


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke   
Executive Director

DATE: April 13, 1995

SUBJECT: Halibut Charterboat Management

ESTIMATED TIME 1 hour
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ACTIONS REQUIRED:

- (a) Receive legal opinion from NOAA General Counsel on State of Alaska's authority over halibut management.
- (b) Receive report on staff work plan for amendment.

BACKGROUND

(a) Legal Opinion

In January 1995, the Council developed a problem statement and management alternatives for analysis for recreational halibut fisheries off Alaska. One option was to delegate sports management to the State of Alaska. Since halibut are managed by international treaty between the U.S. and Canada, it remains unclear as to whether the Federal government can delegate management authority for this species to the State. NOAA GC will provide a legal opinion as to the legality of such delegation. NOAA GC will present an oral legal opinion; the written follow-up will be available in June.

(b) Staff work plan for amendment (NPFMC, JPHC, and NMFS)

In January 1995, the Council initiated a regulatory analysis for development of a management program for recreational halibut fisheries off Alaska. The goal of this analysis is to address concerns identified in the problem statement adopted by the Council at their January 1995 meeting. Since the Council does not have a fishery management plan for halibut, development of a management program for recreational halibut fisheries will require preparation of an Environmental Impact Statement and/or Environmental Assessment/Regulatory Impact Review.

The analysis needed to complete these documents will follow a two-step approach. The first step will be to determine the allocation scheme for halibut among the affected users. This analysis will need to be consistent with the national standards contained in the Magnuson Act. A cost/benefit analysis and net economic value for each user group of the halibut resource will need to be determined also.

Once the allocation scheme is determined, the second step will focus on evaluation of regulatory options to achieve the selected allocation. A preliminary listing of the issues of the various regulatory options as identified by the Council at their January 1995 meeting is attached as Item C-7(a).

**Alternatives for Analysis of Halibut Charter Issue**

as adopted by the North Pacific Council 1/11/95

In January 1995, the Council initiated a regulatory analysis for development of a management program for recreational halibut fisheries off Alaska. The goal of this analysis is to address concerns identified in the problem statement adopted by the Council at their January 1995 meeting:

The recent expansion of the halibut charter industry, including outfitters and lodges, may make achievement of Magnuson Act National Standards more difficult. Of concern is 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.

Specifically, the Council notes the following areas of concern with respect to the recent growth of halibut charter operations, lodges and outfitters:

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.
2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining catches for historic sport and subsistence fishermen in some areas.
3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.
4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty associated with the present situation and the conflicts that are occurring between the various user groups may also be impacting community stability.
5. Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks: (1) the effort and catch of individual charter operations, lodges, and outfitters; and (2) changes in business patterns.
6. The need for reliable catch data will increase as the magnitude of harvest expands in the charter sector.

Since the Council does not have a fishery management plan for halibut, development of a management program for recreational halibut fisheries will require preparation of an Environmental Assessment/Regulatory Impact Review to the § 301 regulations.

The analysis will have two steps. The first is to determine the allocation of halibut among the affected users. This analysis will need to be consistent with the national standards contained in the Magnuson Act. A cost-benefit analysis and net economic value for each user group will then be completed.

Once the allocation scheme is determined, the second step is to evaluate regulatory options to achieve the selected allocation. A preliminary listing of the issues identified by the Council in January is presented below.

**Alternative 1: Status quo.**

Pros:

- maintains traditional management of halibut
- requires no additional federal regulations and paperwork
- imposes no new fishery management activities for the State of Alaska
- Allows the guided sport industry and associated businesses to grow

Cons:

- continues unlimited halibut harvest by the guided sport fishery
- does not address potential of localized depletion
- growth of guided sport industry and associated business continues to grow

**Alternative 2: Make explicit allocations of the halibut quota. Two options were identified.**

Option 1: Make an explicit long-term guided sport (including lodges and outfitters)/commercial allocation expressed as a percentage, and delegate sport and guided sport management to the state. Allocate 105% to 140% of the 1994 retained catch to the charter sector using the following area options:

- i. Statewide
- ii. IPHC Areas 2C and 3A only
- iii. By zones:

