with limits
<b>2A</b> (Treaty)	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 10/31</b> <b>(229 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>
<b>2B</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 10/31</b> <b>(229 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>
<b>2C, 3A</b> <b>3B, 4A-E</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>	<b>3/15 - 10/31</b> <b>(229 Days)</b>	<b>3/15 - 11/15</b> <b>(245 Days)</b>

## 1998 Regulation Changes and Other Decisions

Item	IPHC Staff	Conf. Board	PAG	IPHC Status
1				Approved
				168,961
				287,000
				15,000
				195,078
				168,961
2				Approved
				1.59
				1.59
				0.32

### Proposals

3				Approved
	British Columbia	Yes	Yes	
	Alaska	Yes	No	
4	IPHC report on DFO and ADF&G sport harvest estimates at the 1999 meeting		Yes	Report
5	Review purpose for Closed Area	Yes		Report
6	IPHC Official Logbook			
	IPHC - greater than 25 feet	Yes		Approved
	Conf. Board - all comm. vessels		Yes	
	PAG - No comment			

7	Retention of sublegal halibut for subsistence in Area 4E			Approved
8	Retention of fillets from damaged fish	No	No	No action
9	Transit/Offload in False Pass	Yes	Yes	Approved
10	Chukchi Sea experimental fishery (both Norton Sound and BSFA)	Yes	Yes	Yes Approved w/IPHC
11	Continuation of chalky halibut industry surveys	Yes		Yes Approved
12	Food bank proposal to allow retention of bycatch in RSW trawl fishery in Dutch Hbr. Conf. Bd - less than 50K to Dutch Hbr. and less than 3 years	Yes		No Approved
13	Subsistence fishery by Tlingit and Haida			Letter
14	Area 2A proposals to increase TAC Powder River Tackle Oregon Boat Charterboat Assoc.			
15	Area 4 CDE proposal to increase quota Toksook Bay Traditional Council			
16	Bycatch statement to NPFMC, PFMC & DFO	Yes	Yes	Letter
17	Clarify regulations between IPHC			Staff

- |    |  |     |   |
|----|--|-----|---|
|    | and DFO, ADF&G, and Pacific States   |     | action  |
| 18 | Prior hooking injuries - Conf. Board   |     | Report  |
| 19 | Staff review of removal of large fish from fishery - report at 1999 meeting  |     | Report  |
| 20 | Staff review of high grading on local scale - report at 1999 meeting         |     | Report  |
| 21 | Notice to NMFS and Coast Guard) about level on monitoring and weighmasters   |     | Letter  |
| 22 | * Allow IPHC staff to make minor modifications/clarifications to regulations | Yes | Approved  |
| 23 | NPFMC - IPHC Joint Meeting   |     | Seattle, WA<br>October 6, 1998                            |
| 24 | Location and Date of 1998 Interim Meeting (including public research review) |     | Seattle, WA<br>Dec. 2-3                                   |
| 25 | Location and Date of 1999 Annual Meeting                                     |     | Prince Rupert, B.C.<br>or Victoria, B.C.<br>January 27-30 |
| 26 | Chairperson for 1998-9   |     | Richard Beamish   |
| 27 | Vice-Chairperson for 1998-9  |     | Steven Pennoyer   |

**7) Area 4E retention of sub-legal halibut for subsistence**

**IPHC Regulation Changes**

**Fishing in Regulatory Area 4E**

**(1) A person may retain halibut taken with setline gear in Area 4E that are smaller than the size limit specified in Section 12, provided that no person may sell or barter such halibut.**

**(2) Section (above) shall be effective until December 31, 1999.**

**Section - Application**

**Section (above) applies to the CDQ fishery in Area 4E.**

**9) Closed Area redefinition of False Pass/Isanotski Strait**

**Isanotski Strait - North of 55' 00" N. latitude continuous transit with halibut is acceptable and is closed to commercial halibut fishing.**

**Isanotski Strait - Between 55' 00" N. and 54' 49" N. is closed to commercial halibut fishing.**

## 10) Chukchi Sea Experimental Fishery

**The IPHC adopts in concept an experimental commercial longline halibut fishery for research purposes in the Convention Waters north of IPHC 4D. This area is to be defined by a research plan to be developed by IPHC staff and the two applicants (NSEDG and BSFA).**

