

MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Chris Oliver *Chris*  
Acting Executive Director

ESTIMATED TIME  
24 HOURS

DATE: April 5, 2001

SUBJECT: Halibut Charterboat Management

**ACTION REQUIRED**

Final action for a proposed individual fishing quota program or moratorium for the halibut charter fleet.

**BACKGROUND**

Final action on a proposed individual fishing quota program or moratorium for the halibut charter fleet will culminate eight years of deliberations on management of the halibut charter fishery. It is the most recent in numerous steps the Council has examined for managing the halibut charter fishery since 1993 when the Council first identified that an open-ended reallocation from the commercial to charter sectors was a problem in the halibut fisheries. Other measures include additional recordkeeping and reporting requirements (logbook requirements implemented by the Alaska Board of Fisheries beginning in 1998), local area management plans (implemented for Sitka Sound in 1999), control dates to notify the public of possible limited entry in the charter sector (three dates), vessel or charter operator moratorium (rejected by the Council in 1997 and 2000, partly due to lack of individual records), and a guideline harvest level (originally adopted in 1997) and accompanying management measures to constrain angler harvest on charter vessels in Areas 2C and 3A (approved by the Council in February 2000 and currently under NMFS review).

The analysis also addresses *whether* to set aside  $\frac{1}{2}$  -  $2\frac{1}{2}$  percent of the combined halibut charter and commercial quota in Areas 2C and 3A for Gulf of Alaska coastal communities, the *magnitude* of the set-aside, and the *source* of the set-aside quota (charter and/or commercial).

During initial review, the Council revised its problem statement for the overall analysis, revised the community set-aside problem statement, and added a third alternative to implement a moratorium on entry into the charter fleet. The Council requested numerous revision to the analysis prior to its release for public review. The list of revisions are attached in Item C-1(a).

At its February meeting, the Council requested additional information on angler impacts that might be expected to result from the proposed charter IFQ program. To address this issue, a portion of the analysis was contracted to Dr. James Wilen of the University of California at Davis. His analysis compared prices of charter trips under open access, a GHL, and the proposed IFQ program. Information was also presented on the impacts to resident and non-resident anglers as well as angler utility and welfare. Two of the major points from Dr. Wilen's paper are that: (1) angler demand for charter trips will determine the value of halibut charter QS units and (2) costs of a trip to charter operators will likely decline. That decrease in costs will then be offset partially or totally by the value of quota shares. However, the analysis notes that there are a variety of views on the potential implications of the proposed management measures on guided anglers, not necessarily all in agreement. Thus, while it is not possible to *quantify* the potential impacts of the proposed

measures, it also is not possible to provide a *qualitative* discussion that is consistent with every economic approach on this topic.

The executive summary is attached as Item C-1(b). It includes a more detailed history on the problems identified in the halibut fishery, previous actions taken by the Council to manage this fishery, and a discussion of the impacts on commercial, charter, and private fishermen, commercial and sport processors, and communities under the suite of more than 60 issues and options for the three alternatives: (1) status quo or Guideline Harvest Level Program; (2) the proposed charter IFQ program and the option for including communities as initial issues; and (3) a moratorium on entry to the charter fleet. The Charter IFQ Committee is scheduled to meet on April 9, 2001 to provide its final recommendations for action. Those minutes will be distributed during this meeting. The minutes of the February 2001 meetings of the IFQ Implementation Committee and Charter IFQ Committee are attached as Items C-1(c) and (d).

Two additional analytical pieces were not completed in time for inclusion in the public review draft.

1. Revised logbook summary data for 1998-00 were provided by ADF&G; revised data for Tables 3.6 and 3.13 are attached as Item C-1(e).
2. A Supplemental Analysis addresses the following two issues using ADF&G logbook harvest data for 1998 and 1999. Council staff will present this information (Item C-1(f)) at the meeting:
  - a. A comparison of halibut use data for charter operators in identified communities (targeted for the community set-aside, Issue 11) to similar data from all charter operators in Areas 2C and 3A;
  - b. An analysis of qualifying harvest on a port-by-port basis for Issue 3, Qualification Criteria of the charter IFQ program.

The alternatives included in this analysis are listed on the next page. Note that staff corrected an error in the calculations of the percentages under Alternative 2, Issue 1, Option 2.

# ALTERNATIVES FOR ANALYSIS TO MANAGE THE HALIBUT CHARTER FISHERY

Alternative 1. Status quo.

Alternative 2. Include the halibut charter sector in the existing halibut IFQ program.

Issue 1. Initial QS may be based on:

NOTE: Staff identified an error in the calculations of the percentages under Alternative 2, Issue 1, Option 2. In the initial review draft, Option 2 read, "12.26% in Area 3A and 13.32% in Area 2C of a combined charter and commercial quota." The correct percentages associated with this option are 10.73% in Area 2C and 9.82% in Area 3A.

- Option 1. Equal to 125% of corrected average 1995-99 charterboat harvest (13.05% in Area 2C and 14.11% in Area 3A of a combined charter and commercial quota)
- Option 2. Equal to 100% of corrected average 1998-99 charterboat harvest (10.73% in Area 2C and 9.82% in Area 3A of a combined charter and commercial quota)
- Option 3. Equal to 100% of corrected average 1995-99 charter harvest (10.44% in Area 2C and 11.29% in Area 3A of a combined charter and commercial quota)
- Suboption: 0-50% of an individual's QS initial issuance would be fixed and the remainder would float with abundance.

Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis:  
U.S. ownership based on: a) 51% ownership; b) 75% ownership

- Option 1. Charter vessel owner - person who owns the charterboat and charterboat business
- Option 2. Bare vessel lessee - person that leases a vessel and controls its use as a charterboat for this fishery. May operate the vessel or may hire a captain/skipper. Lessee determines when the vessel sails and by whom captained.

Issue 3. Qualification Criteria

- Option 1. Initial issues who carried clients in 1998 and 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
- Option 2. Initial issues who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
- Option 3. Initial issues who carried clients prior to June 24, 1998 and who submitted at least one ADF&G logbook for an active vessel (as received by ADF&G by February 12, 2000)
- Option 4. Initial issues who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999

- Option 5. Initial issuees who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel for either 1998 or 1999
- Option 6. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
- Option 7. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 or 1999

Suboption: Require that initial issuees be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

**Issue 4. Distribution of QS may be based on:**

- Option 1. 70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-97 (longevity reward).
- Option 2. Modified Kodiak proposal: 5-30% for A, 33% for B, 37-62% for C
  - Part A: each individual gets an equal percentage of the qualified pool as identified by the Council's final action.
  - Part B: each individual's average 98/99 logbook harvest as percentage of overall harvest is multiplied by 33% of the qualified pool.
  - Part C: one point for each year of participation during 1995-99.

Suboption: Base distribution for the preferred option on both total catch retained and caught and released

**Issue 5. Transferability of QS (permanent) and IFQs (on annual basis [leasing])**

- Option 1. Nature of Charter QS/IFQ:
  - a) Leasable
  - b) Non-leasable

Suboption: Define leasing as the use of QS/IFQ on vessels on which the owner of the QS/IFQ has less than 20-75% ownership

- Option 2. Transfer of QS (permanent) and/or IFQs (leasing):
  - a) prohibit transfers between charter and commercial sectors
    - Suboption: no QS transfers between sectors for 2-5 years
  - b) allow transfers between charter and commercial sectors
    - 1. 1-yr one way transfer from commercial to charter
    - 2. 3-yr one way transfer from commercial to charter
    - 3. two-way (between commercial and charter sectors).

Suboptions under Options b (1-3):

- i. Designate QS pool into two classes for transfer from charter to commercial sector: transferable (25%) and non-transferable (75%) pools on an individual's basis



- ii. Cap the percentage of annual IFQ transfers (de facto leasing) between sectors not to exceed 25% of total IFQs and a range of 0-10% of IFQs per year from charter to commercial.
- iii. on percentage of annual QS transfers between sectors not to exceed 25% of total QS and a range of between 0-10% of QS per year from charter to commercial.
- iv. A range of 0-10% leasing of Charter IFQ to charter from charter for the first 3 years

**Option 3. Block restrictions**

- a) any initially issued (i.e., unblocked) charter QS once transferred to commercial sector shall be:
  - 1. blocked
  - 2. blocked up to the limits of the commercial sweep-up and block limits
  - 3. unblocked
- b) allow splitting of commercial blocks to transfer a smaller piece to the charter sector
- c) allow splitting of commercial blocks once transferred to the charter sector

**Option 4. Vessel class restrictions**

- a) from A, B, C, and/or D commercial vessel category sizes to charter sector
  - 1. Leasable
  - 2. Non-leasable
- b) from charter to commercial:
  - 1. D category only
  - 2. C and D category only
  - 3. B, C, and D category
- c) initial transfer from undesignated charter to a particular commercial vessel category locks in at that commercial category

**Option 5. Minimum size of transfer is range of 20-72 fish**

**Issue 6. To receive halibut QS and IFQ by transfer:**

**Option 1. For the charter sector, must be either**

- a) a initial charter issuee or
- b) qualified as defined by State of Alaska requirements for registered guides or businesses\*  
\*Suboption: and hold a USCG license.

\*this would require a change in the commercial regulations to allow transfer of commercial QS/IFQ to charter operator

- c) fulfill all legal obligations of the charter sector

**Option 2. For the commercial sector, must have a commercial transfer eligibility certificate.**

Suboption: all commercial rules apply to any provision that may permit the use of commercial QS/IFQ for commercial purposes by any entity in the Charter IFQ sector.

**Issue 7. Caps**

**Option 1. No caps - free transferability**

**Option 2. Caps:**

- a) use cap for charter QS owners only of ¼, ½, and 1% of combined QS units in Area 2C and 1/4, ½, and 1% of combined QS units in Area 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

- b) use cap for charter QS owners only of  $\frac{1}{4}$ ,  $\frac{1}{2}$ , and 1% of combined QS units for combined Areas 2C and 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

**Issue 8. Miscellaneous provisions**

- Option 1. Maximum line limit of 12 in Area 3A (remains at 6 lines for Area 2C), grandfather initial issues
- Option 2. 10% underage provision of total IFQs
- Option 3. 10% overage provision of IFQs remaining on last trip to be deducted from next year's IFQs
- Option 4. A one-year delay between initial issuance of QS and fishing IFQs.

**Issue 9. IFQs associated with the charter quota shares may be issued in:**

- Option 1. Pounds
- Option 2. Numbers of fish (based on average weight determined by ADF&G)

**Issue 10. Reporting**

- Option 1. Require operator to report landings at conclusion of trip
- Option 2. ADF&G logbook
- Option 3. Require a reporting station in every city and charter boat location to accurately weigh every halibut caught.
- Option 4. Charter IFQ fish tags
- Option 5. Require operator to log the catch at the time the fish is retained.

**Issue 11. Community set-aside**

- Option 1. No community set-aside.
- Option 2. Set-aside  $\frac{1}{2}$ -2  $\frac{1}{2}$  percent of combined commercial charter TAC for Gulf coastal communities

**Suboption 1. Source of the set-aside**

- a) equal pounds from the commercial and charter sectors.
- b) proportional amount based on the split between the commercial and charter sectors.
- c) 100 percent of the pounds taken out of the charter sector.

**Suboption 2. Sunset provision**

- a) no sunset
- b) sunset in 5 years
- c) sunset in 10 years
- d) persons currently participating in the set-aside program at the time of sunset would be allowed to operate within the guidelines of the program.

### Revisions to the Charter IFQ/Moratorium analysis for public review:

The Council requested that the halibut charter IFQ analysis be revised to include the following discussions (as recommended by the AP and SSC):

1. A comparison of the halibut use data developed from current charter operators in the identified communities, beginning on page 229, with comparable halibut use data from all charter operators in areas 2C and 3A.
2. A sensitivity analysis indicating the amount of charter operators that could be developed with a range of halibut allocations including 3,000, 6,000, 10,000, and 15,000 lbs.
3. Expanded review of how charter operators surveyed by ISER and Lee, as referenced on pages 139 and following, may differ from operators that would develop halibut charter business in remote, rural communities.
4. Create a section that pulls together angler impacts.
5. Expand the discussion of the ownership issue as presented on page 172.
6. Further expand the potential impact on associated stocks (ie Salmon) as mentioned as a possibility in paragraph A3 on page 168.
7. Expand the background section to include the original charter management plan problem statement and include a description of how this action in conjunction with past actions address these issues.
8. The Council strongly supports an active LAMP process that may address issues of geographic boundaries, local moratoriums and near shore depletion and encourages the development of LAMPS as soon as possible.
9. SSC comments will be taken into consideration to the extent possible when revising the analysis.
  - a. Discussion of the impact of GHJ and IFQ on consumer, producer, and total surplus should be expanded.
  - b. The EA/RIR should include an expanded discussion of the merits and disadvantages of specifying the charter halibut IFQ in numbers of fish rather than in pounds of fish.
  - c. The EA/RIR should include more information about the process used to generate the charter enterprise operating and capital cost data obtained from ISER, e.g., sample design (sample size and response rate by strata, and sample expansion algorithms), significance of regional differences. The EA/RIR should include a discussion of the relevancy of the data to characterizations of the cost of operating charter businesses in remote coastal communities.
  - d. Adjustment of the operating/capital cost estimates should be based on established price indices rather than the assumed average annual inflation rate (3%).
  - e. The analysis should discuss the possible varied character of charter type operations in remote communities...

- f. The EA/RIR should include a discussion on the ability of charter operators to transfer the opportunity cost of quota share holdings to anglers...
- g. The EA/RIR should include an expanded qualitative discussion of the potential effects on commercial quota share holders of the possible dilution of the commercial quota share pool to accommodate quota share allocations to communities and charter operators.
- h. In its October minutes on this agenda item, the SSC cautioned against employing too narrow a conception of efficiency. The SSC reiterates this advice. The treatment of efficiency (pp. 158-59) and net benefits (p. 248) should be revised to directly incorporate consideration of broad policy goals (such as equity and community access concerns).
- i. The discussion of the sunset option in the community set-aside program should be expanded. It is not clear that a sunset provision offers the same policy implications for communities as it does for individuals. The SSC also recommends that the analysts consider the discussion of sunset provisions that appears in the NRC (1998b) reference cited in the document.
- j. The discussion of subsistence activities in various communities should rely on subsistence data from the Alaska Department of Fish and Game Division of Subsistence. The ambiguity regarding reliance on subsistence in Port Graham (see p. 132) should be resolved.
- k. The discussion of poverty and unemployment levels in the candidate community set-aside communities presented on pages 148-150 is flawed and the SSC recommends that it be deleted and the tabular presentation of demographic data be left to stand on its own.
- l. The SSC cautions against placing too much reliance on the precise estimates presented in Tables 4.16-4.19 and the breakeven analysis (Table 4.20).
- m. (page 160) change Gardner Brown's affiliation to UW not OSU.
- n. The EA/RIR should include brief discussions on the potential impact of the IFQ program on license revenues and on transfer of effort into other sport fisheries.
- o. The EA/RIR should include an expanded discussion of the incremental costs of implementing and enforcing a charter halibut IFQ program.

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EXECUTIVE SUMMARY

SUMMARY OF SECTION 1

The enclosed analysis is for a regulatory amendment to revise the regulations that govern the management of the Pacific halibut Individual Fishing Quota (IFQ) program. It assesses the potential economic and social impacts of implementing management measures to include the halibut charter fisheries in International Pacific Halibut Commission (IPHC) Areas 2C (Southeast Alaska) and 3A (Southcentral Alaska) in the current halibut IFQ program (Alternative 2) or to implement a moratorium on entry into the halibut guided sport fleet (Alternative 3) compared with the impacts of the status quo (halibut charter guideline harvest level (GHL)) program. Under Alternative 2, a direct allocation to the halibut charter sector would replace the guideline harvest level (GHL) program approved by the Council in 2000, but not yet implemented. Gulf of Alaska coastal communities are also being considered as initial issues of halibut charter quota shares. Alternative 3 could be chosen to augment the halibut charter GHL program, currently under Secretarial review. The license limitation elements under Alternative 3 are included within Alternative 2, and therefore both alternatives would not be adopted by the Council at final action.

The North Pacific Fishery Management Council began considering a management plan for the halibut charter fishery in 1993. The Council recognized an expanding charter fleet resulting in an unlimited expansion of charter halibut harvests at the expense of other users as a management problem. In September 1997, the Council took final action on two management actions affecting the halibut charter fishery, culminating more than four years of discussion, debate, public testimony, and analysis:

Recordkeeping and reporting requirements. The Council approved recording and reporting requirements for the halibut charter fishery. To comply with this requirement, the Alaska Department of Fish and Game (ADF&G) Sport Fish Division, under the authority of the Alaska Board of Fisheries (BOF), implemented a Saltwater Sportfishing Charter Vessel Logbook (SCVL) in 1998. It complements additional sportfish data collected through the Statewide Harvest Survey (SWHS), on-site (creel and catch sampling) surveys conducted separately by ADF&G in both Southeast and Southcentral Alaska, and port sampling in Southeast.

Guideline Harvest Levels in IPHC Areas 2C and 3A. The Council adopted GHLs for the halibut charter fishery, but only for Areas 2C and 3A. They were based on the charter sector receiving 125% of its 1995 harvest (12.76% of the combined commercial/charter halibut quota in Area 2C, and 15.61% in Area 3A). The Council stated its intent that the GHLs would not close the fishery, but instead would trigger other management measures in years following attainment of the GHL. The overall intent was to maintain a stable charter season of historic length, using area-specific measures. If end-of-season harvest data indicated that the charter sector likely would reach or exceed its area-specific GHL in the following season, NMFS would implement the pre-approved measures to slow down charter halibut harvest. Given the one-year lag between the end of the fishing season and availability of that year's harvest data, it was anticipated that it would take up to two years for management measures to be implemented.

In December 1997, the NMFS Alaska Regional Administrator informed the Council that the GHL would not be published as a regulation since the Council had not recommended specific management measures to be implemented by NMFS if the GHL were reached. Therefore, no formal decision by the Secretary was required for the GHL and the analysis never was forwarded for Secretarial review. After being notified that the 1997 GHL analysis would not be submitted for Secretarial review, the Council initiated a public process to identify GHL management measures. The Council formed a GHL Committee to recommend management measures for analysis that would constrain charter harvests under the GHL.

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In April 1999, the Council identified for analysis: (1) a suite of GHL management measure alternatives; (2) alternatives that would change the GHL as approved in 1997; and (3) area-wide and LAMP moratorium options under all alternatives. The Council designed the implementing management measures to be triggered in subsequent fishing years recognizing that: (1) reliable inseason catch monitoring is not available for the halibut charter fishery; (2) inseason adjustments cannot be made to the commercial longline individual fishing quotas (IFQs); and (3) the Council's stated intent is to not shorten the current charter fishing season.

During initial review in December 1999, the Council added: (1) a change in possession limits to the management measures that it would consider to limit charter halibut harvests under the GHL; (2) an option to apply the GHL as a percentage of the CEY by area after non-guided sport and personal use deductions are made, but prior to deductions for commercial bycatch and wastage; (3) an option to manage the GHL as a 3-year rolling average. Lastly, the Council deleted an option that would close the charter fishery inseason if the GHL was reached or exceeded. The Council further adopted the restructured alternatives as proposed by staff.

During final action in February 2000, the Council adopted the GHL program based on 125% of charter harvest estimates for 1995-99. The 1999 charter harvest estimates were interim projected values. The Council adopted the following as its preferred alternative. The GHL analysis is currently under NMFS review.