<i>Zone 1 Southeast:</i> ADF&G areas A, B, C, D, E, F, G & H	105-140% of '94 guided sport
<i>Zone 2 Prince William Sound:</i> ADF&G area J	105-140% of '94 guided sport
<i>Zone 3 Cook Inlet/Kenai:</i> ADF&G areas K, L, N, and P	105-140% of '94 guided sport
<i>Zone 4 Kodiak:</i> ADF&G area Q	105-140% of '94 guided sport
<i>Zone 5 Alaska Peninsula:</i> ADF&G area R	No limit
<i>Zone 6 Bering Sea:</i> ADF&G areas T, U, V, W, X, Y and Z	No limit

Pros:

- unregulated guided catch is affecting: community stability of the commercial industry; commercial fishing by directly lowering commercial IFQs; and subsistence fishing, via localized depletion in certain areas
- ADFG & IPHC project sport catch in Area 2C and 3A to increase by 20% and 30%, respectively
- growing concern by general public and sportfishing sector for a direct sportfish allocation due to potential of IFQ fishery to crowd nearshore recreational fishing areas and causing local depletion
- general decline in size of fish at age, recruitment, and other indices indicate stock size reduction
- allows for up to 40% increase in current guided sport catch

- distribution of guided sport licenses is unequal and may warrant management by area; Cook Inlet/ Southcentral Alaska has dominant halibut sport catches
- complements recent State legislation proposed to regulate guided sport fleet
- may be able to use Pacific Council's catch sharing plan as model, although quite complex
- regional differences and varying stages of development in guided sport operations may require region or zone management rather than uniform policy for the whole State
- IPHC, ADFG, and tourism figures project increased growth in guided sport industry
- personal use and subsistence takes would remain outside allocations
- traditional management measures (e.g., size, bag limit, yearly limit, limited season) are not supported by guided sport industry

Cons:

- guided sport industry remains undefined as to commercial vs. sport classification
- limitations on recreational fishery are contrary to general aim of recreational fisheries management which is to increase public's access to resource
- guided sport industry does not agree that a cap is warranted, citing that bycatch and waste should be addressed before limiting sport catch
- sport catch is only 7% of harvestable stock; 40% increase restricts total expansion to 10% of stock
- guided sport cap may cause fishery to close prematurely, causing economic hardship
- may create derby fishing, safety issues, gear loss that might arise under a cap
- a moratorium on guided sport fleet may be viewed as trading one person's opportunity in one business to protect another's business
- growth projections may overstate potential increase in guided sport fleet
- need real time data collection for in-season management to ensure that the annual quotas are not exceeded; current two-year time lag for data collection under survey or logbook program
- implementation costs; license fees are likely needed to fund program
- monitoring and enforcement would be cumbersome, complex, and expensive
- may be perceived as micro management since only some areas are experiencing tremendous growth
- legal impediments may exist to delegating management authority to the State
- many IPHC licenses identify captains as 'both,' allowing use of the vessel in either fishery; proposed action may limit movement between fisheries for economic efficiency
- need to identify if cap based on catch or harvest; using the current sportfish database, catch includes fish that are caught and released
- data not available for extensive economic analyses required for cost-benefit and net economic value
- other alternatives, e.g., yearly catch limits and recreational zones, could also be considered
- guided sport industry supports keeping guided and unguided sport fishermen as a single category
- seasonal adjustment to attain cap would have negative effect on guided sport operations and other tourist support industries

**Option 2: Make an explicit long-term sport (guided and unguided)/commercial allocation expressed as a percentage, and delegate sports management to the state.**

Pros:

- same as Option 1
- guided sport industry supports keeping guided and unguided sport fishermen as a single category
- personal use and subsistence takes would remain outside allocations

Cons:

- same as Option 1
- impossible to identify guided vs. non-guided catch in database
- need to classify guided fishing as 'sport,' to make explicit allocation to 'sport (guided and unguided)'
- intensive guided sport industry may harvest most of the sport quota, leaving the independent sport fishermen with a decreasing share

**Alternative 3: Focus on the guided sport fishery including the following measures:**

**Option 1: A moratorium using the 9/23/93 control date,**

- Statewide**
- IPHC Areas 2C and 3A only**
- By zones (see Alternative 2, Option 1, iii)**

Pros:

- establishes a baseline for the fishery
- protects present participants from further competition
- forces diversification of the guided sport industry
- Statewide moratorium forces diversification of the guided sport industry
- regional moratorium addresses areas of greatest concern and prevents unnecessary restrictions
- regional moratorium prevents unnecessary non-retention bycatch and mortality
- moratorium stops new entrants from overcapitalizing the industry
- control date put guided sport industry on notice of potential management actions
- separates management of unguided sport catch from guided catch
- regional differences and varying stages of development in guided sport operations may require region or zone management rather than uniform policy for the whole State
- unregulated guided catch is affecting: community stability of the commercial industry;  
commercial fishing by directly lowering commercial IFQs;  
and subsistence fishing, via localized depletion in certain areas
- ADFG & IPHC projects sport catch in Area 2C and 3A to increase by 20% and 30%, respectively
- growing concern by general public and sportfishing sector for a direct sportfish allocation
- allows for up to 40% increase in current guided sport catch
- individual operators may have extended season since they know their allotted catch vs. racing for fish
- should lessen race for fish among guided sport fleet for limited allocation
- distribution of guided sport licenses is unequal and may warrant management by area
- complements recent State legislation proposed to regulate guided sport fleet

Cons:

- no moratorium by itself has been shown to establish effort at an optimum level in a fishery; it should include a phase-out of some vessels presently in the fishery and a cap on overall guided sport harvest to achieve stated goal
- moratorium provides windfall to participants, but does not limit effort or catch
- restricts growth of the industry
- restricts access by recreational fishermen
- increases impacts on other fish stocks, some of biological concern (e.g., rockfish and lingcod)

- effect of moratorium, with effort caps, may be negated by sale or use of previously inactive permits
- moratorium is a step towards IFQ, which may be problematic for this fishery (see Option 3)
- control date may have increased IPHC licenses for vesting in the industry by speculators
- many guided sport operations have expanded or replaced licensed vessels since control date
- too much time may have passed since control date was set, as business decisions could not be delayed during the 2-year development of management program
- sunset date for moratorium undetermined
- impossible to identify 'active' IPHC licenses for estimate of actual participants in the fishery
- may be difficult to set reasonable criteria for qualifying a vessel under the moratorium, thereby considerably increasing, at least temporarily, the size of the fleet
- replacement vessels may be more efficient than those originally approved under the moratorium; due to competition, the fleet might upgrade quickly to the disadvantage of the private fleet
- impossible to identify guided vs. non-guided catch in database
- many vessels have been bought and sold since the control date
- what information would be used for qualifying criteria
- transferability of vessels/licenses; emergency transfers
- many IPHC licenses identify captains as 'both,' allowing use of the vessel in either fishery; proposal may limit movement between fisheries for economic efficiency
- many guided sport captains were unaware of IPHC license requirement and were unlicensed
- need to identify whether fishing history should be vested with the license holder or the vessel owner on board requirements would restrict many guided sport and lodge operations
- a moratorium on guided sport fleet may be viewed as trading one person's opportunity in one business to protect another's business
- guided sport costs may increase and be passed on to customers
- sport catch is only 7% of harvestable stock; 40% increase restricts total expansion to 10% of stock
- ADFG does not currently have sufficient data to design limited entry program; lack of historical individual guided sport data
- need real time data collection for in-season management; currently, two-year time lag for data collection under survey or logbook program
- implementation costs; license fees likely are necessary to fund program
- enforcement costs
- may be perceived as micro management since only some areas are experiencing tremendous growth
- may be unnecessary regulations, if problem is overstated
- only some areas (e.g., Southeast) may be fully capitalized
- bycatch and waste should be addressed before limiting sport catch
- guided sport industry supports keeping guided and unguided sport fishermen as a single category
- legal issue of restricting access by sport fishermen
- legal impediments may exist to delegating management authority to the State

**Option 2: Cap charter at 105% to 140% of 1994 retained catch using area options in i, ii, and iii.**

**Pros:**

- (see Alternative 2, Option 1)

**Cons:**

- (see Alternative 2, Option 1)

**Option 3: Develop an IFQ program for the charter industry**

- i. **as a stand alone program (which may or may not be transferrable with commercial IFQ).**