**The IPHC expects that the experimental design will provide information to the Commission which will aid in any future development of halibut fisheries north of Area 4D.**

**For 1998, the IPHC will provide a limit of no more than 20,000 pounds of halibut to be divided equally north and south of a line dividing the experimental fishery area.**

**It is further expected that there will be involvement in the development and oversight of the experimental fishery by the IPHC, NMFS and ADF&G staff. The ADF&G will provide a report to the Commission in January 1999, detailing the harvest occurring from the experimental fishery.**

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## 12) Food Bank Proposal



**Draft 1, Jan 28, 1997**

### **Statement On Halibut Donation**

**The Commission discussed the Halibut Donation Program for shore-based trawlers that cannot sort halibut at sea, and agreed to change the IPHC regulations to accommodate the program. The Commission previously approved the donation program as a limited pilot to demonstrate feasibility, but notes that the proposed federal regulations have a three year sunset and do not incorporate restrictions requested by the Commission. We understand that a permit issued by NMFS will establish the restrictions. We request that the permit include the following conditions initially approved by the Commission: 1) Limit total retention to 50,000 pounds; 2) Limit the pilot program to Dutch Harbor; 3) Require assurances from the authorized distributor and participating processors that donated halibut will meet industry quality standards; and 4) NMFS will issue the permit for the program annually after the first year, following review by the Commission. The Commission emphasizes its policy for bycatch mortality reduction, and stresses that halibut donation is not a justification to maintain currently high bycatch mortality levels.**

### **Regulation Change**

**Section 18 (11) - Notwithstanding any other provision in these regulations, a person may retain and possess, but not sell or barter, halibut taken with trawl gear only as authorized by Prohibited Species Donation regulations of the National Marine Fisheries Service.**

<b>1998 PFMC AREA 2A CATCH RECOMMENDATIONS</b>			
<b>Based on quota of</b>		<b>820,000</b>	<b>pounds</b>
<b>Area 2A Fishery</b>	<b>Area 2A (%)</b>	<b>Breakdown (%)</b>	<b>PFMC Plan (lbs)</b>
<b>Commercial</b>	<b>20.61%</b>		
Directed (south of 2A-1) *		<b>85.00%</b>	<b>143,617</b>
Incidental Troll *		<b>15.00%</b>	<b>25,344</b>
<b>Treaty Indians</b>	<b>35.00%</b>		
Directed Fishery			<b>272,000</b>
Ceremonial & Subsistence			<b>15,000</b>
<b>Sport</b>			
North of Columbia River	<b>23.79%</b>		<b>195,078</b>
South of Columbia River	<b>20.61%</b>		<b>168,961</b>
<b>AREA 2A TOTAL:</b>	<b>100.00%</b>		<b>820,000</b>

\* Rollover provision for unused quota between these fisheries.

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JAN 26 1998

January 26, 1998

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

Mr. Chair and Council Members;

My name is Mark Wagner and I've been a commercial fisherman in Alaska since 1977. I initially started fishing out of Dutch Harbor on Bering Sea crab boats. In 1984, I purchased an Area M set net salmon permit and started fishing out of Sand Point, Alaska. I leased a boat until 1988, when I purchased a 1966 32 foot Rawson gill netter. Since then, I've continued to set net for salmon and started to halibut fish with my boat in 1989. Prior to that, I crewed on larger vessels during the halibut derby days. I was given 4018 initial quota shares in 3B and have since purchased enough quota shares to be viable. Several other family members who fish with me, have also purchased quota shares.

The IPHC staff recommendations for 1998 have generated some controversy. It seems a number of people want to prevent, for a number of reasons, these recommendations from becoming actual 1998 TAC'S.