1. Area 2C and 3A GHLs are based on 125% of the average of 1995-99 in pounds (1.4 M lb in Area 2C and 3.91 M lb in Area 3A).
2. Implement management measures using the following implementation regime for each IPHC regulatory area. These measures would be removed if harvests fall below the GHL and they are no longer necessary. If the GHL is exceeded, 0-20% reduction measures (e.g., trip limits, prohibiting harvest by skipper and crew) would be implemented in the season following the overage. In years of >20% overage, measures that are projected to achieve 0-20% reduction in charter harvest would be implemented in the following season and measures that are projected to achieve >20% reduction in charter harvest (e.g., annual limits, one fish bag limit in August) would be implemented one year later to allow for verification of charter harvest. The regulations will establish a framework process to review and adjust the management measures in the event of an overage and to evaluate their efficacy to determine if a subsequent regulatory package is necessary.

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Area 2C Management Tools		Area 3A Management Tools	
Required Reduction	Management Tool	Required Reduction	Management Tool
<10%	Trip Limit	<10%	Trip Limit
10% - 15%	Trip Limit		
	No Harvest by Skipper + Crew		
15% - 20%	Trip Limit	10% - 20%	Trip Limit
	No Harvest by Skipper + Crew		No Harvest by Skipper + Crew
	Annual Limit of 7 Fish		
20% - 30%	Trip Limit	20% - 30%	Trip Limit
	No Harvest by Skipper + Crew		No Harvest by Skipper + Crew
	Annual Limit of 6 Fish		Annual Limit of 7 Fish
30% - 40%	Trip Limit	30% - 40%	Trip Limit
	No Harvest by Skipper + Crew		No Harvest by Skipper + Crew
	Annual Limit of 5 Fish		Annual Limit of 6 Fish
40% - 50%	Trip Limit	40% - 50%	Trip Limit
	No Harvest by Skipper + Crew		No Harvest by Skipper + Crew
	Annual Limit of 4 Fish		Annual Limit of 5 Fish
>50%	Trip Limit	>50%	Trip Limit
	No Harvest by Skipper + Crew		No Harvest by Skipper + Crew
	Annual Limit of 4 Fish		Annual Limit of 4 Fish
	One Fish Bag Limit in August		One Fish Bag Limit in August

The Council did not adopt the proposed vessel moratorium for the halibut charter fleet. Insufficient data on the number of and harvest by individual operators limited the Council's ability to determine an appropriate preferred alternative at the time.

In December 2000, the Council reviewed a report by ADF&G staff on corrected Sport Fish Division's Statewide Harvest Survey (SWHS) halibut charter estimates for 1996-98. In Area 2C, the corrected charter harvest estimates (in pounds) increased by 27% and 21% above the original estimates for 1996 and 1997, and decreased 10% below the original estimates for 1998. Non-guided harvest estimates followed a similar pattern. In Area 3A, corrected charter harvest estimates decreased below the original estimates for all three years: 2% in 1996, 3% in 1997, and 8% in 1998. Non-guided harvest estimates also decreased in all three years.

These harvest changes do not imply large changes in the resulting GHL percentages for Areas 2C and 3A. The corrected GHL calculation for Area 2C rose less than ½ percentage point from 12.68% to 13.05%. In Area 3A, it dropped less than 1 percent, from 14.94% to 14.11%. These corrected percentages are equal to GHLS of 1.432 M lb net weight in Area 2C and 3.650 M lb net weight in Area 3A.

After being reviewed by the Scientific and Statistical Committee, the Council accepted the corrected estimates. The GHL analysis was resubmitted to NMFS on February 14, 2001 to reflect this change in the poundage associated its preferred alternative. The charter IFQ analysis also uses the corrected GHL percentages.

Along with its action in February 2000 to adopt the corrected GHL and management measure schedule to cap the harvest of halibut by anglers fishing on the charter vessels, the Council also initiated development of an analysis for instituting an IFQ program for this fishery and appointed an industry committee. The Halibut Charter IFQ committee comprised ten charter operators and one guided angler, with five commercial

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fishermen and one community representative acting as non-voting technical advisors. It convened twice prior to the April 2000 Council meeting. The Council adopted the committee recommendations with modifications as proposed by the Advisory Panel and the public.

During initial review of the analysis in February 2001, the Council revised its previously adopted problem statement from April 2000 for the final analysis.

### GUIDED SPORT SECTOR PROBLEM STATEMENT

The Pacific halibut resource is fully utilized. The North Pacific Fishery Management Council recently adopted a GHL to address allocation issues between the guided sport sector and other users of the halibut resource. Upon adoption by the SOC, the GHL is intended to stop the open-ended reallocation between commercial and guided sport sectors and to address a number of other concerns. The Council remains concerned that over time allocation conflicts between sectors may resurface, and that overcapitalization in the guided sport fleet may have a negative impact on both guided sport operators and anglers. The Council is developing a management plan for the guided sport sector to address these concerns while:

1. recognizing the unique nature of the guided sport sector;
2. controlling consolidation;
3. providing entry level opportunities for guided sport operators; and
4. encouraging diversity of opportunities for anglers.

In evaluating alternatives, the Council seeks to maintain access opportunities for halibut fishermen, processors and consumers and to assess costs and benefits to anglers.

In October 2000, the Council included an option within the halibut charter IFQ analysis to set aside 1 - 2½ percent of the combined halibut charter and commercial quota in Areas 2C and 3A for Gulf of Alaska coastal communities, hereafter referred to as the community set-aside (CSA) program. In December 2000, the Council expanded the lower end of the range to ½ percent. In February 2001, the Council added the sunset provision and revised its previously adopted problem statement for the CSA program. While the economic and social consequences of a community QS program will be discussed, this analysis addresses only:

- (1) *whether* to set-aside quota for Gulf communities;
- (2) the *magnitude* of the set-aside;
- (3) the *source* of the set-aside quota (charter and/or commercial); and
- (4) *whether* to include a sunset provision.

If the Council adopts the community set-aside, the details of the community program would be developed and analyzed as part of a trailing amendment. While the Council may choose to set aside quota for the CSA program at this time, the Council may choose to defer its final decision regarding the CSA program until the full analysis is prepared and presented to the Council for action. In this sense, a Council decision to set aside quota is effectively a decision to *reserve* an amount of quota for a potential CSA program.



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The goals of the CSA program are incorporated in the revised **problem statement** as adopted by the Council in February 2001:

### COMMUNITY SET-ASIDE PROBLEM STATEMENT

A number of small, coastal communities in Southeast and Southcentral Alaska are struggling to remain economically viable. The charter IFQ program, as with other limited entry programs, will increase the cost of entry to the halibut charter fishery.

A community set-aside of halibut charter IFQs will remove this economic barrier, promoting geographic diversity in the charter industry and sustained economic opportunity in small, remote coastal communities in Southeast and Southcentral Alaska.

The Council also made some **general statements** about its intentions for the design of the proposed charter IFQ program.

- The previously approved GHL program should be submitted for Secretarial review and implemented as soon as possible. The halibut charter IFQ program, when and if adopted by the Council and approved by the Secretary, would replace the GHL.
- The charter IFQ program would be limited to Areas 2C and 3A only and are not transferable across areas.
- The duration of charter IFQ would have no specific ending date.
- An appeal process would be based on
  - a) fact; and
  - b) hardship, similar to the groundfish and crab license limitation program.
- The charter IFQ program would be subject to cost recovery.
- Staff should analyze impacts of the proposed charter IFQ program on all commercial sectors, including processors.
- ADF&G staff will provide a discussion of the potential migration of QS between ports within an IFQ regulatory area and the best tool for managing such migrations (i.e., LAMPs) for the analysis.

**NOTE:** The Council directed staff to make a number of revisions to the list of alternatives and options. Those revisions included identifying the underlying basis for the options under Alternative 2, Issue 1 for setting quota share allocations and reexamining the percentages associated with those options. Staff identified an error in the calculations of the percentages under Alternative 2, Issue 1, Option 2. In the initial review draft, Option 2 read, "12.26% in Area 3A and 13.32% in Area 2C of a combined charter and commercial quota." The correct percentages associated with this option are 9.82% in Area 3A and

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The alternatives included in this analysis are:

**Alternative 1. Status quo.**

**Alternative 2. Include the halibut charter sector in the existing halibut IFQ program.**

**Issue 1. Initial QS may be based on:**

- Option 1. Equal to 125% of corrected average 1995-99 charterboat harvest (13.05% in Area 2C and 14.11% in Area 3A of a combined charter and commercial quota)
  - Option 2. Equal to 100% of corrected average 1998-99 charterboat harvest (10.73% in Area 2C and 9.82% in Area 3A of a combined charter and commercial quota)
  - Option 3. Equal to 100% of corrected average 1995-99 charter harvest (10.44% in Area 2C and 11.29% in Area 3A of a combined charter and commercial quota)
- Suboption: 0-50% of an individual's QS initial issuance would be fixed and the remainder would float with abundance.

**Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis:**

U.S. ownership based on: a) 51% ownership; b) 75% ownership

- Option 1. Charter vessel owner - person who owns the charterboat and charterboat business
- Option 2. Bare vessel lessee - person that leases a vessel and controls its use as a charterboat for this fishery. May operate the vessel or may hire a captain/skipper. Lessee determines when the vessel sails and by whom captained.

**Issue 3. Qualification Criteria**

- Option 1. Initial issues who carried clients in 1998 and 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
- Option 2. Initial issues who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
- Option 3. Initial issues who carried clients prior to June 24, 1998 and who submitted at least one ADF&G logbook for an active vessel (as received by ADF&G by February 12, 2000)
- Option 4. Initial issues who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
- Option 5. Initial issues who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel for either 1998 or 1999

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Option 6. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999

Option 7. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 or 1999

Suboption: Require that initial issuees be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

Issue 4. Distribution of QS may be based on:

Option 1. 70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-97 (longevity reward).

Option 2. Modified Kodiak proposal: 5-30% for A, 33% for B, 37-62% for C

Part A: each individual gets an equal percentage of the qualified pool as identified by the Council's final action.

Part B: each individual's average 98/99 logbook harvest as percentage of overall harvest is multiplied by 33% of the qualified pool.

Part C: one point for each year of participation during 1995-99.

Suboption: Base distribution for the preferred option on both total catch retained and caught and released

Issue 5. Transferability of QS (permanent) and IFQs (on annual basis [leasing])

Option 1. Nature of Charter QS/IFQ:

- a) Leasable
- b) Non-leasable

Suboption: Define leasing as the use of QS/IFQ on vessels on which the owner of the QS/IFQ has less than 20-75% ownership

Option 2. Transfer of QS (permanent) and/or IFQs (leasing):

- a) prohibit transfers between charter and commercial sectors  
Suboption: no QS transfers between sectors for 2-5 years
- b) allow transfers between charter and commercial sectors
  - 1. 1-yr one way transfer from commercial to charter
  - 2. 3-yr one way transfer from commercial to charter
  - 3. two-way (between commercial and charter sectors).

Suboptions under Options b (1-3):

- i. Designate QS pool into two classes for transfer from charter to commercial sector: transferable (25%) and non-transferable (75%) pools on an individual's basis
- ii. Cap the percentage of annual IFQ transfers (de facto leasing) between sectors not to exceed 25% of total IFQs and a range of 0-10% of IFQs per year from charter to commercial.

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- iii. on percentage of annual QS transfers between sectors not to exceed 25% of total QS and a range of between 0-10% of QS per year from charter to commercial.
- iv. A range of 0-10% leasing of Charter IFQ to charter from charter for the first 3 years

### Option 3. Block restrictions

- a) any initially issued (i.e., unblocked) charter QS once transferred to commercial sector shall be:
  - 1. blocked
  - 2. blocked up to the limits of the commercial sweep-up and block limits
  - 3. unblocked
- b) allow splitting of commercial blocks to transfer a smaller piece to the charter sector
- c) allow splitting of commercial blocks once transferred to the charter sector

### Option 4. Vessel class restrictions

- a) from A, B, C, and/or D commercial vessel category sizes to charter sector
  - 1. Leasable
  - 2. Non-leasable
- b) from charter to commercial:
  - 1. D category only
  - 2. C and D category only
  - 3. B, C, and D category
- c) initial transfer from undesignated charter to a particular commercial vessel category locks in at that commercial category

### Option 5. Minimum size of transfer is range of 20-72 fish

## Issue 6. To receive halibut QS and IFQ by transfer:

### Option 1. For the charter sector, must be either

- a) a initial charter issuee or
- b) qualified as defined by State of Alaska requirements for registered guides or businesses\*  
\*Suboption and hold a USCG license.

\*this would require a change in the commercial regulations to allow transfer of commercial QS/IFQ to charter operator

- c) fulfill all legal obligations of the charter sector

### Option 2. For the commercial sector, must have a commercial transfer eligibility certificate.

Suboption: all commercial rules apply to any provision that may permit the use of commercial QS/IFQ for commercial purposes by any entity in the Charter IFQ sector.

## Issue 7. Caps

### Option 1. No caps - free transferability

### Option 2. Caps:

- a) use cap for charter QS owners only of ¼, ½, and 1% of combined QS units in Area 2C and 1/4, ½, and 1% of combined QS units in Area 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

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- b) use cap for charter QS owners only of ¼, ½, and 1% of combined QS units for combined Areas 2C and 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

**Issue 8. Miscellaneous provisions**

- Option 1. Maximum line limit of 12 in Area 3A (remains at 6 lines for Area 2C), grandfather initial issues
- Option 2. 10% underage provision of total IFQs
- Option 3. 10% overage provision of IFQs remaining on last trip to be deducted from next year's IFQs
- Option 4. A one-year delay between initial issuance of QS and fishing IFQs.

**Issue 9. IFQs associated with the charter quota shares may be issued in:**

- Option 1. Pounds
- Option 2. Numbers of fish (based on average weight determined by ADF&G)

**Issue 10. Reporting**

- Option 1. Require operator to report landings at conclusion of trip
- Option 2. ADF&G logbook
- Option 3. Require a reporting station in every city and charter boat location to accurately weigh every halibut caught.
- Option 4. Charter IFQ fish tags
- Option 5. Require operator to log the catch at the time the fish is retained.

**Issue 11. Community set-aside**

- Option 1. No community set-aside.
- Option 2. Set-aside ½-2 ½ percent of combined commercial charter TAC for Gulf coastal communities

**Suboption 1. Source of the set-aside**

- a) equal pounds from the commercial and charter sectors.
- b) proportional amount based on the split between the commercial and charter sectors.
- c) 100 percent of the pounds taken out of the charter sector.

**Suboption 2. Sunset provision**

- a) no sunset
- b) sunset in 5 years
- c) sunset in 10 years

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- d) persons currently participating in the set-aside program at the time of sunset would be allowed to operate within the guidelines of the program.

### Alternative 3. Moratorium

#### Issue 1. Issuee

- Option 1. owner/operator or lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity)
- Option 2. vessel

#### Issue 2. Qualification Criteria

- Option 1. Initial issuees who carried clients in 1998 and 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
  - Option 2. Initial issuees who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
  - Option 3. Initial issuees who carried clients prior to June 24, 1998 and who submitted at least one ADF&G logbook for an active vessel (as received by ADF&G by February 12, 2000)
  - Option 4. Initial issuees who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
  - Option 5. Initial issuees who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel for either 1998 or 1999
  - Option 6. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
  - Option 7. Initial issuees who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 or 1999
- Suboption: Require that initial issuees be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

#### Issue 3. Evidence of participation

- Option 1. mandatory requirements:
  - a) IPHC license (for all years)
  - b) CFEC number (for all years)

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- c) 1998 logbook
- Option 2. supplementary requirements
  - a) Alaska state business license
  - b) sportfish business registration
  - c) insurance for passenger for hire
  - d) ADFG guide registration
  - e) enrollment in drug testing program (CFR 46)

### Issue 4. Vessel upgrade

- Option 1. License designation limited to 6-pack, if currently a 6-pack, and inspected vessel owner limited to current inspected certification (held at number of people, not vessel size)
- Option 2. Allow upgrades in southeast Alaska (certified license can be transferred to similar size vessel)

### Issue 5. Transfers

- Option 1. Will be allowed

### Issue 6. Duration for review

- Option 1. Tied to the duration of the GHL
- Option 2. 3 years
- Option 3. 5 years (3 years, with option to renew for 2 years)

## SUMMARY OF SECTION 2

None of the alternatives under consideration would affect the prosecution of the halibut fisheries in a way not previously considered in consultations. None of the alternatives would affect takes of listed species. Therefore, none of the alternatives are expected to have a significant impact or effect on endangered or threatened species.

## SUMMARY OF SECTION 3

Section 3 provides the baseline data from the 2000 IPHC halibut stock assessment and summaries of halibut harvest and participation data by fishery sector and area from ADF&G statewide harvest surveys, guide and business registration, port sampling, creel surveys, and saltwater charter vessel logbook program. These data are used in Sections 4 and 5 to prepare the regulatory impact review and draft initial regulatory flexibility analysis. Lastly, halibut biomass and charter fishery projections are discussed.

### Biology and total removals of Pacific halibut in Areas 2C and 3A.

The halibut resource is healthy and total removals are at record levels. The 2000 IPHC stock assessment model continues to show a strong 1987 year-class. No strong year-classes are following, indicating that

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recruitment and ultimately, biomass, have peaked. Overall, the estimated total setline CEY is approximately 84 M lb in 2000, compared with 63 M lb in 1999, 99 M lb in 1998, and 136 M lb in 1997.

### Assessment results for Area 2C.

Survey catch rates have been low for the past three years after two high values in the mid-1990s. Overall the survey results indicate little or no difference in abundance between 1985 and now, but any such conclusion is questionable. Meanwhile the commercial catch rates are very consistent in showing a decline of about one-third between 1985 and now, and this is what the model fit reflects, estimating a variable exploitable biomass of 48 M lb (56 M lb fixed) in 2001. Estimates of recent recruitment in 2C are substantially higher than in 2AB, but this difference will diminish in the future if year-class strengths turn out to be similar in 2AB and 2C, as they have in the past.

### Assessment results for Area 3A.

Survey and commercial catch rates agree quite well in 3A, survey values declining 20-25% from the 1985 level of 150 M lb and commercial values by 10-15%. The model estimate of 111 M lb is 25% below the 1985 level. This may be a little low; on the other hand the high survey value in 2000 appears anomalously high, and it is propping up the estimate to some extent. In terms of fixed exploitable biomass, the 2001 estimate is 139 M lb. Adding this year's commercial and survey data increased the estimate of fixed exploitable biomass at the beginning of 2000 from 116 to 144 M lb. This resulted from a general increase in the estimated abundance of younger fish—up to age 13 or so. These are the 1987 and later year-classes. Estimates of recent recruitment in Area 3A are still low but not dismal (near the 1974 level) as in the 1999 assessment.

### Harvest levels and projected growth for Area 2C.

Estimated number of fish caught and kept are provided by the SWHS. It provides estimates of both the number of halibut hooked or "caught" and those retained or "harvested." The percentage of fish retained varied with area and year. The 1995-99 average for all areas is 60% retention. For purposes of this analysis, no additional mortality is attributed to the released fish, and consequently, the amount retained or harvested is used throughout this analysis for comparison with commercial harvest and evaluation of impacts.

Charter catch and harvest followed a similar pattern, with the 1998 levels exceeding those in 1995 by 23%. Overall, 1996-98 had similar retention rates (56-58%) compared with years of lower harvests, 61% in 1995, and 69% in 1999. In years of lower catch, fishermen were more likely to retain what fish they did catch.

For specific ports within Area 2C, Sitka and Prince of Wales had the highest charter harvest levels. Sitka ranged from 23% in 1996 to 39% of the Area 2C harvest in 1998. Prince of Wales ranged between 22% in 1997 and 32% in 1996. Ketchikan and Juneau were next in harvest levels at approximately 12% and 10%, followed by Petersburg/Wrangell (8%), Glacier Bay (6%), and Haines/Skagway (5%).