**Pros:**

- equitable management system to commercial fishery
- rewards historical participants
- multi-use fishery; some fishermen participate in both the commercial and guided sport fishery
- may mitigate race for fish, safety issues, gear loss that might arise under a guided sport cap

**Cons:**

- awards potential windfall profits to historical participants
- IFQ management does not reduce catch, but allows for economic efficiency in industry
- possible migration of QS from commercial to guided sport operations may negatively impact small communities
- nearly impossible to design program based on current data collection
- limited sociological and economic data for analysis
- has potential to limit recreational access to fishery
- requires extensive real-time data collection
- implementation and enforcement costs may be prohibitive
- may require fees
- incidental bycatch mortality still needs to be addressed
- IFQ system is unnecessarily burdensome, administratively and fiscally, relative to problem being addressed

- ii. **as a buy-in program that would allow charters to acquire IFQs for use after cap is reached.**

**Pros:**

- provides flexibility for guided sport industry to increase their allocation
- provides for economic efficiency whereby marketplace designates most efficient user
- allows new entrants access to resource, if moratorium not imposed
- provides additional market for small QS pieces, if block-type restrictions not imposed on guided sport sector
- would provide for transfer of QS from commercial to sport users

**Cons:**

- counter to tenets of the commercial IFQ program, whereby only qualified commercial fishermen are eligible for participation
- requires extensive regulatory and administrative modifications of commercial IFQ program
- requires additional enforcement efforts on recreational sector to monitor compliance
- requires additional funds for modification of IFQ program

**Alternative 4: Charter boat operators will be required to fill out a federally mandated catch report for all retained and discarded catch for each species for each trip.**

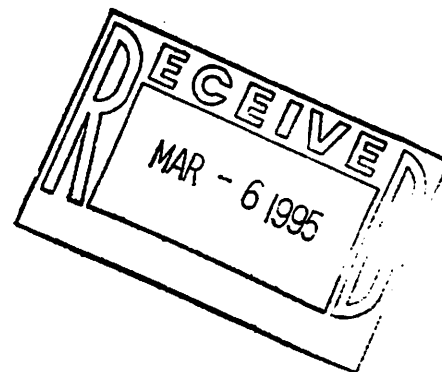
**Pros:**

- data collection critical for management of resource
- may be able to modify existing data collection efforts to attain goal
- collection of catch, age composition, and other sociological information is necessary
- first-step in obtaining necessary data for setting specific shares or developing IFQ program for guided sport fleet

**Cons:**

- logbooks generally have long time delay; will not be adequate for in-season management
- may be duplicative of current ADFG surveys which currently collects age, size, sex, and catch rate data from guided sport fleet
- costs of implementing additional logbook would be prohibitive given current budget constraints at State, Federal, and international agencies
- fees may be required to institute additional data collection
- logbook data is generally unverifiable
- ADFG and IPHC uses postal survey and angler survey data to assess recreational take in stock assessments; ADFG uses data to analyze effort and harvest by guided and non-guided anglers and to assess impacts of different catch limits on angler harvest; incidental halibut harvest from the salmon creel survey is also used for in-season management





February 16, 1995

Rick Lauber, Chairman  
North Pacific Fishery Management Council  
P. O. Box 103136  
Anchorage, AK 99501

Dear Mr. Lauber:

We are local fishermen from Sand Point, Alaska whose families have participated in the local fisheries for generations. We have watched with dismay and concern as over capitalization of our fishers have decimated the stocks in a boom and bust style of management. We have fished for shrimp - now they are gone. We have fished for crab - now they are gone. In recent years we have supplemented our salmon season with cod, pollock and halibut. With the implementation of the halibut IFQ's, most of us have been effectively excluded from a local halibut fishery. We see a disturbing trend in our local fisheries, and it doesn't look good for our local economy or our future generations of fishermen.

We ask you at the North Pacific Fishery Management Council to consider local fisheries and their communities. There have been several of us here in Sand Point that have invested in jig fishing gear for cod. While it has not been a big money, large scale fishery, it provides a reasonable income for those of us who are able to get out and fish. We propose the following fishery designation for our area, beginning in 1996:

1. Exempt jig gear fishing from the license limitation program.
2. 5% allocation set aside for jig gear in the Pacific Cod Fishery, pollock fishery and an adequate allocation of rock fish (red and dusty), Pacific ocean perch, squid and Atka mackerel.
3. Maximum 5 jigging machines per vessel.
4. Permanent exemption from the Prohibited Species Cap and Quarterly Quotas for all jig fisheries for a balanced impact on stocks.