I have heard that two separate groups don't want the increases to take place because they're afraid the price of halibut will go down. One group, while they have quota share holdings in 3B, 4A and 4B, have tremendous holdings in other areas. With the proposed TAC'S they see themselves working harder for the same gross stock. It's been rumored that they've even made the argument that they couldn't catch all their quota shares because of the increase. The second group is made up of fishermen who do not fish in the areas receiving the biggest increases. Many sold their westward quota shares and concentrated on fishing nearer home. They see the price of fish going down and not getting enough increase in catch to make up the difference. In the event the Council did something similar to their suggestion, who would pay the highest price?

The people in Southeast who hold little or no westward quota shares, or fishermen like myself and my family who were left out and have bought our way in?

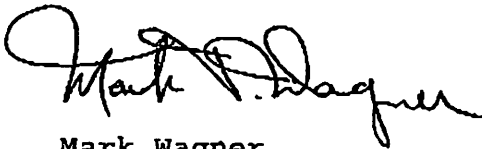
With all the talk of another giveaway, a third group has jumped on board. Representatives from native corporations and westward villages in the Gulf who foresee a windfall want to profit at the expense of small family operations like mine and many others. I own and fish one of the smallest boats in the Sand Point fleet. I believe my wife and I have purchased more quota shares than any of the limit seiner-trawlers in Sand Point. Are you going to take the quota shares we've purchased and give them to over-capitalized salmon and herring fishermen? My vessel is valued at \$15,000 while some of these limit seiners are valued at \$1,500,000 - a hundred times greater. Some of these same seiners have sold their initial quota shares and now claim they can't afford to buy them back. I don't believe that creating a welfare program for them is necessary. As a former board member of the Stepovak-Shumagin Set Net Association (Sand Point), I've been in contact with many small boat owners. Everyone that I've spoken with is opposed to taking quota shares in the future and creating a program that penalizes the people who have saved their money to buy additional shares, the very group that the program was originally set up to benefit. Most small boat owners weren't financially over-extended and saved wisely. Many have invested their personal savings into this program believing it to be a good investment.

The argument has been made that these increases are a gift or wind fall. This is simply not true. For over twenty years the catchability in 3B has been four times higher than all other areas. Many of the local fishermen thought that there were simply more halibut on the bottom. The IPHC and the peer review group have similar thoughts now. Area 3B has always had extremely high CPUE'S. The IFQ system has made quota share trading similar to the stock market. The best regions from which to purchase quota shares were those that were undervalued.

Even simple research would point to 3B and 4A as good areas to buy into.

In closing, the best thing the Council could do for those left out would be to stop talk of future giveaways and get the loan program on line, or create a new one. Limit the liberal leasing program, and stop people from getting around the ownership caps.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Wagner". The signature is fluid and cursive, with a large initial "M" and "W".

Mark Wagner

Box 10835

Bainbridge Island, WA 98110



P.O. Box 20761, Juneau, Alaska 99802

Phone/FAX (907) 789-2399

January 20, 1997

Donald McCaughan, Director  
I.P.H.C.  
P.O. Box 95009  
Seattle, Washington 94145-2009

**RECEIVED**

JAN 28 1998

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

Dear Mr. McCaughan:

These comments are submitted to be included in your 1998 IPHC meeting of February 26-29, 1998.

The Territorial Sportsmen have been involved in resource conservation and public use issues for over 50 years and currently represent approximately 1200 members, most of which reside in the Juneau area.

We recently learned that the IPHC has determined that there is a potential increase of over 30% in halibut TAC available in 1998. Last year, in 1997 a similar increase in TAC was also approved without any increase in opportunity for sport anglers. Matter of fact, sport anglers have had a two fish per day bag limit in place since the mid 1970's when the stock abundance was at a very low level (26 million harvest).

It is our impression that the benefits of increased stock abundance have gone to commercial users since the halibut stock has rebounded (TAC=60-80 million pounds) however there has been no commensurate increase provided to the individual sport anglers relative to the abundance of this common property resource.

The Magnuson-Stevens Act (1996) Sec 301 (a)(4)(A)(C) states that:

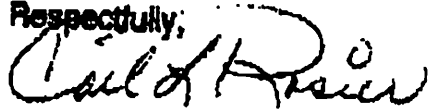
- (4) management measures shall not discriminate between residents of different states
  - (A) allocation shall be fair and equitable to all such fishermen
  - (C) allocation shall be carried out in such manner that no particular individual, corporation or other entity acquires an excessive share of such privileges

Managers must keep in mind that halibut is a common property resource and that the Magnuson-Stevens Act provides for equitable sharing of the resource amongst users. We feel the provisions of the Magnuson-Stevens Act should be adhered to in allocation of common property resources.