In pounds, harvest peaked in 1998 (1.58 M lb) and declined to 0.94 M lb in 1999, below the 1995 level (0.99 M lb). Sitka, with 41% of average biomass removed for 1995-99, and Prince of Wales, with 22%, led Area 2C ports in harvest biomass. Petersburg/Wrangell, with 14%, was third in poundage removed. Ketchikan and Juneau were next with harvests of approximately 10 and 9% each, followed by Glacier Bay (6%), and Haines/Skagway (<1/2%).

Area 2C clients fished over 53,000 lines during 57,000 hours of bottomfish fishing in 1998. They retained 64,000 and released 29,000 halibut, retained 26,000 and released 27,000 rockfish, and retained over 11,000



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lingcod in over 62,000 fishing days. Additionally, 367 lines were fished by crew, with 451 halibut retained and 14 released. Clients fished over 51,000 lines during 53,000 hours of bottomfish fishing in 1999. They retained 63,000 and released 30,000 halibut, retained nearly 28,000 and released 26,000 rockfish, and retained nearly 10,000 lingcod in nearly 56,000 fishing days.

### Harvest levels and projected growth for Area 3A

Much higher levels of catch and lower levels of retention occur in Area 3A compared with Area 2C. Peak Area 3A charter halibut catches occurred in 1997 (316,000 fish), 8% higher than the next highest catch in 1998 (275,000 fish) and 1996 (292,000 fish). As in Area 2C, 1999 with the lowest level of catch (233,000) had the highest retention level (57%). The next four years had roughly a 50% retention rate.

Lower Cook Inlet (43%) and Central Cook Inlet (25%) fisheries accounted for 67% of Area 3A charter halibut harvests for the period 1995-99. North Gulf and Prince William Sound followed with roughly 12% each. Kodiak and Yakutat landed an average 5% and 3%, respectively. Yakutat nearly doubled its percentage of harvest between 1994 and 1998, while biomass increased 250%. Kodiak's percentage dropped by 67%, while its biomass declined by 14%. Lower and Central Cook Inlet biomass increased by 12% and 46%, respectively. Less change occurred in the Area 3A halibut charter fishery between 1998 and 1999 than occurred in Area 2C: 1) the number of halibut harvested was approximately the same despite a decrease of 20% in client angler-days; and 2) the average weight of halibut decreased by only 6%.

In pounds, harvest peaked in 1997 (3.4 M lb) and declined to 2.5 M lb in 1999, below the 1995 level (2.8 M lb). Lower Cook Inlet, with 41% of average biomass removed for 1995-99, and Central Cook Inlet, with 25%, led Area 3A ports in harvest biomass. Prince William Sound and North Gulf were next with harvests of approximately 13% each, followed by Kodiak (6%), and Yakutat (4%).

Area 3A clients fished over 90,000 lines during 86,000 hours of bottomfish fishing in 1998. They retained 159,000 and released 147,000 halibut in over 98,000 fishing days. Additionally, 950 lines were fished by crew, with 1,738 halibut retained and 700 released. Clients fished nearly 94,000 lines during 111,000 hours of bottomfish fishing in 1999. They retained 157,000 and released 123,000 halibut in nearly 80,000 fishing days. Crew fished 11,000 lines over 9,000 angler days. They kept 13,000 and released 7,000 halibut. Crew reporting for 1998 are believed to be underestimates due to the introduction of the new logbook form.

### Baseline economic data for charter fishery

A literature review and available baseline economic data for the 2C and 3A halibut charter fisheries indicates that relatively little economic data exists for the charter fishery in 2C. The existing data comes primarily from the Statewide Resident Sportfish Survey, Statewide Non-Resident Sportfish Survey, and the Guide Survey conducted by ISER during 1993 and 1994. ISER also completed a report in 1999 that used data from the three surveys to describe the 2C and 3A fisheries. Those surveys and the associated studies provide valuable information, but they are not recent or complete, making it difficult to calculate total guided angler expenses and the contributions of fishing-related expenditures to communities with charter activity. Another study conducted for the Southeast Trollers Association by the McDowell Group does not report data that could be used to estimate expenses associated with the guided halibut fishery in Area 2C. However, it does provide useful information describing the relative importance of fishing for those visitors to Southeast who fished.

Studies by Coughenower, Jones and Stokes, Lee et al, and Herrmann et al, have been conducted that are relevant to the halibut charter fishery in 3A, in addition to the three ISER surveys. The Coughenower study was completed in 1985, and provided a useful description of the Homer halibut charter fleet. This report was

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completed prior to the development of the Deep Creek fishery. The most useful specific information in the study was on client expenditures, length of trip, residence, and type of lodging.

The report by Jones and Stokes collected information on expenditures, fishing activity, and attitudes by location. There was no specific information in the survey to allow estimation of the expenditures specifically associated with the halibut charter industry or with the characteristics of the halibut charter industry, either for the clients or for the service providers.

The only relatively recent data collection project known to the authors which allows for separability of halibut charter information comes from a survey compiled by Lee et al. (1999a). The survey, along with an ongoing study by Herrmann et al. (1999) focuses on the marine sport fisheries originating from the Kenai Peninsula. The Herrmann study further reduces the geographic scope to include only the economic impacts to the western Kenai from the marine sport fisheries of lower Cook Inlet. Estimates derived from these studies represent the best available data for approximating expenditures associated with the guided sport halibut fishery. Differences in clientele and trip characteristics such as angler avidity and travel mode render extrapolation of Cook Inlet results inappropriate for Area 2C.

Lee et al. determined that the average daily fishing expenditures for an Alaskan (\$141 - the charter itself cost \$128 and processing their catch cost \$8.15) and non-Alaskan (\$208 - the charter itself cost \$142 and processing their catch cost \$42.84) residents were closer to being equal than overall expenditures. This is because the non-fishing expenditures were much larger for non-Alaskans. Effort information from the 1998 and 1999 ADF&G logbooks were then combined with the daily fish expense information. Combining these two sources of information assumes that effort data from one year can appropriately be applied to expenditures from another year. The resulting values indicate that about \$19.3 million were spent as a result of charterboat fishing for halibut in the Cook Inlet off the Kenai Peninsula, during 1998. Of the \$19.3 million, \$4.6 million (24 percent) were spent by Alaskan residents and \$14.7 million (76 percent) by non-Alaskan residents. About 81 percent of the money spent in Alaska was spent within the Kenai Peninsula. Expenditure estimates for 1999 were similar to those for 1998, because effort estimates from the 1999 log books were similar to those in 1998.

Average angler expenditures from the Cook Inlet study were applied to Area 3A as a whole, but required some broad assumptions regarding characteristics of the Area 3A ports. However, overall Lee et al felt it was reasonable to apply Cook Inlet expenses to charter ports in 3A as a whole, since the Cook Inlet ports (and ports similar to the Cook Inlet ports) make up the majority of charter effort in Area 3A. Fishing expenditures in Cook Inlet attributable to halibut charter fishing were reported to be \$15.0 million in 1998 (total expenditures were \$19.3 million). In Area 3A as a whole, \$18.0 million was spent on fishing expenditures attributable to the halibut charter fishery.

Because the information from the Lee et al. and Herrmann et al. studies cannot be applied to 2C, some basic information on the cost of a charter trip is presented. Those data indicate that the price paid for a charter trip are higher in Area 2C than in 3A. Trips in 2C ranged in price from \$150-\$220, depending on the duration of the out trip and port from which the trip originated.

### Commercial fisheries

The description of the halibut commercial fisheries includes material adapted from Dinneford (1999) and NMFS (2000). Since 1977, the total commercial fishery catch in Alaska has ranged from 16 to 61 M lb. Beginning in 1981, catches began to increase annually and peaked in 1988. Catches have since declined, reaching a low of 44 M lb in 1995. The 70 M lb harvest in 1998 represented an 8% increase over 1997.

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Bycatch mortality, i.e., the catch of halibut in other groundfish fisheries, is the second largest source of removals from the stock, totaling approximately 13 M lb in 1998.

### Background Economic Information on the Commercial Halibut Fishery

Ex-vessel prices for halibut in the commercial fishery increased statewide from 1992-96. The statewide average price per pound of halibut in 1992 was \$0.98 and increased to \$2.24 in 1996. In 1997, the price dropped slightly to \$2.15, then fell sharply to \$1.26 in 1998. The large decrease in price for the 1998 fishing year reflected an overall decrease in fish prices that year were at least partially a result of weak Asian economies.

Ex-vessel halibut revenue in Areas 2C and 3A were \$12.2 and \$52.3 million, respectively, in 1997. Revenues dropped to \$12.1 million (2C) and \$31.1 million (3A), in 1998. The decrease in revenue was primarily a result of the drop in ex-vessel price, as harvest amounts were fairly stable.

First wholesale prices also decreased from 1997 to 1998. Head and gut products dropped from \$2.67 per pound in 1997 to \$1.91 in 1998. Overall the average wholesale price per pound across all product forms was \$2.77 in 1997 and \$2.05 in 1998.

First wholesale revenues were derived from the Commercial Operator Annual Reports. Those data indicate that revenues at the first wholesale level increased from \$76 million in 1995 (the first year of the IFQ program), to \$130 million in 1997. In 1998, revenues declined to \$93 million.

The value of a unit of QS and its standardized value in terms of lb of fish are reported for 1995-98. These data were derived from the RAM transfer files. QS prices increased from 1995-97 and then fell in 1998. This is the same trend that was observed for ex-vessel and first wholesale prices. The mean price of a pound of IFQ in Area 2C was \$7.58 in 1995 and \$10.14 in 1998. This is a price increase of about 34 percent. In Area 3A the price increased from \$7.37 in 1995 to \$8.55 in 1998, or a 16 percent increase. Therefore the relative IFQ transfer price has increased faster in Area 2C than in 3A.

Commercial fishery costs were estimated for the halibut 1996 halibut fleet using an engineering and key informant approach. The results of that study indicated that a total of 132,160 skates were set in 1996, across IPHC Areas 2C-4E. The cost of fishing that gear was estimated to be \$2.2 million in setting/retrieving costs, \$0.9 million in fuel, \$0.9 million in bait, and \$0.4 million in gear replacement costs. Processing and shipping costs were also estimated in that study. The costs varied depending on whether the product was sold fresh or frozen and the port the processing occurred. In general, processing costs were assumed to be \$0.30 per pound for fresh halibut and \$0.50 for frozen. Shipping costs varied by port, but the cost of shipping halibut fresh was 4 to 5 times as much as shipping frozen product.

### Baseline Data for Community Set-Aside

Baseline data for analysis of the community set-aside issue includes information specific to the 37 Gulf of Alaska communities identified for purposes of analysis. The following descriptive information is provided: (a) measures of community participation in commercial, recreational and subsistence fisheries; (b) attributes of communities (among the 37 target communities) with more developed charter businesses; (c) requirements for starting and developing charter businesses, and (d) economic status of communities and available loan programs.

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### Community Participation in Fisheries

Residents of the 37 communities under consideration for the set-aside participate in various commercial fisheries, including State limited entry, halibut and sablefish fisheries. Based on 1998 ADF&G fish ticket data, target-community residents in Area 2C had gross earnings of \$18.5 million, 46% of which was from salmon, 19% from halibut, and the remaining 35% from other fisheries. Residents of target communities in Area 3A had 1998 gross earnings of \$8.9 million: 62% from salmon, 10% from halibut and 28% from other fisheries. Since initial issuance, holdings by the 37 community residents of State limited entry permits have declined 21% as of year-end 1998; a similar decline has occurred for all communities categorized as *Alaska Rural Local* by the FEC. Holdings and the number of holders of commercial halibut and sablefish quota shares for residents of the 37 communities have also declined, in part due to consolidation resulting from some quota share recipients receiving very small amounts. Since initial issuance, holdings of halibut quota shares for Area 2C and Area 3A have declined 12.3% and 13.0%, respectively, as of year-end 1998. For sablefish, holdings have declined by 25.8% for Southeast quota shares, declined by 42.1% for West Yakutat quota shares but have risen by 40.2% for Central Gulf quota shares.

For the guided charter fishery, two measures of participation are provided for the 37 communities. First, the number businesses licensed as 'Fishing Guides' are identified for each community based on data from the Alaska DCED. For Area 2C, target communities held 118 'Fishing Guide' licenses (expiring at year-end 2000 or 2001) and for Area 3A, target communities held 41 'Fishing Guide' licenses. Four of the communities in Area 2C (Craig, Wrangell, Gustavus and Pelican) and one in Area 3A (Yakutat) had 10 or more businesses licensed as 'Fishing Guides.' Eleven communities (of the 37) had no licensed charter businesses. The second measure of participation in the charter fishery is provided by ADF&G logbook data for 1998 and 1999. Based on port of landing (i.e., port where clients disembarked), charter trips landing in Area 2C communities numbered 4,685 and 5,348 in 1998 and 1999, respectively, with halibut harvests of 13,459 and 15,136 fish. For Area 3A communities, there were 1,360 and 1,008 charter-trip landings in 1998 and 1999, with halibut harvests of 7,336 and 5,448 fish. Communities with the most halibut charter vessel landings include Craig, Elfin Cove, Gustavus and Klawock in Area 2C and Yakutat, Larsen Bay and Seldovia in Area 3A. Average halibut harvest levels on a per boat or per trip basis are higher for Area 3A than for Area 2C; charterboats in Area 3A harvested on average 5.3-5.7 fish per trip (or 89-93 fish per year), while charterboats in Area 2C harvested on average 2.1-2.2 fish per trip (or 51-53 fish per year).

Almost 60% of the 37 communities have residents that rely on subsistence fishing to some degree. Subsistence fishing species include salmon, halibut, shrimp, crab, clams and other shellfish. For some communities, including Kasaan, Akhiok, Larsen Bay, Old Harbor, Port Graham and Yakutat, the majority of residents participate in subsistence fishing (and hunting) activities. Subsistence fishing does not appear to be of high importance for a few communities that have other sources of employment, including Hollis, Pelican, Wrangell, Port Graham and Seldovia.

### Attributes of Communities with Existing Charter Businesses

Several communities among the 37 communities have a number of existing charter businesses (based on license data) while a number lack any appreciable charter operations. Other attributes of the communities, including availability of related services and businesses, geographical location and transportation services may have contributed to the relative development of charter businesses in these communities. For example, examination of license data for other recreational, food and lodging businesses indicates that communities with more developed charter businesses also have a number of other services to support tourism. Geographically, about half of the Area 2C target communities are located on or near Prince of Wales Island and about half of the Area 3A target communities are located on or near Kodiak Island. There is no single common

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geographical feature, however, that can explain the relative success of certain communities (e.g., Craig, Wrangell, Gustavus and Yakutat) in terms of charter business development. Finally, the availability of transportation services and infrastructure to support charter operations is considered. Among the 37 communities, Wrangell and Yakutat have the largest variety of transportation services and infrastructure; both have tourism, scheduled jet and/or seaplane services, ferry service, boat launch, small-boat harbor and a deep draft dock. Other communities with existing charter businesses typically have scheduled flights or access to the State ferry system, and a small-boat harbor or docking facilities. Communities that lack charter businesses appear to lack scheduled transportation services (air or water) and/or lack boating facilities.

### Client Demand and Start-Up Costs for Charter Businesses

Development of charter businesses in the 37 communities may be limited by other factors, even if the cost of halibut quota shares is reduced by the community set-aside. The ability of a charter business to utilize its halibut quota allocation is governed largely by the ability to attract clients. Additionally, the costs to start and operate a charter business may be prohibitive relative to the financial resources of most residents of the target communities. Thus, descriptive information on the characteristics of charter client demand and estimates of charter business start-up and operating costs are provided.

### Characteristics of Charter Client Demand

Some of the general factors affecting a charter company's potential ability to attract clients include the following: source and type of clients; amount clients are willing to pay; and motivation and basis for selecting trip location and charter company. Information on these characteristics of client demand is taken from several sources including the 1998 ADF&G creel census, postal surveys (SWHS), and surveys of anglers conducted by Lee et al. (1999a), ISER (1999) and Coughenower (1986). In addition, anecdotal information has been provided by industry representatives at past Council meetings.

For the factors of interest here, important differences exist between clients of charter services in Area 2C versus Area 3A that may impact the ability of target-community members to start and develop viable charter businesses. In Area 2C, the vast majority of clients are non-residents, arriving on cruise ships, who tend to take more half-day trips that target salmon over halibut. Growth in client demand in Area 2C is likely more closely tied to growth in Alaska's cruise ship sector, which in recent years appears to be consisting of older passengers who may be less inclined to take charter trips. By contrast, a larger percentage of charter clients in Area 3A are residents from Anchorage (and surrounding areas) or non-residents arriving by domestic air travel, who tend to take more full-day trips that specifically target halibut.

Average expenditures also differ between residents and non-residents and between Area 2C and 3A. The average fishing-related expenditures for non-residents (based on survey of clients taking charter trips from Kenai Peninsula) is \$190, while average fishing expenditures for residents ranged from \$130-\$137. Expenditures for non-fishing services (transportation and lodging) averaged \$104 per day for non-residents and \$76 per day for residents (non-local) for anglers taking trips from the Kenai Peninsula. While the transportation costs are not applicable to Area 3A more generally, it is reasonable to assume that fishing expenditures (including a charter trip) range from \$130-\$190 for clients taking charter trips in Area 3A. Also, it should be noted that transportation costs are higher the further the client needs to travel to get to the port as evidenced by the higher expenditures for non-residents versus residents. For Area 2C, typical prices for charter trips are based on anecdotal evidence only; prices for full-day trips range from \$150-\$220 and prices for half-day trips range from \$150-\$190 (although half-day trips tend to target salmon over halibut).

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Surveys conducted to characterize client preferences indicate that the potential to catch fish is an important reason governing the choice of fishing location for both residents and non-residents. Residents also place importance on the location (port of charterboat) being quick and inexpensive to get to and being road accessible. Compared to resident anglers, non-resident anglers placed more importance on the area having exceptional beauty and, although still relevant, road access, travel cost and travel time were relatively less important. Finally, most clients select a charter company based on 'word of mouth' and the charter company's reputation, with advertising and tourist brochures more important for non-residents than for residents.

### Start-Up and Operating Costs for Charter Businesses

Information on start-up and operating costs is taken primarily from two surveys, the ISER (1999) guide and charter business survey conducted in 1994 based on 1993 activity, and a survey conducted by Herrmann et al. (2000). The data set from the ISER guide survey was refined with assistance from ISER to develop a more representative profile of charterboat operators in Area 2C and 3A.

Based on a sample of 236 guide businesses, 80% (or 192) reported expenditures on boats purchased during the five-year period 1988-1993. The mean boat expenditure was \$84,000 and the median boat expenditure was \$45,000. Since some businesses owned more than one boat, average boat costs were calculated; the mean expenditure per boat was \$56,000 and the median expenditure per boat was \$34,000. When other transportation and fishing equipment are included, the mean total equipment expenditure was \$105,000 and the median was \$55,000.

The ISER (2000) survey also collected information on operating expenses (in 1993 dollars) and the break-down by expense category. Payroll and non-payroll employee expenses accounted for 38% of operating expenses, followed by transportation (30%), administration (9.7%), and advertising and accounting services (9%). The mean total operating expense was just over \$100,000 per year; half reported annual operating expenses of \$27,400 or lower, and three-fourths reported expenses \$76,700 or lower (all statistics in 1993 dollars). Importantly, the majority of these expenses would be incurred even if no client demand materialized. The Herrmann et al. (2000) study provides a similar break-down of operating expenses: payroll and other value-added expenses represented 37% of operating expenses, followed by transportation (28%), administration (12%), taxes (8%), and services including advertising (7%).