We feel strongly if there are actions we can take now to help ensure that there will be fisheries available to our young people in the future, then we must take them. If there are ways to provide a smaller scale, cleaner way of fishing rather than ones where the ocean is strained indiscriminately, we must use them. A year round jig fishery available to smaller vessels can provide a continued source of income for many. Limiting the number of jig machines that can be used on each vessel will discourage a tendency to overcapitalize. At the same time, local young people will have the opportunity to participate in these fisheries for years to come. Bycatch of other fish we can't sell is low in the jig fishery. We believe it is a better way to treat our rich fishery resources, all too rapidly diminishing these days.

Please give this proposal your serious consideration, not only for the fisheries themselves, but also for the communities built both on and around their very existence. This proposal would allow a large number of our people to survive by selectively fishing year round. Presently, the majority of our boats now aren't fishing during the spring, fall and winter quarters. To omit the small boat fishermen where will that leave us? The East Coast could be closer than we think.

Sincerely,

William B. Johnson Jr.	Buddy Beaman
Fred Holmberg Sr.	Edgar Smith Sr.
Jack Foster Jr.	Peter Shurloff
David W. Adams	Off Johnson
W. J. W. W.	William F. Daniel
Edward Stafford	Ken G. G. G.
Fred Holmberg Jr.	Thos. S. S. S.
Charles Swadlow	James K. K. K.
A. K. K. K. K.	John F. F. F.
John Ludwick Sr.	Steven S. S. S.
Duke M. M. M.	Tom W. W. W.
Ben M. M. M.	Allan N. N. N.
Leslie K. K. K.	Bill S. S. S.
R. F. F. F. F.	Robert O. O. O.
Judge A. A. A.	Art J. J. J.
Randy R. R. R.	
Joe M. M. M.	
Paul H. H. H.	
Eric M. M. M.	
John W. W. W.	
Frank H. H. H.	
Edgar M. M. M.	
Edward J. J. J.	

Please give this proposal your serious consideration, not only for the fisheries themselves, but also for the communities built both on and around their very existence. This proposal would allow a large number of our people to survive by selectively fishing year round. Presently, the majority of our boats now aren't fishing during the spring, fall and winter quarters. To omit the small boat fishermen where will that leave us? The East Coast could be closer than we think.

Sincerely,

*Emil Sunderson*

*Kim Sunderson*

*Michael Sunderson*

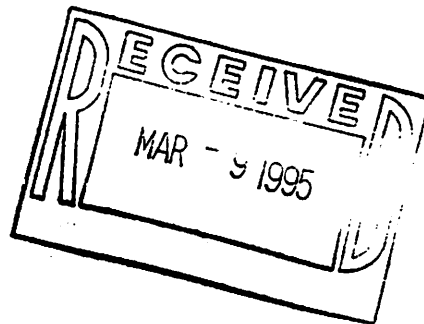
*David Sunderson*

*Tom Sunderson*

*John Sunderson*

B

Richard W. Frost  
Hotline Charters  
P.O. Box 254  
Telephone 235-4254  
Homer, AK 99603



March 5, 1995

North Pacific Fishery Management Council  
Attn: Richard B. Lauber, Chairman  
P.O. Box 103136  
Anchorage, AK 99510

Dear Mr. Lauber:

I wish to express my views on proposal regulations for the halibut charter fleet in Cook Inlet.

I am a 36 year resident of Alaska and have been operating charter vessels out of Homer for 11 years. Last year I bought a boat with 6 previous years charter history. The engines went down so I ran another boat. This is the first year I will be running my own charter business after 11 years in the industry. I'm putting every penny into restoring the boat out of pocket.

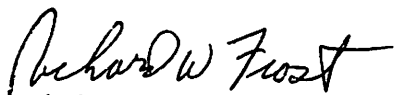
The September 1993 control date would destroy me financially and destroy my dreams. I have been witnessing the Homer Charter Association, which I'm a member of, try to limit entry into the industry for 8 years. The only reason is to limit competition and get something for nothing in the form of a limited entry permit. The fishing is not getting any tougher; in fact, we're finding more fish closer in. The 1994 Derby winner was caught 8 miles from the Spit on a charter boat.