We support approval of the increased TAC of halibut in 1998 only if a concurrent increase in the halibut sport bag limit to 3 halibut per day per person is also approved. We would consider approval of any further increase in halibut TAC without providing additional access for non-commercial users to be in direct conflict with federal regulation.

Thank you for the opportunity to comment on this issue.

Respectfully,



Carl Rosier  
Vice President

Jan. 21 1998

To the NPFMC,

I'm starting to hear some rumors about giving away the increases in areas 4A & 3B halibut TAC to some who didn't receive quota shares.

I like many others fought the implementation of IFQ's the way you were writing them, because too many people were left out or received too little and some who received QS had never even fished halibut themselves, they were just boat owners.

But this thing was railroaded through, you weren't going to change your minds, and as a small boat fisherman I realized I was going to have to do something. I was only initially issued a total of 5000 lbs in 3 areas. I needed more fish to catch to make a living, especially since salmon and herring were beginning to not look good. So I mortgaged my house and bought as much QS as I could. Giving away the increase in QS would be directly taking fish out of my pocket. When I bought QS I was buying a percentage of the TAC, not pounds, for better or worse. The quotas will eventually go down, what happens to my percentage then? I like many others, will be holding a huge debt load and the fish to pay that load will be taken away. Please don't do that!

And on the subject of halibut CDQ's for the gulf. Most of these native corporations have had huge settlements from the Exxon Valdez Oil Spill or sold land to the trustees of that settlement for millions and millions, they could easily have bought QS for their members. Why take QS from small boat fishermen who purchased it and give it away to them, many of whom also already have huge overcapitalized seiners and could have instead bought their own QS.

Overall I believe now the system is good. Fish quality is much better, and the fishery is much safer. However I would like to see the rules on leasing QS tightened and the loopholes on caps changed. That would possibly free up more QS for the market.

Sincerely,

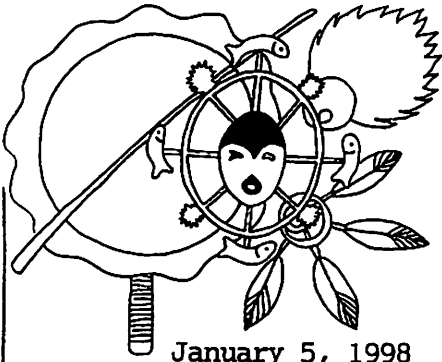
George Kirk  
P.O. Box 2796  
Kodiak, Ak. 99615  
(907) 486-5433

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JAN 21 1998

N.P.F.M.C





# Toksook Bay Traditional Council

January 5, 1998

RECEIVED

JAN 12 1998

N.P.F.M.C

International Pacific Halibut Commission  
Attn: Mr. Donald A. McCaughran, Director  
250 Oceanography Teaching Building  
University of Washington  
P.O. Box 95009  
Seattle, Washington 98145-5009

Dear Mr. McCaughran and Members of the Commission,

Having established a halibut fishery in Nelson Island, known as Area 4E, it continues to be only a viable fishery in our area despite the small quota being allotted in the past.

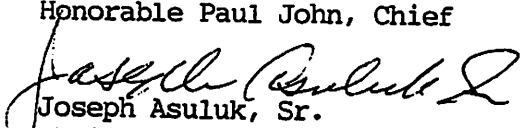
The herring fishery which was established in 1980's is no longer viable as each fisherman continues to get lesser and lesser especially in the last couple of years. It is no longer dependable and bills are piling up each year giving lot of burdens to fishermen who invested in bigger and better equipped boats. There is no telling how bad the prices of herring will be this coming season and if the price of last year continues to drop, which is \$200 at 10% roe, the fishery will no longer be dependable and viable.

It is, therefore, very important to consider raising the halibut quota for Area 4E to give more fishermen time to earn much needed cash to pay for other investments as well as to carry them over the harsh winter living environment.