### Economic Status of Target Communities

Population and economic statistics for the proposed eligible 23 communities, based on data provided by the Alaska DCED from the April 1990 census, indicate that the levels of poverty and unemployment are significant in many of these communities. The average unemployment rate across all proposed eligible Area 2C communities is about 21%, with about 48% of all adults in the workforce. Target communities in Area 3A also report an average unemployment rate of 21%, with an average of 56% of all resident adults not in the labor force. By comparison, the state-wide unemployment rate in April 1990 was 7.3%, with slightly higher rates reported in the Kenai Peninsula Borough (12.5%) and the Skagway-Hoonah-Angoon census area (10.5%).

The estimated number of jobs in these communities is relatively low, as would be expected in communities with very small, and often seasonal, populations. The median household income in the 2C target communities ranges from \$10,000 in Port Protection to \$49,583 in Whale Pass (in 1990 dollars). The average median household income is \$31,450, with an average of 2.7 persons per household. Communities reporting lower median incomes also report higher poverty levels, up to 63.7%. The average poverty level across all target

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2C communities is 14.6%. Median household incomes increase in Area 3A target communities, ranging from \$11,591 in Tyonek to \$68,760 in Halibut Cove. Average median household income in these communities is \$35,287, with an average of 3.1 persons per household. Poverty levels also vary widely among Area 3A target communities (0 - 37.1%), with an area average of 12.8%.

### Loan Programs

The Council requested an evaluation of the ability of alternative mechanisms, such as existing loan programs, to meet the stated goals of the set aside. Three loan sources provided specifically for the acquisition of limited entry permits or quota shares are: 1) the IFQ North Pacific Loan Program managed by the NMFS Financial Services Branch; 2) the Alaska Division of Investment Commercial Fishing Revolving Loan Fund; and 3) the Alaska Commercial Fishing & Agriculture Bank (CFAB).

The North Pacific Loan Program (NPLP), under the authority of the Magnuson-Stevens Act (Section 304(d)(4)), allows up to 25 percent of any fees collected from an IFQ fishery to assist in financing the purchase of IFQ for use by small vessel owners and entry-level fishermen. It is not clear whether Congress considered and/or intended that the guided sport sector be included in either the collection of fees (cost recovery) or in the application of the NPLP to this sector. An amendment to the Magnuson-Stevens Act would be required before a cost recovery fee could be applied to this sector, which is the original source of the funds for the NPLP.

In FY2000, the NPLP had \$5 million in loan authority for IFQ loans for entry-level fishermen who fish from small boats. The program will be financed after 2000, in part, by the cost recovery fee on the ex-vessel value of IFQ harvests. NMFS recently announced that the fee for 2000 would be 1.8% for collection of \$3.4 million in FY2000 fees. In 2000, the program committed all the funds for a total of 39 loans, 23 of which were granted to Alaska residents (K. Ott, NMFS, pers. comm.).

The Commercial Fishing Revolving Loan Fund has granted ten loans totaling \$911,375 for the purchase of halibut and sablefish QS out of nearly \$8.7 million in loans awarded in FY2000. Two loans, one of which was for halibut QS, were awarded to residents of two of the 37 Gulf coastal communities under consideration for the community set-aside. The Commercial Fishing & Agriculture Bank granted 51 loans totaling \$8,371,544 for the purchase of 3,795,128 halibut QS since December 31, 1998 (D. Rogers, CFAB, pers. comm.). Three CFAB loans have been issued to residents of the proposed eligible coastal communities (total of \$300,000), representing less than 4% of total loan amounts.

### SUMMARY OF SECTION 4

A summary of the status quo (Alternative 1), each of the 11 issues pertaining to charter IFQs (Alternative 2) and the moratorium (Alternative 3) in Section 4 are described here. In addition, an overview of the implications of the alternatives for anglers is provided at the end of Section 4. Each of the alternatives are listed and, for the most part, qualitative results are presented.

**Alternative 1, Status Quo.** The status quo is defined as the fishery operating under all of the regulations adopted by the Council, whether they have been implemented or not. Using this definition the status quo includes the GHM measures that were recently passed by the Council but are not yet approved by the SOC or implemented in regulations.

Status quo regulations are designed to limit the halibut removals by sport fishermen using charter vessels. To constrain their harvests, traditional management measures such as the 2-fish daily bag limit and charter client

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limits on a trip basis have been imposed. Passage of the GHL, by the Council, defined how various management measures would be used to constrain harvest of halibut in the charter fishery, and the harvest levels those management measures would go into effect. Under the GHL, bag limit reductions were determined to be the most effective means of limiting sport halibut harvests by clients of the charter fleet. **However, if the status quo management measures are ineffective in constraining harvest in the charter fleet, halibut will be reallocated from the commercial to the charter sector.** Based on 1999 harvest levels and projections of the 2001 combined commercial and charter catch limits, charter vessel clients in Areas 2C and 3A can increase their harvests by 340,000 pounds and 950,000 pounds, respectively, before any additional management measures are imposed as a result of the GHL.

Status quo regulations do not limit entry into the charter fleet. The charter fisheries' harvests will be constrained by implementing more restrictive management measures as their percentage of the combined commercial and charter harvests increase, but there is currently no way to prevent additional charter operators from entering the fishery. New entry may be beneficial to consumers of halibut charter trips, but may be detrimental to the current charter operators. This is especially true if the new entrants erode the amount of halibut existing charter operators' clients can take before more restrictive management measures are imposed.

Estimates of the economic impacts of the halibut charter fishery were made in the GHL analysis (NPFMC 2000), and some of the more relevant findings are brought forward in this amendment package. A total of 40,400 trips were taken by charter clients fishing from 581 vessels in Area 2C during 1998. Ninety-four percent of the trips were taken by non-Alaska residents. In Area 3A, a total of 83,774 charter client trips were taken from 504 vessels during 1998. About 64 percent of the trips were taken by non-Alaska residents. Overall anglers are expected to respond inelastically to changes in per day fishing costs. Alaska residents appear to be more responsive to price changes than non-Alaska residents when determining whether to take a charter trip.

Fishing expenditures to take a halibut charter trip were estimated to be \$15 million in Cook Inlet to western Kenai Peninsula region (\$18 million in all of Area 3A) during 1998. Based on expenditure data collected in the Lee et al. (1999a) survey, input-output (I/O) modeling was performed to gauge the impacts of angler expenditures attributable to the halibut charter fishery on the western Kenai Peninsula. After accounting for the direct, indirect, and induced effects of angler expenditures, the fishery contributes a total of \$22,560,637 worth of sales (output), \$9,259,417 worth of income, and 738 jobs to the regional economy (western Kenai). Note that these jobs are not full-time equivalents, but include seasonal and part-time positions.

Similar data are not available for Area 2C. However, the cost of charter trips in 2C were between \$150 and \$220, depending on the location. Many of those trips were for salmon or a combination of salmon and halibut, so it is not possible to derive good estimates of the expenditures on halibut charter trips in 2C.

**IFO Program for the Halibut Charter Fishery** Several decisions must be made to develop a complete IFQ program for the halibut charter fishery. The first decision (Issue 1) is how much halibut the charter sector will be allocated. The Council is currently considering three options. The first option would allocate 13.05% of the combined commercial and charter quota for IPHC Area 2C to the charter fleet. The second option would allocate 10.73% of the Area 2C combined quota to the charter sector. Based on estimates of the combined quota for 2001, the difference in percentages under those two options would result in a shift of 228,056 pounds between sectors. A third option would allocate 10.44% of the combined quota to the charter sector, representing a shift of 256,563 pounds between sectors when compared to Option 1. In Area 3A, Option 1 would allocate 14.11 percent of the combined quota to charter operators. Option 2 would allocate 9.82 percent of the combined quota to the charter sector. Using the 2001 combined quota, the different



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allocations would change the amount of halibut going to the commercial and charter sectors by 1,057,314 pounds. A third option would allocate 11.29% of the combined quota to the charter sector, representing a shift of 695,018 pounds between sectors when compared to Option 1.

A sub-option would fix a percentage (0-50%) of the charter allocation at the poundage level at the time of initial issuance. The remainder of the initial allocation would float with halibut abundance. Implementing this sub-option would increase the allocation to charter operators, relative to the commercial sector, in years of low halibut abundance. In years of higher abundance the commercial sector would be issued a relatively larger allocation. For example in Area 3A, if the initial year's combined quota was 20 million pounds and Option 1 was selected, then the allocation would be 14.11 percent to the charter sector. That equates to 2.82 million pounds to the charter sector and 17.18 million pounds to the commercial sector. If the combined allocation fell to 10 million pounds in a future year, the charter sector would be allocated 2.12 million pounds (21.17 percent) and the commercial sector would be allocated 7.88 million pounds (78.84 percent). Both sectors allocation is reduced, but the charter sector is allocated a much larger percentage of the combined quota. If the combined allocation increased to 30 million pounds, the charter sector would only be issued 11.76 percent of the pounds. However, the resulting pounds of allocation would increase from 2.82 million to 3.53 million. Since their demand for halibut is client driven, they may not be able to utilize that increase, if they are not allowed to harvest it commercially or transfer (lease) it to a member of the commercial sector.

Should the combined quota decrease in future years, this suboption would provide relatively more halibut to charter operators when compared to no fixed allocation. The intent of this suboption is to provide charter operators with a more stable allocation of halibut as the biomass fluctuates. It would help ensure that guided anglers have better access to the halibut resource in years of low abundance. It may also help minimize the need for charter operators to transfer (buy, sell or lease) quota shares as biomass fluctuates.

Issue 2 defines the U.S. ownership requirements and the recipients of initial quota. Real persons are required to be U.S. citizens before they can be allocated or purchase quota. Corporations and the other such entities are also required to be U.S. owned. The U.S. ownership options set out in the analysis are 51 and 75 percent. Regulations for commercial quota ownership require that they were able to legally document a fishing vessel in the U.S. based on the 1988-90 ownership standards. If quota is transferable across the commercial and charter sectors, they Council may wish to have the same ownership requirements in both sectors. That would require that the charter sector standards be based on old U.S. ownership definitions, or the commercial requirements are updated to reflect the 75% U.S. ownership standards implemented under the 1998 American Fisheries Act

Two options are being considered to determine who will be initially issued halibut charter quota. The first option would allocate quota only to owners of charterboats and charterboat businesses. The second option assumes that the allocation would go to owners unless the vessel was operated by another person through a bare vessel lease. Data limitations preclude the analysts from estimating the number of persons holding bare vessel leases. Therefore the Council must make the decision of whether to include bare vessel lessees in the initial allocation, based on their feelings regarding the appropriateness of granting that class of persons initial allocation rights, as opposed to the vessel owner. During the application period people would be required to prove they held a bare vessel lease. RAM has indicated that determining whether or not a person held a bare vessel lease was not a substantial problem in the commercial IFQ program.

Issue 3 defines the level of participation a person must meet to qualify for an initial quota allocation. Seven options were selected by the Council for consideration, with each of the options requiring the operator to submit logbook entries in from the 1998 and/or 1999 fisheries. In addition to this requirement some options require participation in at least three or four of the five years from the 1995-99 time period. These are the

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options with the strictest qualification criteria. Each of the options under consideration is listed below and the best estimates of the number of vessel owners and the total number of vessels are listed in Table E.1.

The number of persons meeting the criteria listed in the seven options, and therefore the number of persons eligible to receive an allocation at the time of initial issuance, is difficult to determine.

- Option 1. Initial issues who carried clients in 1998 and 1999 and who submitted ADF&G logbooks for an active vessel<sup>1</sup> (as received by ADF&G by February 12, 2000)
- Option 2. Initial issues who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)
- Option 3. Initial issues who carried clients prior to June 24, 1998 and who submitted at least one ADF&G logbook for an active vessel (as received by ADF&G by February 12, 2000)
- Option 4. Initial issues who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
- Option 5. Initial issues who carried clients four out of five years between 1995-1999 as evidenced by IPHC, CFEC and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel for either 1998 or 1999
- Option 6. Initial issues who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 and 1999
- Option 7. Initial issues who carried clients three out of five years between 1995-1999 as evidenced by IPHC, CFEC, and ADF&G business and guide documentation for 1995-99 and submitted logbooks for an active vessel in 1998 or 1999

Suboption: Require that initial issues be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

Several factors that make determining the actual number of persons that are eligible to receive quota at the initial allocation very difficult, including tracking people across various data sets. That being said, our best estimates of the number of qualifiers (vessel owners in this case - since no data are available on bare vessel lease holders the numbers reported here do not reflect those persons) will be provided in this section for only the first two options. The other options include qualification requirements in addition to those included in Options 1 and 2. Therefore, the number of potential qualifiers in Options 3 - 7 are less than the related criteria in Options 1 and 2. If the Council adopts one of those options and the SOC approves the amendment package, applicants would need to provide the appropriate documentation to prove their qualification. However, data limitations should not preclude the Council from selecting one of those options should they so desire.

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<sup>1</sup>Active vessel is defined as having turned in one ADFG logbook page with positive catch or effort. ADFG Guide and Business registration is required of bare vessel lessees only. Neither CFEC vessel registration nor IPHC licensing would be required of bare vessel lessees.

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Appendix II provides a detailed description of the relevant data sources and the problems associated with using those data.

Note that these options also apply to the proposed moratorium on new entry into the halibut charter fishery (Alternative 3). The numbers in Table E.1 would then serve as a proxy for the number of persons or vessels that might qualify.

Table E.1.: Projected number of Owners and Vessels under each qualification option.

Participation Criteria	Projected Number of Qualifiers			
	2C - Owners	2C - Vessels	3A - Owners	3A - Vessels
Option 1: 1998 and 1999	≈322	≈544	≈333	≈444
Option 2: 1998 or 1999	≈539	≈765	≈568	≈674
Option 3:	$539 > x > 367$	$765 > x > 533$	$568 > x > 366$	$674 > x > 427$
Option 4:	< 322	< 544	< 333	< 444
Option 5:	< 539	< 765	< 568	< 674
Option 6:	< 322	< 544	< 333	< 444
Option 7:	< 539	< 765	< 568	< 674

Source: ADF&G Logbook data

Issue 4 defines the formula that will be used to allocate quota shares among the initial recipients. Because of the problems associated with linking the various data sets together based on the owner or bare vessel lease holder, it is not possible to provide estimates of the amount of quota that would be allocated to each QS holder. Instead, the analysis focuses on the options in a general sense and provides examples of how QS would be distributed given hypothetical participants and catch histories. This method of treating the options also expands the range of allocation percentages that the Council may feel they have adequate information to consider at the time of final action.

Under Option 1, the average of each initial issuee's 1998 and 1999 harvest in numbers of fish will be estimated according to logbook records. Of this amount, each person will be awarded 70% of his average 1998 and 1999 harvest level; (a) an additional 10% of the individual's 1998 and 1999 logbook average will be awarded for each year of proven participation in the fishery for 1995, 1996, and 1997; (b) the resulting harvest award for each issuee will be summed by IPHC area and each individual's harvest award will then be converted to a percentage relative to the sum of all individuals' 1998 and 1999 logbook averages; (c) each issuee's share will then be multiplied by the poundage associated with the Council's preferred option under Issue 1; (d) the resulting poundage (IFQs) will then reflect the amount of allocated quota, and will be issued as pounds or converted to numbers of fish depending on the Council's preferred option under Issue 9.

QS awarded under Option 1 will be very heavily dependent on an individual's 1998 and 1999 landings reported under the logbook program. Small recorded landings under the logbook program cannot be made up through the 10% participation bonus awarded for each year fished during the 1995-97 time period. For example, a person fished and completed logbooks only in 1998 (reporting 500 fish), and also fished every year 1995-97. That person would be credited with a catch history of 325 halibut for the four years they fished. Another

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person fished in both 1998 and 1999, filling out logbooks for 1,000 fish (500 each year). That person would be credited with a catch history of 500 halibut for fishing two years. So even though both charter operators caught 500 fish a year and first operator fished more years, he gets a smaller allocation because 1998 and 1999 are weighted more heavily than 1995-97.

Option 2 is the modified Kodiak proposal. The steps for calculating allocation amounts under this option are as follows: (a) For Part A, an equal share of 5% - 30% of the initial pool is awarded to each issuee. **This percentage could be increased or decreased at the time of final decision. The larger the percentage under Part A, the more evenly the quota will be distributed among persons qualified to receive an allocation of charter quota. If the percentage were increased to 100%, everyone would receive the same allocation. Changing the allocation percentages in Part A would likely also necessitate changing the percentages in Parts B and C;** (b) For Part B, the individual's 1998 and 1999 average harvest is divided by the total 1998 and 1999 average harvest to calculate each individual's relative percentage of total harvest. This percentage is then multiplied by a percentage of the initial pool (33% was being considered by the Council); (c) Part C is calculated by awarding a point a year to each individual for participation between 1995 and 1999. The ratio of each issuee's points divided by the total number of points is then multiplied by a percentage of the initial pool (62% to 37% were specified by the Council).

Under Option 2, there is a distribution of equal shares at the outset of the allocation under Part A and the award scheme for longevity is not ultimately tied back to the logbook averages as under Option 1. Therefore, only Part B of Option 2's allocation scheme is based on a person's catch history as reported in the logbooks. Because less emphasis is placed on a person's logbook landings, the range of values among issuees under Option 2 will be more tightly clustered around the mean than the range of values under Option 1. That is, there is less variation in the individual allocations because the combination of longevity in the fishery (Part C) and an equal distribution from the initial pool (Part A) play a substantial role at initial issuance for Option 2, whereas Option 1 very heavily weights individuals' logbook averages.

A suboption in this section would base the logbook portion of the allocation on both retained and released halibut. This option was included before the Council developed options for allocating quota among the commercial and charter sectors. So this option may have been included to impact allocation between sectors as opposed to distributing the charter allocation with that sector.

Data from the ADF&G logbooks indicate that some operators reported releasing over 100 halibut on a trip. Over 1,400 trips reported releasing at least 20 halibut. These large numbers of released fish could greatly alter the allocation among charter operators. For example, the person that reported releasing 120 halibut on a trip would be credited with the equivalent of legal catch limits (assuming that 12 halibut were also retained on the trip). If another operator did not release any halibut, they would be put at a substantial disadvantage at the time of allocation, especially under Option 1. Also recall that the practice of releasing fish does not count against a person's allocation. Therefore, a person would be given credit for releasing halibut during the qualifying years, but releasing halibut under an IFQ program would not count against their allocations.

Issue 5 defines the types of transfers that would be allowed under the IFQ program. A paper prepared by Drs. James Wilen and Gardener Brown was used as the basis for this section.

In all of the discussion over quota design for the charter industry, there is considerable tension between economic efficiency-generating design options and restrictions and provisions designed to prevent change that is anticipated to be either too rapid or too radical. For the charter halibut industry, one motive for even considering quotas is to reduce the uncertainty over future allocations to the sector as a whole. If that is the main purpose of introducing quotas, a program design with restrictions that freeze the industry close to the

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status quo may satisfy most participants. Nevertheless, the main economic benefit of adopting a quota system in the charter sector could be the incentives it will give charter quota owners to maximize the value of quota held. If there is one single constant across all programs implemented to-date around the world, it is that quotas generate new and generally profound changes in methods of doing business. These changes are the result of abandonment of the wasteful activities associated with the open access race for fish, and the substitution of activities reflecting value-added and stewardship. A quota system adopted by the Alaskan charter industry can be expected to generate substantial and largely unpredictable changes as quota owners search for new ways to maximize the profits associated with quota rights.