IFQ's is definitely not the answer. Although there would be some instantly rich people, it is very unfair and impractical. No one has kept catch records and no one averages 25 lbs per fish over a season as Sean Martin proposes for issuing IFQ's. With an IFQ system, an operator could extend his season by taking undersize fish; most of our customers don't know what a "keeper" really is.

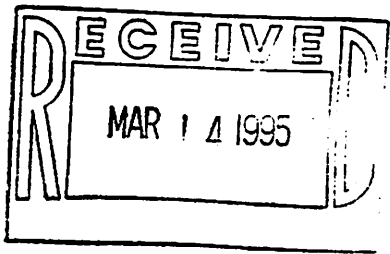
The only fair system, besides option 3 of monitoring by catch records, is a cap system where we can all benefit from a limited resource. Those fish don't belong to just a few charter boat operators who don't want to work more than 5 months a year. They belong to all of us.

Any correspondence and opinions on this subjects would be appreciated. If you have any advice for me that too would be greatly appreciated.

Thank you very much.

  
Richard W. Frost

cc: gdc ✓



March 9, 1995

Chairman Richard Lubert  
North Pacific Fishery Management Council  
P.O. Box 103136  
Anchorage, AK 99310

Dear Chairman Lubert,

I am a commercial troller and sport halibut and salmon fisherman. I am very concerned about the growing halibut charter fleet in Alaska. This issue needs immediate attention.

Having lived in Alaska and fished sport and commercial for 26 years, I feel extremely concerned as I see tremendous problems developing at an extremely rapid pace. Commercial fishers have quotas and adopt conservative measures as necessary. We must see these conservative measures adopted by the charter industry as well. I have seen this industry grow by leaps and bounds, and it appears that there is no control. When will we wake up to this fact?

The charter fleet no longer stays within Sitka Sound. Charters go to Biorka, Salisbury Sound, and other far reaching areas. This is because the near areas no longer yield as they once did.

We need stringent control with logged catches demonstrating accountability. Limited entry needs to be considered. Help us save our precious resource before it is too late.

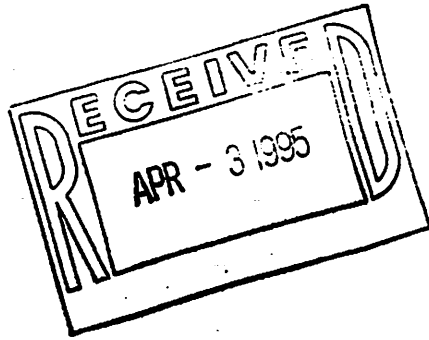
I urge you and the North Pacific Fishery Management Council to develop an effective management program for the halibut charter fleet.

Thank you for the opportunity to comment. I appreciate your time and effort in consideration of my ideas. Please help us save our valuable resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Don D. Seesz".

Don D. Seesz  
F/V SACHEM  
114 Harbor Mountain Road  
Sitka, AK 99835



FRANK W SHARP  
433 KATANOOK WAY  
Box 23  
ANGoon AK. 99820  
MARCH 25, 1995

CHAIRMAN RICHARD LAUBER  
N.P.F.M.C.  
P.O Box 103136  
ANCHORAGE AK. 99510

MR. CHAIRMAN + BOARD MEMBERS:  
HERE WE GO AGAIN. ANOTHER  
GROUP OF INDIVIDUALS (SITKA CHARTER  
BOAT ASSOCIATION) WANTING THE  
PUBLIC RESOURCES FOR THEMSELVES.  
AND WHY? GREED!

INSTEAD OF COMING RIGHT OUT +  
ADMITTING THAT THEY COVET THESE  
RESOURCES FOR THEMSELVES AND  
THEMSELVES ALONE AND FOR THE  
AUTOMATIC VALUES FOR THE PERMITS  
THAT GO ALONG WITH LIMITED ENTRY,  
THEY PRETEND THAT THEY ARE DOING  
IT ONLY FOR THE GOOD OF THE  
RESOURCES. I SAY BULL!