Putting in more numbers into halibut quota allocations will mean a big help for both local fishermen and their community as this particular area, if not only, is the State's most economically depressed areas.

We request that Area 4E halibut quota increase be seriously considered.

Sincerely  
TOKSOOK BAY NATIVE COMMUNITY  
Honorable Paul John, Chief

  
Joseph Asuluk, Sr.  
Chairman

cc: Nunivak/Nelson Island Area Tribal Chairmans  
Mr. David Bill, Sr., CVFC Chairman  
Mr. Rick Lauber, NPFMC Chairman ✓

**NATIVE VILLAGE OF MEKORYUK**

INDIAN REORGANIZATION ACT COUNCIL

P.O. Box 66

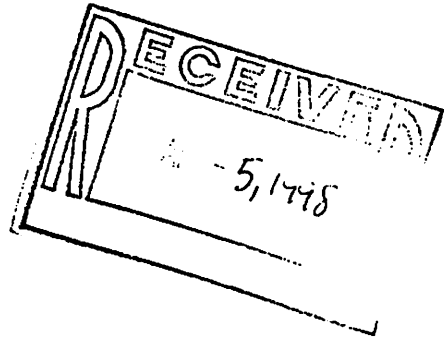
Mekoryuk, Alaska 99630

(907) 827-8828

Fax (907) 827-8133

December 30, 1997

Mr. Rick Lauber, Chairman  
North Pacific Fishery and Management Council  
605 W. 4th Avenue Suite 306  
Anchorage, Alaska 99501



Dear Sirs:

As this is being journaled, the temperature outside is (18) below Celsius at Mekoryuk on Nunivak Island in the Bering Sea.

In our little tribal office this morning, one of the halibut fisherman came in for a dole to have enough heat for his shack, he will probably only use the heat source from the stove oil allocation during the extreme cold during the night.

The Japanese Yen has dropped considerably in the past few years from 360 Y to 129, and now their stock market is teetering as well as the Korean situation. Why is this brought out? As you know the roe of herring is mainly marketed in Japan, which is one of the two commercial fisheries that Nunivak fishers have and it continues to have a value drop. Last years was \$200 at 10% roe. No telling what this coming season will bring.

Nunivak was established a herring fishery in the 80s and only had a couple of decent fisheries and for reasons we don't know it has not been even coming close to being viable due to unavailability of stock, (no volume). The boys invested in gear and now are unable to make Payments to ending firms as well as cannery bills and the collection agencies are hounding us of course and we have no monetary source to honor anything anymore.

On the other hand, halibut continues to be fairly stable in price and we have the smallest quota of the states allocations (4-E), and we are the only area, to my knowledge that finishes their quota in a short period with what equipment we have, mainly open herring skiffs up to (30) foot, and the boys know this is the only viable commercial fishery so they try their best.

**PAST PRESIDENTS**

Moses Nayiruk • Peter Smith, Sr. • Tom Dotomain • Jesse Moses • Walter Amos • George K. Whitman, Sr.  
Edward J. Shavings, Sr. • George King, Sr. • Henry J. Shavings • Joseph David, Sr. • Jerry David, Sr.  
Fred Don • Howard T. Amos • Samson Weston • Hultman Kiokum  
Tom Amos • Solomon Williams • Daniel Olrun, Sr.

The moral behind this is, we are capable of harvesting the existing quota, which is 120K. After circulating around the halibut fishers and discussing it. The Nunivak fishers would be able to handle twice the amount of the quota (240k)

This will give the boys, ( and this only is in reference to the Nunivak fishers, there are also the Nelson Island boys as well who will be fishing this quota,) some thing to look forward to and incentive as well.

The quota increase request is not even as much as one vessel catch in one of the areas.

Another reason to consider is that we are in one of the states most economically depressed areas.

Due to exploitation of the people too, with the CDQ programs that is not working. We have to do this ourselves, and as versed we can do it (harvest the quota increase)

For some of us, fish is all we know.

Please heed our pleas.

Sincerely,

Hultman I. Kiokun President  
Native Village of Mekoryuk



Larson King  
Natural Resource Director