The simple way to look at the suite of transfer restrictions proposed under Issue 5 is to consider each a potentially binding (effective) barrier to completely free and unfettered trade. It is a fundamental characteristic of any quota system that the less constrained the system, the more quota will gravitate to higher valued uses and the more overall value will be created by the resource devoted to the sector. Conversely, any restrictions on trade that effectively inhibit some quota from seeking highest and most valued uses will impose a cost. This cost will be borne directly by those who are granted quota in that their quota will not attain a market value that is as high as it might be without restrictions in place. Importantly, the cost is borne mainly by those in "protected" sectors and groups. For example, the cost of blocked transfers in the commercial sector is probably close to 55 million dollars. This is the amount by which quota held by individuals in the small holder, blocked transfer categories is discounted vis a vis what it would sell for in an unblocked market. It also represents the potential value attributable to the halibut resource that is foregone by Alaska and the nation in order to keep a diverse fleet of small holder, part-time fishermen.

In considering potential restrictions on transfers that might be imposed on the charter sector, careful attention needs to be paid to whether the industry and attendant secondary industries wish to forego similar efficiency benefits in order to attain similar objectives that have influenced design of the commercial sector system. For example, is it desirable to inhibit leasing or other short-term transfers of use rights by adding transfer restrictions that make trade costly? It is our sense that the benefits of being able to transfer quota within the charter sector on a short-term basis are particularly significant economically. As we discussed, it is likely that the initial halibut charter quota allocation will be diffused across a large number of grantees, many of whom will choose to exit the industry within a few years of the quota program beginning. Prohibiting leasing clouds the information that might be accumulated by prospective buyers and sellers about a fair price for permanent transfers during the early phases of the program. This is in addition to the important benefits of being able to temporarily adjust quota holdings to meet short-term needs. Over the longer run, participants need the security to invest in value-producing new markets and service provision that permanent transfers promise. The British Columbia model was an interesting compromise that allowed temporary transfers during the first couple of years and then opened up the system to permanent transfers.

With respect to restrictions on transfers between sectors, there is understandably more concern about the implications of completely free transfers. The biggest unknown in all of the policy analysis is what configuration the charter sector will assume in response to quota allocations. The kinds of changes in services, in capacity utilization, and in variable input use in response to secure property are likely to be significant, particularly as the TAC constraints actually become binding. The magnitude of the new values generated will determine the pressure to either sell quota to or buy quota from the commercial sector.

In an important sense, the implications of restrictions on between-sector trade are tied to restrictions in within-sector trade. If the charter sector adopts regulations and restrictions that inhibit the generation of the potential values that are likely to emerge with unfettered quota markets, those restrictions will at the same time enhance the likelihood that quota will be under pressure to flow from the charter to the commercial sector. At the same time, the layers of existing restrictions in the charter sector insulate the charter sector currently

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by ensuring that the willingness to pay in that sector is less strong than it might be under free trade. In this system of layers of restrictions on trade in the commercial sector, the design of rules for between sector trade will effectively determine the groups within which trade occurs. The general rule of thumb, however, is that quota will flow to the sectors that have the highest effective willingness to pay. Under current restrictions in the commercial sector, this implies vessel classes C and D generally, and quota flowing into unblocked markets if permitted. It is also another rule of thumb that restrictions will reduce willingness to pay and hence determine the strength of the relative flow of quota. We would suggest caution, however, in giving these qualitative predictions too much focus. We do not expect pressures for large amounts of quota to flow (in either direction) between the sectors because of the nature of the charter industry and because of the countervailing forces that operate to equilibrate quota prices as transfers are made. As stressed above, the industry is essentially trip-demand limited, and having the use rights to harvest more fish probably has limited value at present. At the same time, it is unclear what a reorganization associated with secure property rights might generate, and it is conceivable that the industry might go through modest expansion or contraction. To the extent that it is desirable to capture the values from between-sector trade, consideration might be given to leaving mechanisms for modest amounts of trade open. Similar principles regarding the desirability of leasing hold with respect to between sector trade; it might be important to allow leasing at some scale in order to monitor the nature of the market pressures for long term transfers.

Finally, it should be emphasized that another important benefit of an IFQ system is that it eliminates some of the tension, conflict, and transaction costs associated with allocation decisions. By allowing quota to flow between and among participants in a manner determined by mutually agreeable market trades, fishery managers can remove themselves from some of the contentious allocation disputes that consume so much of their time and energy. The cost of this, of course, is that an initial time, energy, and political investment must be made up-front in getting the initial allocations and rules of the game established. But in the long-term, a well-designed quota system more or less automatically resolves much of the dispute and eliminates the rancor that consumes modern managers faced with using limited micro-management allocation instruments to address conservation, economic efficiency, and distributional concerns simultaneously.

The only decision point under Issue 6 is whether to require persons wishing to purchase charter QS or IFQ to hold a USCG license in addition to being an initial charter issuee or qualified as defined by State of Alaska requirements for registered guides or businesses. There is not an option included that allows everyone to purchase QS or IFQ. Limiting the number of people that are allowed to purchase quota may decrease the QS value, if those persons excluded from purchasing QS place the highest value on it. However, limiting the people that are allowed to purchase QS also helps to ensure that the fishery remains in the hands of a particular class of people. In making this decision, the Council concluded that the benefits gained from limiting quota ownership outweighed any losses in quota value that may result from allowing anyone to purchase QS.

The Council is also considering a suboption requiring individuals to hold a USCG license in addition to the other requirements before they are allowed to purchase QS or IFQ for the halibut charter fishery. If the regulations are written such that quota can only be fished in the commercial fishery by individuals eligible<sup>2</sup> to purchase commercial quota, this requirement would likely be unnecessary.

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<sup>2</sup>Those who wish to receive QS/IFQ by transfer but did not have QS initially awarded to them must submit a Transfer Eligibility Certificate application for approval. Only those who have 150 or more days of experience working as part of a harvesting crew in any U.S. commercial fishery are eligible to receive a Transfer Eligibility Certificate (TEC). Work in support of harvesting but not directly related to it is not considered harvesting crew work. For example, experience as an engineer, cook, or preparing a vessel for a fishing trip does not satisfy the requirement.

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Issue 7 determines if use caps will be applied to the halibut charter IFQ program. It is difficult to know whether there are economic forces promoting agglomeration at this stage. It is suspected that the part of the industry that serves markets such as the tour boat industry may exhibit economies of scope and perhaps economies of scale. Other areas such as Kenai and Homer that serve more skilled angler markets may be optimal at smaller scales. It is thus difficult to predict the direction of the dominant forces. Capping use of QS at levels below the economic scale necessary to maximize benefits will forego efficiency gains. On the other hand, the agglomeration issue is so politically charged that those benefits may not be worth pursuing in the larger arena. In the end, the cap issue is probably more an income distribution issue than an efficiency question and hence there is little that economic analysis can add to the question.

Should the Council move forward with a cap, the options under consideration establish a specific use cap for charter QS owners, separate from the cap already established in regulation for commercial QS owners. It is understood that should a use cap for charter QS be adopted, any QS being used as IFQ in the halibut charter fishery would be subject to that cap. If QS is being used as IFQ in the commercial halibut fishery, it would be subject to the commercial cap.

Issue 8 addresses three miscellaneous issues: whether a maximum line limit of 12 is appropriate in Area 3A, and whether to mirror underage and overage provisions in the proposed charter IFQ program.

Option 1. Line limits were carried over from the GHL analysis *as a potential means to control harvest*. Harvest controls are not explicitly needed under an IFQ program. The intent of such a measure under an IFQ program is not clear, since it appears to address allocation issues *within* the charter sector. The analysis concludes that a 12-line limit or any line limit does not address the problem statement. **If line limits do not address the Council's problem statement (i.e., allocations between charter and commercial sectors), then the Council may wish to withdraw it from the analysis or revise its problem statement.**

If the purpose of line limitations is socio-economic and/or allocative within the charter sector, then the Council should provide such direction to staff so the analysis could address the distributive result of establishing line limits. Other management mechanisms to insure against all the QS/IFQ ending up on a very few vessels include ownership/use caps (Issue 7), or including charter vessel length categories (i.e., "D" and "C" as in the commercial program) or designating some QS as usable only on a "6-pack" vessel (i.e., one on which the skipper may not carry more than 6 people for hire) and to designate some for use only on vessels that may carry more than six clients (i.e., "head boats").

It is conceivable that there may be some advantage to adopting **Option 2. 10% rollover provision**, but that advantage may not be worth the associated administrative and enforcement burden. Also, "unused" IFQ (fish) remaining at the end of the charter season could be transferred to a commercial operator or to himself as a commercial operator, so no real underage would need to exist and the charter QS holder could receive some compensation for unused IFQs. Also, how underages would be applied depends on whether the charter IFQ harvest is managed in pounds or numbers of fish. There is no data to analyze whether 10% is an appropriate underage adjustment for this fishery.

Staff notes a correction to **Option 3. 10% overage provision** in the listed option; **the option should read "10% rollover provision of IFQs remaining on last trip" to match the commercial program**. It proposes to incorporate a ten-percent adjustment policy (overage) for the charter sector similar to that in the commercial halibut IFQ program.

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Allowing overages and underages in the halibut charter fishery could provide charter operators more flexibility in managing their business, and should result in few negative impacts on the commercial fleet. Overages will allow an operator to meet the needs of end of the year "walk in" clients without procuring quota through transfers. The overage and underage provisions in this case would serve as a mechanism to reduce the need for charter operators to lease quota, since they would be allowed to "borrow" a small amount from their allocation the next year. However, there may be limited need for an overage policy (especially if the permit is enumerated in numbers of fish), as the exact amount of fish can be easily determined and the permit holder will know exactly where s/he stands with respect to the allowable catch. Further, administration and enforcement of an overage policy is complicated and expensive. USCG and NMFS Enforcement concurs that it seems logical that the angler should be allowed to retain any fish taken or possessed within the daily bag and possession limit, and that any IFQ overage penalties should be incurred by the charter operator.

Allowing charter operators to exceed their quota by ten percent in a year would result in the charter fleet increasing their harvesting by, a maximum of, about 1% of the overall quota in 3A and 2C. These overages will have little impact on the quota levels that would be set the following year, and the charter sectors allocation would be reduced that year to account for any overage taken the previous year. The reductions in charter allocation would result in equal increases to the commercial allocation

If an IFQ program for the charter sector is implemented, all QS would be issued in UNITS, not pounds or numbers of fish. Under Issue 9. **pounds vs. fish**, the Council is considering issuing halibut IFQs as either pounds of halibut or the number of halibut that can be landed through the operations of charter in a calendar year. The number of QS units initially issued would be converted either to pounds using the standard formula (Option 1) or to pounds and then to numbers of fish using average halibut weights from the charter sector (Option 2). Using pounds reflects the current administration of the commercial halibut IFQ program.

Nearly all recreational fisheries are managed based on numbers, rather than weight, of fish landed. Size limits may be employed in combination with bag and possession limits to limit the harvest of large or small fish, however they are rarely used singularly. Limits on pounds of fish landed are rarely used as a regulatory mechanism in recreational fisheries, because of the higher number of vessel landings and dispersed nature of the fishery. Because sport-caught fish are not bought or sold, it is impractical and expensive to have enforceable weigh stations at all sites of sport landings.

Managing in numbers rather than pounds would have the advantage of linking the limit to the most common management strategy for recreational fisheries, that is bag and possession limits. Changing the unit of measure in the charter fishery from pounds to fish may impact the way the fishery is prosecuted. However, changing the underlying cost structure of the halibut charter fishery may change the attributes of the charter trips that are offered. For example, charter operators could specify the type of trip they offer in the materials they develop to advertise a trip. Some charter operators might state that no halibut over 100 lb could be retained. They may market this approach to conservation minded clients that are interested in protecting the larger female halibut that are the brood stock. Other operators may impose size limits on small fish. They may market trips to the trophy fishermen. Other charter operators may offer trips where there is no additional charge for the first 50 lb (or some other level) of halibut retained. For each pound of halibut over the specified level, the client would be required to pay an additional dollar amount that was specified in the contract. It is not known if these types of trips will be offered. They are presented as examples. It will be up to the individual charter operators to determine the type of trip that works best for them and their business. However from an economic perspective, since the halibut would be a costly input under the IFQ program (and the GHL program as well) it makes financial sense for the charter operators to minimize their costs. Reducing the amount of halibut harvested on their boat, if their halibut allocation is a constraint, is a logical way to reduce costs.



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Allocating halibut in numbers of fish, rather than pounds, benefits charter operators that harvest larger halibut, on average. Charter operators that harvest smaller halibut on average, in the future, would be disadvantaged under this system. This is because the number of fish are based on a standard conversion rate of pounds to fish. Therefore, if the average fish over the entire fleet is 20 lb, and an operator catches 40 lb fish on average, he has essentially doubled his allocation. His hope is that other charter operators continue to catch smaller fish and keep the industry average at close to 20 lb.

If fish size depends on the charter operators' ability to run to better fishing grounds further from shore, allocating quota in terms of number of fish would tend to benefit operators with larger faster boats. Charter operators that catch smaller fish than the average (perhaps those with smaller, slower boats fishing closer to the harbor) will receive a smaller allocation if it is based on fish rather than pounds. This may lead to charter operators upgrading their boats to essentially increase their allocation in the short run. If everyone follows this strategy, the average halibut size will increase, reducing the number of fish a charter operator will be allocated based on their QS units held.

One cost of specifying charter IFQs in numbers of fish rather than pounds is that dockside monitoring would have to be done at major charter ports on a consistent basis to obtain an average weight of halibut harvested by charter clients. This would be an expensive program to cover all major charter ports in Areas 2C and 3A.

Making the conversions from pounds to fish on a charter IFQ permit would not be administratively difficult. Conversions between pounds and numbers of fish and IFQ account maintenance is simply a mechanical process for RAM. The issues are not insurmountable, but they should be evaluated in the context of adding additional complexity to a proposed program that is already complex.

RAM staff have proposed three ways to administer charter IFQ accounts:

- (6) Numbers. Charter accounts are maintained and managed in numbers of (whole) fish. At the beginning of each year, TAC distributions in pounds are converted to fish. RAM rounds up or down to whole fish, theoretical excess pounds disappear and additional pounds are added as needed to "make up" whole fish. Reporting is in numbers of fish. Conversion between pounds and numbers of fish is necessary for each transfer between charter and commercial sectors, for calculating the following year's permits, and (depending on how they are calculated) to determine when to confiscate as opposed to making an administrative adjustment for overages. If the rounding method is unbiased, on average the TAC is not exceeded, although a person might be advantaged or disadvantaged in any one conversion event. Conversion factors, once calculated and published, would not be subject to debate.
- (7) Weight. Charter accounts are maintained in weights, just like commercial accounts. This requires that charter operators report weights. Everyone gets to use the amount of (whole) pounds allocated to him/her. No conversions, no unallocated fractions of fish, no disputes. However, there were 2,807 commercial IFQ landings in Area 3A, while there were 16,643 bottomfish charter trips. The cost to monitor charter landings and weigh fish may be enormous. Many charter ports having no infrastructure for monitoring.
- (8) A hybrid. Allocations are made and accounts are maintained in pounds, and as a convenience, charter permits display numbers of whole fish. Reporting is in numbers of fish. RAM may also need to display allocated pounds on charter IFQ permits and on landing receipts. Reporting is in numbers of fish. Allocations, transfers, overage/underage, permit calculations are all straightforward, as are conversions to whole fish.

Accounts entirely in numbers of fish (#1) are much simpler to understand and report, but rounding issues are introduced. Accounts maintained in pounds (#2 & #3) are much simpler to maintain, less prone to error, and

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easier to edit. Method #3 provides the advantages of predictability for charter operators, a simple reporting method and insures account accuracy; but, it requires charter IFQ permit holders to consider their IFQ accounts in both fish and pounds to track transfers, inseason overages/underages/confiscations and next year's IFQ adjustments. Tracking transfers may not be an issue. If IFQs are transferred from charter to commercial sectors, the commercial buyer would disregard the numbers of fish. If transferred from commercial to charter sectors, the poundage would be converted to numbers of fish using a recent average weight.

Managing the charter IFQ fishery in numbers of fish may be preferable for several reasons.

- One of the main advantages of implementing an IFQ program for charter operators is to enable operators to "customize" the amount of IFQ they hold to match the harvest needs of their individual business. Charter businesses can probably predict fairly closely how many halibut they need to run their operations through the normal fishing season. They will not be able to predict the weight of the fish their clients may harvest. Basing their annual IFQ permits on pounds of fish will introduce a factor of uncertainty into every charter business that will make it more difficult for them to operate within the IFQ program.
- The average weight of halibut changes from year to year based upon year class strength and other biological characteristics of the stock. An IFQ amount based on weight may work just fine for a charter business one year. However, the same IFQ share may only carry the business through a portion of the fishing season in future years if the average size of halibut increases substantially (but the commercial sector is also affected by changes in halibut abundance and average weight). Likewise, a charter operator may forego income with a significant underage if the average weight of halibut were to decrease in a given year.
- One of the main advantages of implementing an IFQ program for charter operators is to enable operators to "customize" the amount of IFQ they hold to match the harvest needs of their individual business. Charter businesses can probably predict fairly closely how many halibut they need to run their operations through the normal fishing season. They will not be able to predict the weight of the fish their clients may harvest. Basing their annual IFQ permits on pounds of fish will introduce a factor of uncertainty into every charter business that will make it more difficult for them to operate within the IFQ program. Dockside enforcement may be more complex if IFQs are based on pounds of halibut. Charter businesses operate out of a large number of ports and numerous docks, boat launches, etc., within each port. It would be necessary to have certified scales at each landing location, or to require all charter vessels to offload halibut at one central weigh-in location in each port, to record accurate weights of the halibut harvested. Both of these options are expensive and problematic. USCG and NMFS concur that the easiest way to manage the quota at the operator level is by the number of fish
- Many charter operators fillet halibut while the vessel is returning from the fishing grounds to shore to offload their clients and fish. Federal regulations prohibit filleting or mutilating halibut in such manner that would prevent determination of the number of fish on board. An enforcement officer could still determine the number of halibut harvested even if the fish were filleted, but determining the number of pounds harvested would not be possible. Onsite survey data collected in Area 2C during 2000 indicates that nearly 60% (range 11% to 88%) of the halibut landed by charter vessels had already been cleaned at sea. This issue (and that of accurate collection of harvest statistics) would go away if the IPHC simply required landing of fish with meat on and in a condition that allowed measurement of length.

**Issue 10. Reporting of landings** addresses whether to require trip-based or logbook reporting for monitoring of IFQ accounts. Staff recommends trip-based reporting, but offers an additional option. Because

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some charter operators take two "trips" in any given day, staff suggests Council consideration of another option: once every day in which a "trip" occurs. NMFS Enforcement has indicated that daily reporting may be acceptable. Staff also recommends continuation of the ADF&G logbook program, as it addresses state management needs beyond federal halibut management.

A third option was added to the analysis during preliminary review. Agency staff suggests it may be unwieldy, intrusive, and probably unnecessary (especially if the charter IFQ permit is issued in numbers of fish). It could require certified scales at every conceivable landing location (including remote lodges and other locations in which the costs could be excessive). It would undoubtedly increase the cost of doing business for a number of charter operators.

If the permits are issued in numbers of fish, simply reporting (electronically, with waivers from that requirement available under certain circumstances) on a daily basis should be adequate to meet the goals of harvest monitoring on a real-time basis and maintaining IFQ account balances.

### Possible new option: Fish tag system

USCG staff have suggested consideration of a fish tagging program that is used on the east in recreational fisheries. Each operator is issued a stack of tags based upon their quota/unique ID. The operator tags each fish when caught and the tag (with the QS holder's number) would remain on until the fish is landed. This may be a good option when quota is based on the number of fish and not on weight. Every landed halibut from a charter boat would be tagged. Un-tagged fish would have been landed by an unauthorized participant and they would be in violation. The tags run out when quota runs out. State personnel would note whether or not a tag was on the fish as well. Enforcement would issue a violation later if a charter operator was found to be in violation.