BEFORE MAKING A DECISION THE  
COMMISSION SHOULD CONSIDER THIS.  
BEFORE LOCKING EVERYBODY WHO  
ISN'T IN CHARTERING OUT AND

THOSE WHO ARE ALREADY IN, IN.

- ① IF CHARTER BOAT FISHING GOES UNDER LIMITED ENTRY THOSE WHO QUALIFY WILL BE THE ONLY ONES GIVEN THE RIGHT TO SPORT FISH CHARTER, BUT DOES THAT LIMIT THE CATCH OF SALMON & HALIBUT? THE ANSWER IS NO! THOSE WHO QUALIFY FOR PERMITS CAN STILL INCREASE THE NUMBER OF CUSTOMERS, INCREASE THEIR EFFICIENCY, WITH BETTER BOATS AND GEAR AND ACTUALLY INCREASE THEIR CATCHES, JUST AS HAS OCCURRED IN OTHER LIMITED ENTRY FISHERIES.
- ② LIMITED ENTRY IN THE SPORT CHARTER BUSINESS WILL NOT LIMIT THE NUMBER OF SPORTSFISHERMEN WHO WILL USE THE CHARTERBOATS OR THOSE INDIVIDUALS WHO FISH WITHOUT CHARTERING, AND THUS FURTHER INCREASING THE NUMBERS OF FISH TAKEN. ALASKA'S POPULATION IS GROWING RAPIDLY, MANY IF IF NOT MOST OF THESE NEW RESIDENTS & VISITORS WILL FISH AND SUBSTANTIALLY INCREASE THE DEMAND ON THESE RESOURCES!  
LIMITING CHARTERBOAT OPERATORS

WILL NOT REDUCE THESE PRESSURES  
ON THE FISH RESOURCES.

③ Limiting entry into the sport fish charter business is not the answer. The answer is to place limits on the ever increasing catches by charterboat operations just as has been done in other commercial fisheries. Charterboats (sport) are commercial fishermen. They sell the same fish as commercial boats do, not to processors but to the sport fishermen.

Perhaps issuing a type of I.F.Q. similar to the black cod and halibut fisheries to individual charter operators based upon the number of clients they guided during a past 5 year period as was done with I.F.Q.'s would work. Charterboats must be put on a quota which will cap them at an acceptable level. Limited entry does not do that.

Our local charterboat operator guarantee's his clients at least 150 lbs. of filleted fish. Last year (1994) the lodge had at least 300 clients:  $300 \times 150 = 35,000$  lbs of filleted fish to take home.



IT REALLY IRRITATES ME THAT THESE  
SPORT FISH CHARTER GROUPS PROFESS THAT  
THEIR ONLY INTEREST IS IN PROTECTING  
THE RESOURCES, WHEN WE ALL KNOW IT'S  
A MATTER OF WHAT'S IN IT FOR ME?

YOURS TRULY  
Frank W Sharp  
FRANK W. SHARP  
433 KATANOOK WAY  
BOX 23  
ANGOOV AK. 99820

PHONE (907) 788-387!

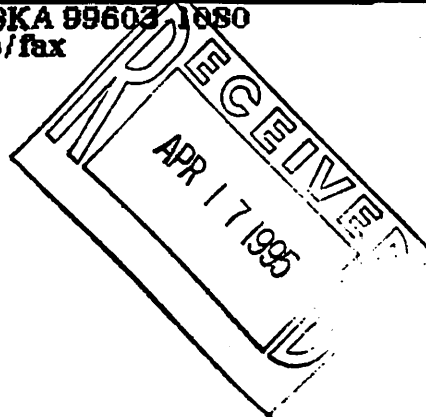
**HALIBUT CHARTER ASSOCIATION OF ALASKA**

Representing the Alaskan Halibut Charter Industry

P. O. BOX 1080 HOMER, ALASKA 99603-1080  
(907) 235-2282 phone/fax

April 17, 1995

Mr. Richard Lauber, Chairman  
North Pacific Fishery Management Council  
604 West 4th Avenue  
Anchorage, AK. 99510



Dear Sir and Council,

I have been asked to write to you by the entire statewide charter association and the Alaska Sportfishing Industry Association to bring out our great dissatisfaction with the North Pacific Fishery Management Council and Advisory Panel members' conduct in regards to the present Halibut Charter issue. As we have been very cooperative in attending the NPFMC meetings to give you our input and attending the Halibut Charter Work Group meetings even at our own great expense we feel we are being RAILROADED by your council.