This option would require landing whole fish and not filets. This may require a change in fishing practices, particularly in southeast where charter boat operators are on a tight schedule to get cruise ship passengers in and out quickly, as they filet on the way into port to save time.

Issue 11 considers the option to set aside halibut quota for use by qualifying individuals in targeted communities in the Gulf of Alaska for purposes of starting and/or developing charter businesses. The analysis is intended to support a Council decision in April on four decision points: (1) *whether* to set aside quota for Gulf communities; (2) the *magnitude* of the set-aside; (3) the *source* of the set-aside (commercial and/or charter sectors); and (4) *whether* to include a *sunset* provision. Two options are considered under this issue: under Option 1, the charter IFQ program would be implemented but no quota would be set aside for target communities in Area 2C and 3A; under Option 2, a range of 0.5-2.5% of the combined commercial/charter TAC would be set aside for those Gulf communities.

Estimated Value of Economic Barrier to Entry: Since one of the main purposes of the proposed community set-aside is to reduce an economic barrier to entry into the charter industry for target communities, the value of the potential economic barrier created by the charter IFQ program is estimated. This economic barrier under consideration is that created by implementation of the charter IFQ program since, if the program is implemented, new charter businesses would need to purchase halibut QS to support their operations (assuming no halibut QS units are received via the initial allocation). Based on ADF&G logbook data for 1998 and 1999, halibut resource requirements are estimated for start-up and full-time charter operators for the target communities in Areas 2C and 3A. In Area 2C, an estimated 900 lbs and 3,000 lbs of halibut are required to support start-up and full-time charter operators, respectively. In Area 3A, an estimated 1,000 lbs and 6,000 lbs of halibut are required to support start-up and full-time operators, respectively. These values are

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somewhat lower than the halibut resource needs estimated in the Gulf Coastal Communities Coalition (Coalition) proposal of 2,000 lbs and 10,000 lbs for start-up and full-time operators, respectively.

Using mean 1998 commercial halibut QS transfer prices of \$10.14 and \$8.55 for Areas 2C and 3A, respectively, as an indicator of halibut charter QS prices, the estimated halibut resource requirements may be converted to potential cost of QS for start-up and full-time charter operators. Thus, start-up charter operators may need to purchase \$9,000-\$19,000 and full-time operators may need to purchase \$30,000-\$94,000 worth of halibut QS (assuming no halibut QS units are received in the initial allocation). These estimates provide an indication of the potential value of the economic barrier created by the charter IFQ program and potentially removed if the community set-aside is adopted. While the start-up requirements are relatively modest (but not insignificant), the value of halibut quota shares required to support full-time charter operations is significant and comparable to the cost of other major equipment items (e.g., boat).

**Other Economic and Non-economic Barriers to Entry:** The lack of charter businesses in some of the target communities despite growth in the industry during the 1990's suggests that other significant barriers to entry may exist for these communities. Other potential barriers include economic and non-economic factors. Other potential economic barriers include the cost of a boat and other fishing equipment, cost of property (lodge, dock, land, etc.) and the initial funds to finance operating expenses during the start-up phase. Based on data from the ISER (1999) guide and charter survey and adjusting for inflation, the estimated cost per boat ranges from \$40,000-\$67,000 and the estimated overall equipment costs range from \$66,000 to \$125,000.

From the same survey data, annual operating expenses are estimated to range from \$29,000 to \$106,000 (adjusted for inflation). A break-down of these operating expenses is as follows: 34% for payroll and other employee expenses; 30% for transportation-related expenses including fuel; 10% for administration; and 9% for other services including advertising. Importantly, most of these expenses would be incurred even if no client demand materializes. Financing to support operations during the start-up phase represents another potential barrier to entry.

Other factors that may have limited past development of charter businesses in some of the 37 target communities and may represent significant barriers to entry include the following: (1) remote location of community; (2) lack of road access; (3) lack of scheduled flights or ferry service; (4) lack of boating facilities; (5) lack of other recreational opportunities; (6) lack of food and lodging amenities; (7) lack of tourism; (8) community prefers to limit tourism; (9) not especially scenic; (10) proximity to other port; (11) lack of financial resources; (12) reluctance to take financial risk; (13) lack of business experience and skill; (14) and lack of a USCG license. Of all factors listed, the remoteness of the community is likely the factor most limiting to the development of charter businesses in the 37 target communities. Even if packaged with transportation and lodging, halibut charter fishing from a more remote community would likely appeal to only a small percentage of clients. Thus, development of charter operations in the target communities may be as much limited by lack of demand as by the challenges to start and operate a charter business in a remote community.

Issue 11, Option 1 considers the implications of the charter IFQ program for target Gulf communities if no halibut quota is set aside. Concerns have been expressed that if no quota is set aside, some Gulf communities that are in the early stages of developing halibut charter businesses may have difficulty achieving long-term viability once the halibut charter IFQ program is implemented. The concern revolves around two issues: (1) that certain smaller Gulf communities are likely to receive fewer halibut QS in the initial allocation; and (2) that implementation of a halibut IFQ system for the charter sector creates a new barrier to entry into the industry. Thus, the impacts of the issues and options governing the initial allocation of halibut QS on the 37 target communities are considered.

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Implications of Issues 2, 3 and 4 for Target Communities: Issues 2, 3 and 4 define options for determining *who* is eligible to receive QS, the *qualification criteria* and the formula for calculating the *amount* of QS distributed to initial recipients. The general impacts of these issues were discussed earlier. Of interest here are the incremental impacts or implications for the 37 communities targeted by the set-aside. Direct allocations of QS to communities (as opposed to individuals residing in the communities) is not under consideration at this time. For communities (among the 37) that have existing charter businesses, including charter vessel owners and bare vessel lessees as initial recipients of halibut QS does not necessarily disadvantage members of such communities. Potential issuees residing in the target communities are likely more sensitive to the choice of qualification criteria (Issue 3) and formula for determining the size of the distribution (Issue 4). If potential issuees in target communities have below average ADF&G logbook harvests (in 1998 and 1999) and relatively few years of operation, criteria and distributions that place less emphasis on the logbook harvests and longevity may ensure that such issuees receive amounts of QS reflective of their historical market share.

For example, the initial allocations of halibut (in pounds) are estimated for target communities in Areas 2C and 3A based on the qualification criteria under Issue 3, Option 1 (logbook data for 1998 and 1999) and Option 2 (logbook data for 1998 or 1999). For both Areas 2C and 3A, the target communities are likely to receive more halibut QS under Option 2; Area 2C target communities may receive an estimated 221,900 pounds under Option 2 (versus 211,800 pounds under Option 1) and Area 3A communities may receive an estimated 86,100 pounds under Option 2 (versus 85,000 pounds under Option 1). These amounts represent estimated *minimum* amounts since issuees in target communities may receive more if they meet the longevity requirement and since any balance would be redistributed among all participants. There would also be more initial issuees in target communities under Option 2 (1998 or 1999 logbook data) versus Option 1 (1998 and 1999 logbook data); an estimated 66% and 71% more potential issuees may qualify under Option 2 versus Option 1 for Areas 2C and 3A, respectively.

Implications of Issues 5-7 for Target Communities: Issues 5-7 describe options for various restrictions on transferability. In general, retention and acquisition of halibut charter QS would be facilitated by (1) restrictions that prevent individuals from transferring QS permanently out of the communities, and (2) provisions that would make it easier for community members to acquire QS. Restrictions on transfers from individuals in the target communities to recipients outside of these communities are not under consideration at this time. Issue 6 includes a suboption to require the recipient of any QS transfer to hold a USCG license; this requirement may be overly restrictive from the perspective of the 37 communities targeted for the set-aside. Since application for a USCG license requires a written exam (in addition to boating experience), this requirement may delay but not preclude the acquisition of QS by residents in target communities. Finally, caps, considered under Issue 7, may make it easier for smaller charter operators based in the target communities to acquire halibut QS.

Issue 11, Option 2 considers the net benefit implications and distributional effects of the community set-aside on the charter and commercial sectors (depending on source of the set-aside) and implications for communities. The analysis is based on several assumptions and core features of the community set-aside program: (1) set-aside quota are granted to qualifying individuals in eligible communities on a limited right-of-use basis and cannot be sold or leased; (2) set-aside quota are allocated to qualifying individuals on an annual basis subject to individual and community caps; (3) communities, on behalf of qualifying community members, must request an allocation of set-aside quota each year and any quota uncommitted by a certain date is rolled back to the general commercial/charter quota pool for the upcoming season; and (4) set-aside quota are intended to be used for purposes of starting or developing charter businesses by the individual receiving the allocation. In addition to these core features, the Council also requested that a phase-in approach be considered in addition to the preseason roll-back, and that sunset provisions of 5 or 10 years be included

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in the analysis. At the February 2001 meeting, the Council added another suboption that would allow participants of the program at the time of the sunset to continue participation under the program's guidelines.

**Net Benefit Implications of Set-Aside:** The community set-aside has the potential to reduce net benefits to society for two reasons: (1) the set-aside may result in quota remaining unharvested, reducing supply in the charter and/or commercial sectors (depending on source of set-aside); and (2) even if set-aside quota are fully utilized, the set-aside may reduce net benefits due to changes in industry costs. The Coalition proposal includes a combination of features designed to limit the potential for unharvested quota, including a mechanism to "roll back" uncommitted quota prior to the upcoming season and various caps, penalties and limits on individuals to encourage participants to only request allocations that they plan to use. The Coalition proposal, in theory, provides a conceptual mechanism for minimizing the potential for unharvested quota but its efficacy depends on the extent it works in practices. In addition to the pre-season "roll back" feature proposed by the Coalition, the Council requested (December 2000 meeting) that a phase-in approach be considered. By itself, a phase-in may be less effective than the pre-season roll-back in minimizing the potential for unused set-aside quota since the magnitude of the allocation may not be directly tied to the number of requests from eligible communities. The phase-in, however, may help to reduce uncertainty for the charter and/or commercial sectors (depending on the source of the set-aside) associated with the amount that each sector's TAC is reduced each year and serve to stabilize quota share values.

The community set-aside may change costs for the charter sector and give new entrants in eligible communities a competitive advantage over certain other new entrants. Costs for some charter operators in major ports (Homer, Juneau, etc.) may rise if the reduction in the charter sector TAC due to the set-aside requires such operators to lease or purchase additional QS. Cost increases may cause some marginal charter operators to leave the industry, reducing supply and increasing charter trip prices for clients in major ports. If the TAC is taken partially from the commercial sector, a decrease in commercially supplied halibut would result. The supply decreases in the charter and commercial sectors would reduce net benefits to society. These net benefit reductions may be partially offset by an increase in the availability of charter trips from remote communities. Since charter trips from remote communities are highly differentiated products (i.e., offer clients a more unique charter trip experience), and since such trips may not represent good substitutes for charter trips from major ports, increases in the supply of remote-community charter trips may not truly offset reductions in the supply from major ports. Thus, an overall reduction in net benefits may result.

**Impact of Removing an Economic Barrier to Entry:** The community set-aside would likely remove an economic barrier to entry into the charter industry for participants. By doing so, the set-aside essentially preserves the existing cost structure but does not necessarily create any new opportunities for target community members. As a result, it is unlikely that the number of new charter businesses developed in the target communities would be any higher than would develop naturally if the charter IFQ program is not implemented. By removing an economic barrier for some new entrants, the community set-aside may give participants a competitive advantage over other new entrants in certain situations. This is most likely to occur between two new entrants - one eligible for set-aside quota, the other not eligible - and if both are competing for the same clientele. Thus, if both new entrants are trying to attract clients that prefer charter trips based in remote communities, the new entrant that is not eligible for set-aside quota may be at a competitive disadvantage. This is less of a concern if the new entrant is based in a major port since the relevant sources of competition in this situation are the established charter operators based in the same port. It is possible, however, without clear requirements for residency, the community set-aside may create a loop-hole that allows entrance into the industry by individuals that otherwise would not choose to live in the remote target communities.

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Administrative Costs: Administrative costs represent another potential reduction in net benefits since costs would increase even if the utilization of the resource remains the same. Two types of annual transfers of halibut charter quota would occur under the proposed community set-aside program structure, both of which would incur administrative costs: 1) transfer from the RAM Division of NMFS to the designated community management entity, and 2) transfer from the management entity to qualified individuals within those communities. Firstly, the marginal administrative cost of adding communities as potential recipients of halibut charter quota under the existing IFQ program administered by NMFS is expected to be minimal. Secondly, while the cost of maintaining a community management entity could be recovered from individual community quota recipients through a fee-based program, there may be more substantial start-up costs associated with establishing the proposed management structure which would likely be incurred by the community as a whole.

Impact of the Source and Magnitude of the Set-Aside on Charter and Commercial Sectors: Depending on the magnitude and source of the set-aside, the initial allocations under Issue 1 for the charter and commercial sectors may change. The three suboptions regarding the source of the set-aside are: a) equal pounds from the commercial and charter sectors; b) a proportional amount based on the percentage quota split between the commercial and charter sectors; or c) the entire set-aside taken from the charter sector.

A 0.5 - 2.5% set-aside would result in an allocation of 49,150 - 245,750 pounds to target communities in Area 2C and 123,230 - 616,150 pounds in Area 3A. These numbers represent the *maximum* annual allocations to communities under the proposed set-aside range, since the amount set aside for each area would ultimately be dependent on the amount requested by each community on an annual basis, subject to a community cap.

The options for the initial allocation to the charter sector are defined under Issue 1, Options 1, 2, and 3. Issue 1, Option 1 (the GHL preferred alternative) would allocate 13.05% and 14.11% of the combined commercial and charter halibut quota to the charter sector in Areas 2C and 3A, respectively. Option 2 would allocate 10.73% in Area 2C and 9.82% in Area 3A to the charter sector. Option 3 would allocate 10.44% in Area 2C and 11.29% in Area 3A. These percentages are applied to the estimated 2001 combined commercial and charter halibut quota of 9,830 million pounds in Area 2C and 24,646 million pounds in Area 3A to determine the initial allocation to the charter sector under each option.

Area 2C: Under the charter allocation proposed under Issue 1, Option 1 (13.05%), the proposed range for the set-aside, and all of the suboptions for the source of the set-aside, the commercial sector's initial allocation could be reduced by a range of 0.3 - 2.5%, and the charter sector's initial allocation could be reduced by a range of 0.5 - 19.2%. Selection of the maximum set-aside amount (2.5%) under Suboption B results in the greatest impact on the commercial sector, potentially reducing that sector's initial allocation by 2.5% or 213,673 pounds. The maximum set-aside amount under Suboption C results in the greatest impact on the charter sector, reducing the allocation to that sector by 19.2% or 245,750 pounds. The charter allocation under this scenario would still be about 10% over 1999 charter harvest levels. Under Issue 1, Option 2, the charter sector's initial allocation decreases to 10.73% of the combined quota, representing a shift of 228,056 pounds between sectors. Thus, compared to Option 1, the impact of the set-aside range on the charter allocation is greater on a percentage basis. Under Issue 1, Option 3, the charter sector's initial allocation decreases to 10.44% of the combined quota, representing a shift of 256,563 pounds between sectors when compared to Option 1. Thus, the impact of the set-aside range on the charter allocation is greatest under Option 3. On a percentage basis, the commercial sector is reduced by about the same amount under each of the options (1-3) proposed in Issue 1.

Area 3A: Under the charter allocation proposed under Issue 1, Option 1 (14.11%), the proposed range for the set-aside and all of the suboptions for the source of the set-aside, the commercial sector's initial allocation could be reduced by a range of 0.3 - 2.5%, and the charter sector's initial allocation could be reduced by a

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range of 0.5 - 17.7%. Selection of the maximum set-aside amount (2.5%) under Suboption B results in the greatest impact on the commercial sector, potentially reducing that sector's allocation by up to 2.5% or 529,211 pounds. The maximum set-aside amount under Suboption C results in the greatest reduction to the charter sector's allocation (17.7% or 616,150 pounds). Under Issue 1, Option 2, the existing charter sector's allocation in Area 3A would be 9.82% of the combined quota, representing a shift of 1,057,314 lbs between sectors compared to Option 1. Under Issue 1, Option 3, the charter sector's allocation decreases further to 11.29% of the combined quota, representing a shift of 695,000 pounds compared to Option 1. The reduction to the charter allocation under Options 2 and 3 is reflected in the impact of the set-aside range on the charter sector. The maximum reduction to the charter sector's allocation increases by about 3-8% when compared to Option 1. On a percentage basis, the commercial sector is reduced by about the same amount under each of the allocation options (1-3) proposed in Issue 1.

Implications of Magnitude of Set-Aside on Communities: The magnitude of the set-aside also has implications for the 37 target communities in terms of the amount of halibut quota available to individuals in communities and the extent that the allocations are enough to support start-up or mature charter operations. Using the assumptions developed in this analysis to estimate the halibut quota needs of a start-up or mature charter operation in these 37 communities, the proposed set-aside range could support 2 - 12 start-up or 1 - 4 mature charter operations in each Area 2C target community. Using the same assumptions, the set-aside range could support 9 - 44 start-up or 1 - 7 mature charter businesses in each Area 3A target community. The Coalition proposal estimates greater quota needs for both start-up and mature charter operations based on anecdotal evidence; using these assumptions would necessarily decrease the number of businesses the set-aside range could support in each area.

Sunset Provisions: The long-run implications of the community set-aside depend on whether an explicit sunset provision is included. The Council requested that 5-year and 10-year sunsets be considered. As proposed by the Coalition, participants of the set-aside are expected to eventually purchase halibut QS rather than rely on set-aside allocations indefinitely. Several provisions in the Coalition proposal are designed to encourage this outcome. It is more likely that a stable number of new entrants residing in target communities continue to apply each year based on natural turnover in the industry. If so, the set-aside effectively represents a permanent allocation to the communities. Alternatively, if the program sunsets in 5 or 10 years, the effects of the set-aside would partially reverse, although sector allocations would likely differ from their starting points due to transfers. If the intent of the program is to provide short-run relief to certain communities so that adjustments to the charter IFQ program can be made more gradually, it is possible that an explicit sunset clause would encourage participants to purchase QS rather than rely on set-aside quota long term. The choice between 5 and 10 year sunsets is more of a policy call but a 10-year program may provide more time for the goals of the program to be realized. If and when the program sunsets, participants who joined the program in the last few years of the program may be adversely impacted. If instead participants are allowed to continue under the guidelines of the program (including individual limits on participation), such adverse impacts would be minimized and the community set-aside program would be phased out more gradually.

Impact of Community Set-Aside on QS Values: Finally, the community set-aside may impact halibut QS values and introduce an additional source of instability. If the underlying TAC is reduced each year by the amount of the set-aside, QS prices may decline since each unit represents fewer pounds. This price decline may be partially offset in an increase in IFQ prices (per pound), depending on the elasticity of demand. The preseason roll-back may cause IFQ/QS prices to fluctuate due to uncertainty in the upcoming year's TAC. QS prices are likely to be more stable in the short-run if a phase-in approach is adopted and in the long-run if a sunset provision is included.



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**Alternative 3, Moratorium.** The moratorium alternative uses the same options for qualification as the proposed IFQ program. Therefore the same number of people would be included under either program. However under a moratorium, persons with low catch history would be allowed to increase their catch share without compensating other members of the charter sector.

It is assumed that the moratorium would not replace the GHL as the IFQ program would. Under a moratorium, the fleet would still be limited by the GHL caps so the charter fleet's growth would be constrained, depending on the effectiveness of the GHL.

A moratorium on new vessel entry under a GHL program would likely have minimal impacts on guided anglers, if the program includes operators will relatively small levels of catch history. Guided anglers would be more limited by the GHL in this case than they would by the moratorium, because the number of charter seats available on any given day would most likely be greater than the demand. What could limit a guided anglers willingness to hire a charter captain is the constraints imposed under the GHL.

Issue 1 addresses the issue that would receive the moratorium license. There are two options: (1) owner/operator or lessee of the charter vessel/business that fished during the eligibility period; and (2) the vessel. When the moratorium alternative was originally developed, the committee's intent was for permits to be issued to persons and not vessels, whereby person is defined as the business owner or lease holder. While this approach may make it more difficult to track persons across different data sets, it reduces problems associated with people using different vessels at various times during the qualifying period.

Issue 2 addresses qualification criteria. As discussed earlier, the moratorium alternative uses the same qualification criteria as the charter IFQ program. Thus, there are seven options under Issue 2 that correspond to the same seven options for the charter IFQ program. The options rely on varying combinations of 1998 and/or 1999 logbook records and evidence of participation either 3 or 4 out of 5 years between 1995-'99. In addition, there is a suboption that requires evidence of recent participation. The potential number of qualifiers (owners are vessel) were shown in Table E.1 and equally apply here. If the Council bases the qualification criteria on the activity of the vessel, the numbers in Table E.1 under the "Vessels" columns would apply. As shown, it is obvious that some owners own more than one vessel. As a result, if the moratorium permit is issued to persons (and not vessels), owners would be issued a permit endorsed for each vessel they own that meets the selected criteria.

Issue 3 addresses evidence of participation. Option 1 governs mandatory requirements (IPHC license, CFEC Number and 1998 logbook) while Option 2 governs supplementary requirements. The appropriate choice of requirements is tied to whether moratorium permits are to be issued to persons or vessels. For example, IPHC licenses vessels and each license application lists the name of the vessel's owner and the name(s) of the captain(s) if they are different. ADFG logbooks provide information on both the vessel and the vessel owner. Basing the moratorium permit on a person's history may minimize conflicts arising from vessel sales. Thus, while there may be problems associated with issuing permits to persons, the problems may be more easily reconciled compared to issuing permits to vessels.

Issue 4 addresses the type of vessel upgrades that would be allowed. Two options are under consideration: (1) limit the license designation to 6-pack (if current vessel is a 6-pack) and limit inspected vessel owner to current inspected certification; and (2) allow upgrades in Southeast Alaska. Vessel upgrades considered by the committee dealt with the number of passengers that could be carried by a vessel. It was the consensus of the committee that permits would be limited to six clients per vessel (except for existing vessels that are licensed for more than 6 passengers). By limiting the number of passengers a charter could carry, upgrade restrictions like those placed on the commercial fisheries may not be needed.

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Issue 5 addresses whether transfers would be allowed. Any limited entry program will include allowances for transfers of permits. The Halibut Charter Work Group recommended allowing transfers of vessels with or without the associated moratorium permit. Additionally, two types of transfers in the charter fishery may be needed: (1) transfers from one owner/operator to another; and (2) 'temporary' transfers of the permit from one vessel to another in the event of vessel breakdowns.

Issue 6 addresses the period of duration for review. There are three options: (1) tie the duration to the GHL, (2) 3 years, and (3) 5 years or 3 years with option to renew for another 2 years. A short-term moratorium may be useful in providing a time-window for the Council (and other management agencies) to develop more specific management programs geared toward specific regional concerns. The Halibut Charter Working Group recommended (by consensus) keeping the moratorium in place as long as the GHL remains in effect. If the Council chooses this option, the moratorium and GHL would be permanent and would require further Council action to amend the program before the moratorium would cease. This would also require the Council to take action to keep the moratorium if they decide to drop the GHL in the future.

**Overview of Impacts to Guided Anglers:** At the February 2001 meeting, the Council requested that the analysis include a section that summarizes the implications of the alternatives for the angler (guided and unguided). Thus, a separate section has been prepared which summarizes the implications of the three alternatives: (1) the GHL management measures (status quo); (2) the charter IFQ program; and (3) moratorium on charter industry participants. Each alternative has the potential to impact stakeholders in the commercial and sport (guided and unguided) fisheries. The alternatives are being considered largely as a result of allocation disputes between the commercial and charter industries that depend on the halibut resource. Growth in the halibut harvest levels by the charter industry has inadvertently reduced the amount available for commercial harvesting which, in turn, represents a cost to the commercial sector. In addition, unconstrained growth in the halibut charter industry has reduced local availability of the resource near some ports, requiring charter operators to travel longer distances.

**Impact on Consumer (Angler) and Producer Surplus -** The alternatives under consideration have the potential to impact the costs, availability and prices of halibut charter trips. These impacts are discussed in the context of potential changes to the consumer and producer surplus. The potential impacts are discussed qualitatively in terms of the direction of the impacts and how the effects may differ (1) for resident versus non-resident anglers, and (2) in the short- and long-run. No attempt is made to quantify the potential magnitude of the impacts because of the extensive data requirements associated with any reliable estimates.

**Impacts of the GHL (Alternative 1):** The implications of this alternative for the guided angler depend on whether the GHL is or is not binding. Based on 1999 halibut harvest levels for the charter sector in Areas 2C and 3A, the GHL is not yet binding. Specifically, the halibut charter harvest would need to grow (or the halibut biomass would need to decline) by 36-37% before GHL management measures would be triggered. To the extent that this growth occurs, the halibut charter industry may experience changes in its costs that may impact charter trip prices and the quality of the halibut charter trip experience. For example, if growth in the industry results in more crowding or increases localized depletion of the halibut resource, charter operators may need to travel longer distances to reach suitable fishing grounds.

If growth in the halibut charter sector increases to the point that GHL measures are triggered, participants (guided anglers and charter operators) would be impacted. Because GHL management measures are implemented in the season *after* the overage occurred, the industry adjustment would occur in a step-wise fashion. The management measures include a combination of trip limits, skipper/crew harvest limits, angler harvest limits and a one-fish bag limit in August. Overall, the GHL and associated management measures are likely to increase costs and introduce more variability in the charter industry in years following an overage. While guided anglers would be least impacted by trip limits and crew harvest limits, these measures are also potentially the least effective. Annual harvest limits on anglers and the one-fish bag limit both work to reduce

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demand for charter trips. Together, the GHL management measures serve to keep the charter sector harvest below the GHL. As a result of the reduction in supply and higher charter trip prices, benefits to anglers are reduced. To the extent that the GHL management measures fail to keep the charter sector harvest below the GHL, the commercial fishing sector's TAC will be decreased accordingly.

Impacts of the Charter IFQ Program (Alternative 2): The staff has been presented with several divergent views on the potential impacts of an IFQ program. Under one set of assumptions, charter trip prices under an IFQ program would rise in a manner similar to what would occur under the GHL (assuming a binding GHL or TAC) but efficiency gains under an IFQ program would expand profits for charter operators. An alternative view developed by Dr. Wilen (see Appendix V) suggests that charter trip prices are constrained by macro-economic factors and the availability of substitutes for both resident and non-resident anglers. Instead, Wilen suggests that the main effect of an IFQ program is to allow and encourage more efficient charter operations with the resulting cost-savings reflected in the market price of charter quota shares.

The implications of the charter IFQ program are first discussed assuming no transfers between sectors are allowed (although transfers within the charter sector are permitted). The impacts differ depending on whether the initial charter sector TAC is binding or not binding.

Charter Sector TAC is Not Binding: Upon implementation of the charter IFQ program, costs in the charter industry will rise for at least two reasons. First, there is an opportunity cost associated with holding quota shares. Secondly, charter operators are not likely to receive the exact amount of QS needed to support their normal business activity. In the short run, charter trip prices may be relatively sticky. As a result, charter operators may not be able to raise prices sufficiently to offset their higher costs and some charter operators will reduce their supply of charter trips. To the extent that supply decreases, the price of charter trips will rise. The magnitude of the price increase will depend on the price elasticity of demand. Since demand is more inelastic for non-resident than for resident anglers, charter trip prices may rise more for non-resident than for resident anglers (for a given reduction in supply).

In the longer run (i.e., next season), adjustments in the industry are likely. Some marginal charter operators may choose to exit the industry and sell their quota shares, resulting in industry consolidation among the lower-cost charter operators. Anglers are also likely to make adjustments since a rise in charter trip prices may make other substitute recreational activities (for residents and non-residents) relatively more attractive. As a result, demand for charter trips may decline. Compared to the GHL (when the GHL is not binding), benefits to consumers are reduced under an IFQ program if the new equilibrium reflects higher prices and a lower quantity of charter trips. Charter operators, however, capture resource rents reflected in the value of their QS holdings. Finally, if transfers between sectors are not allowed, a portion of the charter sector's TAC would remain unharvested, resulting in a reduction in net economic benefits in the commercial sector.

Charter Sector TAC is Binding: If the charter sector's TAC is binding, the charter sector as a whole has fewer QS than needed to maintain its previous activity. If no transfers between sector's are allowed, the sector's TAC constrains the quantity of QS employed in the charter sector and intra-sector transfer prices are higher. In the short-run, costs rise for each individual firm. Since some operators do not have enough QS to maintain their previous activity and others may reduce supply to avoid operating losses, supply contracts. As a result of the reduction in supply, charter trip prices rise and the quantity of trips supplied is reduced to the amount corresponding to the sector's TAC. In the long run, industry consolidation occurs among the lower-cost charter operators, marginal costs for the industry decline and profits rise. In addition, demand may decline if other substitute recreational activities become relatively affordable compared to charter trips.

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Overall, if the TAC is binding and no transfers between sectors are allowed, benefits to anglers will decline (since prices are higher and quantity is constrained by the TAC). Compared to the GHL management measures, however, the IFQ program provides a more efficient mechanism for constraining the charter sector's harvest. In addition, cost savings realized by the charter sector are reflected in the value of quota shares. That is, an IFQ program allows charter operators to capture resource rents that are largely dissipated under the GHL management measures.

**Impact of Transfers Between Sectors:** Transfer restrictions are likely to have a significant impact on the price of quota shares (both sale and lease prices), which in turn impacts the magnitude of the opportunity cost of holding QS. The higher the quota share price, the higher the opportunity cost of holding QS. Transfers between the charter and commercial sectors will occur to the extent that initial QS prices in each sector differ. If QS prices differ across sectors, transfers will occur until a new equilibrium price is established, reflecting the marginal value of quota shares in both sectors. If charter QS prices are initially higher, quota shares will flow into the charter sector and the sector's TAC will rise. Alternatively, if charter QS prices are initially lower, quota shares will flow out of the charter sector and the sector's TAC will decline.

The price of quota shares will also depend on whether the charter sector's TAC is or is not binding. If the TAC is not binding, restricting transfers between sectors will suppress the value of charter QS. If the TAC is binding, restricting transfers between sectors may result in higher QS prices. This is because the TAC restricts the availability of charter trips, driving up the price of charter trips even though charter operator costs may remain the same or even decline. As a result, profits are higher which, in turn, are reflected in higher charter QS prices. Thus, if the TAC is binding, allowing transfers between sectors may help keep QS prices in the charter sector lower (unless commercial QS prices are even higher).

**Implications of Issues 1-11:** The implications of the various issues and options under consideration for the charter IFQ program (Alternative 2) depend largely on how the options impact the initial charter sector allocation (i.e., the TAC), quota share prices and industry costs. Several choices would help to mitigate the impact on guided anglers. For example, basing the initial allocation on 125% of the historical harvest (Issue 1, Option 1) would likely result in an initial charter sector TAC that is not binding. A less constraining TAC will reduce the impact of the charter IFQ program (the supply of charter trips is reduced less and charter trip prices rise less). Or, choosing qualification criteria (Issue 3) and a distribution method (Issue 4) that minimize the need for transfers *within* the charter sector would help minimize the impact on charter operator costs. The impacts of the choices for transfer restrictions (Issue 5) are highly dependent on whether the TAC is or is not binding. If the charter sector TAC is not binding, restricting transfers between sectors would help to keep QS prices low. On the other hand, if the charter sector TAC is binding, allowing transfers may help to keep QS prices low. In both cases, lower QS prices would result in lower costs for charter operators. Issue 9, concerning whether IFQs are issued in pounds or fish, does not directly impact charter operator costs but may be important to maintaining the quality of the charter trip experience for the guided angler. Finally, the community set-aside (Issue 11) would have a higher impact on the charter sector if the charter sector's TAC is initially binding. The set-aside, however, may help increase availability of charter trips from the more remote, coastal communities in the Gulf of Alaska.

**Impact of the Moratorium (Alternative 3):** Under the proposed moratorium, qualifying charter businesses would be eligible to receive a moratorium license which limits the number of vessels they could operate in the charter fishery. The number of licenses (which are transferable) issued in the initial allocation relative to the number actively used in the fishery would determine their value. If the number of licenses issued is in excess than the number required, the value of the license will be lower than if the initial allocation is tightly constrained. Based on the analysis provided in Section 4.3, it appears that the number of vessels likely to qualify under a moratorium would be greater than the number required to harvest the GHL. If so, it is likely that moratorium licenses values will remain relatively low and the cost of entry into the industry will not rise

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substantially. In addition, the GHL is likely to become binding before the moratorium would become binding. As a result, the implications of this alternative largely default to the implications of the GHL (Alternative 1). That is, until the GHL is binding, the charter fishery will continue to operate on an open-access basis. Once the GHL becomes binding, management measures are triggered that work to constrain supply and demand for charter trips. To the extent the GHL sufficiently slows the harvest by guided anglers, the charter fishery is not likely to reach the point where the moratorium becomes limiting.

**Changes in Angler Utility/Welfare** - Changes in angler utility and welfare are the result of changes in the prices and/or attributes of a halibut charter trip. The types of trips that charter operators may offer could include everything from catch and release only trips to trips that try to maximize the pounds of halibut retained. A whole range of trips between the polar opposites that could be offered, including the clients only keeping fish that are under or over a predetermined weight. Whatever the type of trips that are offered, if they are marketed to the clients that value that type of trip, the utility of these clients would be higher than clients valuing another type of experience. Therefore under an IFQ program, charter operators may try to market specific trips to a more narrowly focused clientele or design different types of charter packages at various price levels. The price of the trip could be set to reflect the value of the halibut retained under an IFQ program.

Overall, if the charter operators are able to rationalize their operations they will be able to decrease operating costs. These cost savings will result in increases in consumer surplus and consumer welfare (to the extent the charter sector's TAC is not binding). However the gains will be offset by (an unknown amount) consumer surplus decreases associated with the opportunity cost of the halibut. It is important to note that under a binding GHL the charter sector also realizes an opportunity cost for halibut, but the system does not provide the appropriate mechanism to rationalize their fishery in order to reduce costs. Therefore, net benefits should be greater under an IFQ program relative to a GHL in a competitive market.

**Impacts on Unguided Anglers** - The impacts of a halibut charter IFQ program on the unguided halibut anglers are expected to be minimal. Implementing an IFQ program for the guided fishery will not limit the total amount of halibut unguided anglers are allowed to harvest. They will still be required to keep only two halibut per day, and that regulation will be in place regardless of whether or not the Council implements an IFQ program. On the other hand, unguided anglers may be impacted indirectly in two ways. First, to the extent that fisherman who normally use guided services instead pursue unguided fishing activities, safety concerns may lead to stricter regulations for the unguided fishing industry. This is as likely to occur under a binding GHL as under an IFQ program since both programs have the potential to increase the price of charter trips. Secondly, a more rationalized charter fishery may reduce the number of charter vessels per day on the halibut grounds. This may occur if charter operators are able to improve planning and extend the length of the charter season. This would also reduce competition for port services between unguided anglers (that rent or own boats) and charter operators. These outcomes would benefit the unguided angler who uses the same fishing areas or port services.

**Issuance of Quota Shares to Charter Operators vs. Guided Anglers** - Under the proposed charter IFQ program (Alternative 2), quota shares (QS) would be initially allocated to providers of charter services which meet certain qualification criteria. Allocation of quota shares to the guided angler, the actual harvester of the halibut resource, is not under consideration. This appears to be a departure from the commercial IFQ program because quota shares would not be allocated to the harvester of the halibut. Yet, there may be an economic parallel and rationale for allocating quota shares to the charter operator. Like the commercial IFQ program, under the charter IFQ program, the charter operator is responsible for staying within its individual allocation and helps to enforce the allocation for the entire sector. In addition, quota shares provide both an incentive and a reward to the charter operator for providing stewardship services.

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### SUMMARY OF SECTION 5

Some of the alternatives under consideration could result in a significant impact on a substantial number of small entities. However, the impacts are likely distributional in nature between various groups small entities. In other words, alternatives that benefit one group of small entities will likely come at the expense of another group of small entities. A more definitive assessment will depend on the specific alternatives selected by the Council. A formal IRFA focusing on the preferred alternative(s) will be included in the final regulatory package submitted for Secretarial review.

### SUMMARY OF SECTION 6

Section 6 lists the references cited in the analysis.

### SUMMARY OF SECTION 7

Section 7 lists those individuals consulted in the preparations of the analysis.

### SUMMARY OF SECTION 8

Section 8 lists the preparers of the analysis.

**IFQ Implementation Team**  
**February 4, 2001**  
**Draft Minutes**

The IFQ Implementation Team meeting convened on February 4, 2001 at 1:30 pm. Committee members Jeff Stephan (chairman), John Bruce, Don Iverson, Dennis Hicks, Jack Knutsen, Don Lane, Norman Cohen, and Arne Fuglvog were in attendance. John Woodruff was absent. Staff in attendance were Jane DiCosimo, Darrell Brannan, Nicole Kimball, Maria Tsu, Phil Smith, and Jim Hale.

The following changes were recommended for Alternative 2.

- Issue 1:
1. Add reference to what the allocation percentages are based on.  
Option 1 is based on 125% of 1995-99 harvest.  
Option 2 is based on 100% of 1998-99 harvest
  2. Use percentages based on corrected ADF&G harvests for Option 2.
  3. Add Option 3: 100% of 1995-99 harvest.
  4. Eliminate Option 2, Suboption  
Or, if the Council feels that Option 2, Suboption has merit, then analyze the range to 25-50% fixed, with 50-75% floating

The committee expressed concern that in years of high abundance, the charter sector may be granted IFQs in excess of client demand. The committee discussed whether to cap annual charter poundage allocations in excess of initial allocation but a consensus was not reached on an alternative.

- Issue 5:
1. Revise Option 1. To reflect that some charter QS/IFQ can be leasable; some may not (this clarification would address the possibility of issuing leasable and non-leasable QS/IFQs)
  2. Add Option 3(a)(3) unblocked

The Committee discussed the possibility of creating a separate category of QS for lodges and individuals, respectively (a clear definition of a "lodge" would be needed for the delineation between lodge QS and individual QS). No consensus was reached on this issue. The Committee clarified its intent that the determination of Issue 9 will govern whether pounds or numbers of fish are used with respect to minimum transfer size.

- Issue 5: Add a suboption under Option 2, Suboption (a): No QS transfers between sectors for three years.

The Committee noted the relevance of the SSC comments on revising the problem statement to better define the intent and motivation with respect to QS or IFQ transfers. The Committee discussed that many of the options under Issue 5 may conflict with that part of the Council's problems statement that indicates that one of the goals of the Charter IFQ program is to address future allocation issues. The Committee recommends that a discussion be added to the analysis that addresses the broad issue of QS and IFQ transfers. The Committee indicated that it will defer from addressing provisions that govern transfers within the Charter sector unless otherwise directed by the Council.