When the ALFA proposal came before the council there should have been a required study from outside your membership to look into the necessity of such a regulatory amendment to restrict the charters. If this had been done and there was evidence that a problem existed to support such a move then the Halibut Charter Work Group should have been held to discuss the findings of the independent study to allow our input in resolving the problem. As a member of that work group I feel the council set us up to fail by having us meet without the benefit of a problem to solve and even more inclined to fail by the placing of commercial fishermen Advisory Panel members to sit on this group. We have stated to you all along that we feel representation is needed by us to allow our input into the AP and Council process. How can we sit there and watch only our competing fishermen make decisions that will restrict us and feel we have been treated fairly.

Our membership is totally in consensus when we say the NPFMC has lost all credibility in our eyes because of your lack of fair representation and proper procedure. We will not accept the Problem Statement as adopted by the bias AP and the Council. We are in total disbelief that the NPFMC is once again showing the public every reason to suspect the integrity of its members. If we were the only fishermen that felt this way we could allow for some of this being our responsibility due to misunderstandings but there have been other problems within this Council before our issue was addressed.

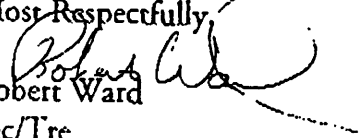
How can we sit back and allow the Problem Statement to stand and also the Alternatives for Analysis to proceed when there hasn't been any proof presented that a regulatory amendment is needed. We have sat through all the "Public" testimony and we realize the finely orchestrated maneuvers by the Alaska Longline Fishermen's Association with loaded testimony from Sitka (only) and the definite advancement of our issue by NPFMC members Dan Falvey and Linda Behnken of ALFA. Why has there been almost no opposition from commercial fishermen in other parts of Alaska, we feel it is because ALFA is not represented in numbers enough to carry these fishermen to your meetings to testify. Surely if there was a statewide problem the longliners from all over the state would echo the testimony you are hearing from Sitka.

We feel that the longline members and the trawl members of the AP and Council are reacting to their own problems of overcapitalization of their fleets prior to establishing the IFQ program for themselves in regards to our industry. We haven't seen any substantial growth in Valdez, Juneau, Petersburg, Ketchikan, Seward, Anchor Point and Homer in the last few years, and Deep Creek's growth is directly related to the heavy restrictions placed on the Kenai River Guides, moving them off the river and into the marine waters. Sitka is the only "Hot Spot" and they are only trying to keep pace with the cruise ships and the economic opportunity brought aboard these ships. Because their clientele are mostly non-residents there has been created an animosity between the Sitka commercial fishermen and the Sitka charters. The commercial fishermen in other coast towns are not up in arms like those from Sitka, probably due to a lack of a problem.

Is this how we are to view the Federal Management process as being fair? You have an obligation to all users of federal resources and the general public to provide fair management and you have desperately failed on our issue, if we even have one. We are not going to allow this to stand or proceed without challenges through the proper authorities.

We are calling on you to reconsider the steps taken to this point and evaluate the process and its fairness to us and then make the proper adjustments to bring this process back into a fair arena. We would like to see the Problem Statement re-examined for truth and justification and then reconvene the Work Group to address its findings before the Alternatives for Analysis are advanced. If our industry is not significant enough to deserve representation then we should be allowed this opportunity to re-visit this issue in a fair way. We are requesting this action to be announced at the next convening of the Halibut Charter Issue on April 23 at the NPFMC meeting in Anchorage.

Most Respectfully,

  
Robert Ward

Sec/Tre

Note; HCA of AK association paid membership is currently 200 companies, ASIA association paid membership nearing 200 companies.

cc; President Bill Clinton, Secretary of Commerce Ron Brown, Senator Ted Stevens, Representative Frank Murkowski, Representative Don Young, Governor Tony Knowles, Speaker of the House Gail Phillips, Senate President Drue Pierce, Commissioner of Fish & Game Frank Rue, NACO Executive Director Jeffrey Smith,