- Issue 6: The Committee recommends that all commercial rules should apply to any provision that may permit the use of commercial QS/IFQ for commercial purposes by any entity in the Charter IFQ sector.

Issue 7: Revise Option 2. Use cap of 1/4, 1/2, and 1% of QS units initially issued to charter sector in Area 2C and 1/4, 1/2, and 1% of charter QS units in Area 3A (in QS units).

Issue 8: Revise language in Option 3 to mirror commercial language to limit overage to 10% of remaining IFQ on last trip.

Issue 10: Add Option 4. Charter IFQ fish tags to address enforceability issues.

Issue 11: The Committee notes that the GOACCC has also submitted a proposal to the Council for a "buy-in" of commercial halibut/sablefish IFQs. The Committee discussed whether this "buy-in" proposal, which is also under consideration by the Council, would meet the goals of the GOACCC. The Committee further notes that the commercial sector has already been impacted by a reduction of the commercial halibut/sablefish IFQ pool because of the halibut/sablefish QS that was withdrawn from the commercial sector and given to the CDQ program when the commercial halibut/sablefish IFQ program was adopted.

The Committee was unsure whether the Council will ask it to reconvene to consider the "Public Review" analysis and provide recommendations to the Council prior to final action.

Therefore, with respect to Issue 11, Option 1, The Committee recommends Option 1 - No Community Set-aside. The Committee notes that this is consistent with past Committee recommendations. The Committee also recommends that if the Council proceeds with the concept of a set-aside provision in the Charter IFQ Program, the Committee recommends Option 2, Suboption 1(c); this option requires that 100 percent of the Charter IFQ program pounds be taken from the Charter sector QS. The Committee notes that growth in the Charter IFQ program is adequately provided for under Issue 1, Option 1 (125% of the actual Charter harvest), and that the commercial sector has already been impacted by a reduction of the commercial halibut/sablefish IFQ pool because of the halibut/sablefish QS that was withdrawn for the CDQ program (as previously noted).

The Committee also recommends Suboption 2C (a 10-year sunset provision), with a 5-year review.

The Committee adopted the above recommendations on a vote of 5 - 3. It was noted that some Committee members opposed the motion because they felt that a further evaluation of the impacts of the community set-aside were necessary to make an informed decisions.

The committee appreciated being provided an opportunity to review the analysis and provide recommendations. The committee adjourned at 5:30 pm.



**IFQ Charter Committee  
February 5, 2001  
Draft Minutes**

Committee members in attendance: Chairman Dave Hanson, Brett Huber, Jim Preston, Bob Ward, Seth Bone, Tim Evers, Andy Mezirow, Dave Kubiak, John Goodhand, Larry McQuarrie, Joe Daniels and Technical advisors: Don Lane, Mark Lundsten, Gerry Merrigan, Tim Hinkel. Steve Campbell was absent.

Staff Jane DiCosimo, Darrell Brannan, Maria Tsu, Nicole Kimball, Phil Smith, Jim Hale, Scott Meyer, Doug Vincent-Lang.

**Issue 1. Allocation**

1. Expand discussion of Suboption (fixed/floating issue) to address problem statement (provide access opportunities for halibut fishermen):
  - a. preserve recreational access in times of low abundance;
  - b. 50% disappears when QS is transferred;
  - c. prevents the need for QS transfers based on abundance extremes

Staff advised that the fixed QS may be issued in pounds or fish, with the remaining QS issued in units.

2. Do not add a new option of 100% of 1995-99 harvest. But if the Council adopts it, then the committee recommends adding an option of 150% of 1995-99 harvest.
3. Do not change the range to 25-50% fixed/75-50% floating. But if the Council adopts it, then the committee recommends changing the range to 25-75% fixed/75-25% floating.
4. Expand analysis to identify potential effects and mitigating those effects on anglers.
5. Discuss impacts on pricing for charter QS of IFQs related to abundance. They believe prices will be high during times of low abundance, and low during high abundance.
6. Motion: Preferred alternative: Adopt Option 1, Suboption

**Issue 2. Initial issues**

1. Ownership requirements should be the same for the commercial and charter fisheries.
2. Motion: Preferred alternative is to adopt 75% ownership and Options 1 (charter owner) and 2 (bare vessel lessee).

**Issue 3. Qualification Criteria**

1. Add suboption under Option 4 and 5 for 3 of 4 years.
2. Revise suboption under all options to require that initial issues be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000).

#### **Issue 4. QS distribution**

1. Delete the sentence, "The balance could then be reissued to the whole group of participants." This assumes that the remainder will be distributed proportional to 1998-99 history.
2. The committee was not able to achieve a consensus for choosing a preferred alternative for the QS distribution formula.

#### **Issue 5. Transfers of QS and IFQs**

1. Minimize consolidation and encourage diversity of opportunity for anglers
2. Add discussion of "cost" of QS/IFQs compared with unavailability of loans for the commercial sector
3. Revise Option 1. Create two types of IFQs:
  1. leasable (to address lodges or multiple boat operators (like commercial A shares))
  2. non-leasable
4. Eliminate Option 1, Suboption because it is not applicable to leasing quota (hired skippers are allowed).
5. Add suboption under Option 2a, No QS transfer between sectors for 3 years
6. Add Option 3.a.(3) unblocked
7. Add suboption that changes "initially issued" to "all" under Option 3a.
8. Delete Option 5 (limit transfers between sectors to one per year).

#### **Issue 6. Transferees**

Preferred alternative is Option 1a and b (no suboption) and Option 2.

#### **Issue 7. Caps**

Revise Option 2. Use cap for charter QS owners only of 1/4, 1/2, and 1% of combined QS units in Area 2C and 1/4, 1/2, and 1% of combined QS units in Area 3A

#### **Issue 8. Miscellaneous**

1. The committee requested that the analysis reflect its opinion that Option 1 acts as a deterrent to large operators entering the fishery.
2. Revise Option 2. To change "rollover" to "underage"
3. Eliminate overage provision from analysis

## **Issue 9. IFQs**

Preferred alternative is Option 2.

## **Issue 10. Reporting**

The committee noted the discussion of tagging charter IFQ fish.

## **Issue 11. Community Set-aside**

Preferred Alternative: Option 1, no set-aside

## **Problem Statement**

A motion to amend the problem statement was not approved by consensus, but the committee recommended that the Council consider the following statement on the impacts on anglers as it develops the IFQ program

“As a next step the Council is considering extending the existing halibut QS program to the guided sport sector. Extending the existing halibut QS program to the guided sport sector could potentially impact anglers who utilize charter services to access the halibut resource and communities that have charter infrastructure. In considering this decision to extend the existing halibut quota share program to the guided sport sector the Council wishes to identify, assess, explore options to mitigate (where possible) such impacts as apart of its analysis.”

## **Moratorium**

The committee recommended adding an Alternative3. Moratorium, using the qualification criteria listed under Alternative 2. Issue 3 for final action.

The committee would like to reconvene prior to final action to review the revised analysis. It provided preferred alternatives for some issues in the event it is not reconvened; however this list is incomplete as the committee decided it needed to meet again prior to final action.



**Year-To-Date Total (to December 31), IPHC area 3A.**

	2000			1999			1998		
	Resident	Non-Resident	Unknown	Resident	Non-Resident	Unknown	Resident	Non-Resident	Unknown
Number of unique active	438	15	1	438	14	2	404	14	4
Number of unique active vessels	546	22	1	527	19	2	480	20	4
	<b>Client Total</b>	<b>Crew Total</b>	<b>Combined Total</b>	<b>Client Total</b>	<b>Crew Total</b>	<b>Combined Total</b>	<b>Client Total</b>	<b>Crew Total</b>	<b>Combined Total</b>
Angler-Days	81,194	10,925	92,119	89,445	10,275	99,720	98,219	N/A	98,219
Rods Fished for Bottomfish	133,289	20,762	154,051	106,845	12,072	118,917	90,967	947	91,914
Boat Hours Fished	132,838	27,862	160,700	125,647	22,459	148,107	85,879	N/A	85,879
Halibut Kept	225,586	23,222	248,808	175,900	14,602	190,502	158,898	1,738	160,636
Halibut Released	156,224	12,570	168,794	141,931	7,636	149,567	146,779	694	147,473
Pelagic Rockfish Kept	27,743	731	28,474	17,030	352	17,382	14,665	2	14,667
Pelagic Rockfish Released	14,935	385	15,320	8,418	323	8,741	N/A	N/A	N/A
Other Rockfish Kept	8,756	336	9,092	4,927	206	5,133	6,376	10	6,386
Other Rockfish Released	2,049	57	2,106	793	81	874	9,156	5	9,161
All Rockfish Released	16,984	442	17,426	9,211	404	9,615	9,156	5	9,161
Lingcod Kept	9,289	296	9,585	4,350	205	4,555	3,629	1	3,630
Lingcod Released	5,351	235	5,586	3,334	209	3,543	N/A	N/A	N/A

**Charter IFQ Committee**  
**REVISED MINUTES**  
**April 9, 2001**

Committee members in attendance: Brett Huber, Jim Preston, Bob Ward, Seth Bone, Tim Evers, Andy Mezirow, Dave Kubiak, John Goodhand, Larry McQuarrie, and Joe Daniels. Chairman Dave Hanson and Steve Campbell were absent. Steve Campbell was absent. Technical advisors: Don Lane, Duncan Fields, Arne Fuglvog attended; Mark Lundsten and Tim Hinkel were absent.

Staff present were Jane DiCosimo, Maria Tsu, Nicole Kimball, Darrell Brannan, Chris Oliver, Phil Smith, Rob Bentz, Kelly Hepler, Gregg Williams, Heather Gilroy. Council members Bob Penney and Kevin Duffy and BOF member Ed Dersham also attended.

The committee allowed public testimony. David Goldstein (PWS Eco-charters), Dale Bondurant (Alaska Constitutional Legal Defense Conservation Fund), Jesse VanderZanden (Alaska Outdoor Council), Ken Dole (Waterfall Resort), Donald Westland (Ketchikan charter operator).

The committee discussed the alternatives in the analysis, using comment letter #82 (submitted by Larry McQuarrie) in the Council briefing book as opening positions.

**Alternative 1. Status quo**

The committee made an opening statement that it preferred having no GHL or IFQs in the halibut charter fishery (i.e. they would prefer the pre-GHL unrestricted halibut fishery). However, since this was not an option for the Council at this point, the committee reached consensus that the status quo (GHL) alternative with no additional measures is not acceptable.

**Alternative 2. IFQs**

The committee is not in consensus on recommending Alternative 2 (relative to the GHL). Of the voting committee members, 5 were in favor of charter IFQs rather than the GHL (status quo), while 5 opposed IFQs. However, should the Council select Alternative 2 as the preferred alternative, the committee recommended options for an IFQ program (see below).

**Alternative 3. Moratorium**

Of the five committee members who were not in favor of IFQs as a first option (relative to the GHL), three were in favor of a moratorium. Of the five members who were in favor of halibut charter IFQs as a first option (relative to the GHL), all five preferred a moratorium as the second option.

The committee did not reach consensus on whether to adopt a charter IFQ program. However, should the Council select Alternative 2 as the preferred alternative, the committee recommends the following options. The committee did not reach consensus on all of the options discussed below, but these were given greater consideration for adoption than those options that were not discussed.

**Issue 1. Initial QS**

Option 1. Equal to 125% of corrected 1995-99 charterboat harvest

Suboption: 50% of an individual's QS initial issuance would be fixed and the remainder would float with abundance.

**Issue 2. Initial allocation**

b. U.S. ownership 75%; Option 1 (vessel owner) and 2 (lessee)

### Issue 3. Qualification

Option 2. Initial issuees who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000)

Suboption: Require that initial issuees be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May- Sept 2000) and ~~claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.~~

The committee noted that the USCG license is not required to operate a vessel without propulsion (e.g., Kenai River drift boats) and struck the language noted above. Those vessels required to hold a USCG would continue under that requirement under previous language in the suboption.

### Issue 4. Distribution

The committee did not reach consensus on Issue 4 options. It agreed to support a new option (Unified proposal: Part A = 3%; Part B = 95%, Part C = 2%) to replace Option 2 (modified Kodiak proposal). The committee discussed that the distribution of QS should rely more heavily on harvest data rather than years of participation.

Staff suggested that the Council did reserve the ability to expand the range of the options for QS distribution in the public review analysis and could adopt it as its preferred alternative.

The committee recommended an equal distribution for allocating the remainder QS if the Council adopts Option 1.

The committee agreed that the suboption should not be adopted.

### Issue 5. Transferability

#### Option 1. Leasable vs non-leasable

No consensus was achieved on the issue of whether the QS would be leasable or non-leasable.

#### Option 2. Transfer

The committee reached consensus to modify Option 2bii to read: one way transfer from initially issued QS and associated IFQs (with no time limit).

The committee recommended that 50% of QS would be fixed under Issue 1. Consensus was reached that the fixed QS would be transferable within the sector, but did not agree on the percentage of overall holdings (10% and 50% were discussed) that would be allowed to be transferred.

The committee did not reach consensus on Suboption iv. 10% leasing of Charter IFQ to charter from charter for the first 3 years of unfixed IFQs *was discussed*.

#### Option 3. Blocks

The committee reached consensus to recommend not allowing transfers of initially issued charter QS from the charter to the commercial sector, and supports keeping all charter QS unblocked. The committee also supports allowing the splitting of commercial blocks in order to transfer a smaller piece to the charter sector.

#### Option 4. Vessel class

a) The committee reached consensus that all vessel category QS (A, B, C, and D) may be transferred from the commercial to the charter sector.



b) The committee reached consensus that if QS is deemed transferrable from the charter to the commercial sector, then (b3) transfers to vessel classes B, C, and D is the preferred option.

c) The committee reached consensus that if QS is deemed transferrable from the charter sector to the commercial sector, the QS would lock in at that commercial vessel category ( with the understanding that if the QS was transferred back to the charter sector in the future, the vessel category designation would become irrelevant as long as the QS remained in the charter sector.)

#### Option 5. Minimum size of transfers

The committee recommended no minimum size of transfers

#### **Issue 6. To receive by transfer:**

The committee reached consensus to recommend both Options 1 and 2.

#### **Issue 7. Caps**

The committee did not reach consensus on caps.

#### **Issue 8. Miscellaneous**

The committee reached consensus on Options 1 and 2. The committee reached consensus to support Option 3 only if IFQs are in pounds. The committee reached consensus on Option 4, with the understanding that no new entrants would be allowed in the charter fishery in the interim year.

#### **Issue 9. Pounds vs Fish**

The committee concurred on issuing IFQs in fish.

#### **Issue 10. Reporting**

The committee reached consensus to use ADFG logbooks (Option 2) for reporting. Industry expressed major concerns about fish tags (Option 4).

#### **Issue 11. Set-aside**

The committee reached consensus to not support a community set aside, however, if the Council proceeds with the set-aside, the committee recommended allocating ½ percent, proportional source (suboption 1b), and a sunset of 5 years (suboption 2b).

The committee did not reach consensus on whether to adopt a moratorium. However, should the Council select Alternative 3 as the preferred alternative, the committee recommends the following options:

#### **Issue 1. Issuee**

Option 1. The owner/operator *of* lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity).

#### **Issue 2. Qualification Criteria**

The committee did not reach consensus on Option 3 (with Suboption) or 4 (with Suboption).

#### **Issue 3. Evidence of Participation**

Option 1. mandatory requirements (a, b, c (and/or 1999 logbook))

Option 2. supplementary requirements (a, b, c, d, e)



**Issue 4. Vessel Upgrade**

Option 1. License designation limited to 6-pack, if currently a 6-pack, and inspected vessel owner limited to current inspected certification (held at a number of people, not vessel size).

**Issue 5. Transfers**

Option 1. Will be allowed.

**Issue 6. Duration for review**

Option 1. Tied to the duration of the GHL.

## SUMMARY HALIBUT CHARTER IFQ PROGRAM

After two days of public testimony from more than 200 individuals, the North Pacific Fishery Management Council approved an individual fishing quota (IFQ) program for the halibut charter fleet in Southeast and Southcentral Alaska on April 14, 2001. This decision culminated eight years of debate and over 8,000 comments on managing the charter halibut fishery. The IFQ program would replace the guideline harvest level (GHL) program approved by the Council in February 2000, and currently under Secretarial review. No changes were made to the 2-fish daily bag limit or 2-day possession limit for charter anglers. The charter IFQ program could be implemented as early as 2003 if adopted by the Secretary of Commerce. Major features of the approved program will include:

1. The action does not restrict non-charter recreational anglers. It only affects charter operations.
2. The action does not permit a charter captain to sell the fish. Fish caught by charter clients belong to the client.
3. The halibut charter IFQ program would be integrated into the existing halibut commercial IFQ program. The charter sector would be allocated 125% of the average 1995-99 charter harvest to allow for growth in the fishery. The allocation equates to approximately 13% of the combined commercial and charter quota in Southeast Alaska and approximately 14% of the combined commercial and charter quota in Southcentral Alaska. This is more than 36 percent in Southeast Alaska and 37 percent in Southcentral Alaska than is presently being harvested by the charter sector.
4. Charter allocations can grow over time. Charter quota shares may not be transferred (sold) to the commercial sector. In the future, the Council will determine whether to allow a portion of charter QS to transfer to the commercial sector. Quota shares may be transferred within the charter sector. Commercial quota shares may be transferred to the charter sector. They also may be transferred back to the commercial sector. Restrictions on those commercial quota shares would continue to be applied while they are used in the commercial fishery.
5. Twenty percent of charter IFQs (an IFQ is the amount which can be harvested in any one year based on a person's number of quota shares multiplied by the quota) may be leased within the charter sector for the first three years of the program; ten percent may be leased to the commercial sector for the first five years.
6. Between 1 and 2 percent of charter QS will be set aside for underdeveloped Gulf coastal communities to develop additional charter operations (the Council will identify those communities who are eligible for developing new operations and the details for how the program will be administered in a subsequent action).
7. Charter quota will be issued to a charter vessel owner, or to a person who leased a vessel from an owner, and who carried clients in 1998 or 1999, and 2000.
8. A quota share use cap of 1 percent in Southeast Alaska and ½ percent in Southcentral Alaska as well as a cap of ½ percent for both areas combined was approved, however, anyone who is initially issued quota shares above those levels would be grandfathered into the program at their qualifying level.
9. A delay of one year between the issuance of quota shares and fishing under the IFQ program.
10. IFQs would be issued in numbers of fish (compared with pounds in the commercial program) to allow current fishing practices to continue.
11. An agency and charter industry committee will develop an implementation plan to address reporting, monitoring, and enforcement.

The Council is an advisory body to the National Marine Fisheries Service, which manages Pacific halibut in State and Federal waters off Alaska jointly with the International Pacific Halibut Commission under the authority of the Northern Pacific Halibut Act of 1982.

**North Pacific Fishery Management Council**  
**Final Motion on Halibut Charter Fishery Management**  
**April 14, 2001**

**Alternative 2. Include the halibut charter sector in the existing halibut IFQ program.**

IFQs are an access privilege, not an ownership right. They may be revoked or limited at any time in accordance with the North Pacific Halibut Act as well as the Magnuson-Stevens Act, and other federal laws. Charter IFQ halibut may not be sold into commerce - i.e., all sport regulations remain in effect.

**Issue 1. Initial QS may be based on:**

1. Equal to 125% of corrected average 1995-99 charterboat harvest.
2. (13.05% in Area 2C and 14.11% in Area 3A of a combined charter and commercial quota).
3. 100% of an individual's QS would float with abundance.

**Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis: 75% U.S. ownership**

1. Charter vessel owner - person who owns the charterboat and charterboat business; and
2. Bare vessel lessee, where a lease occurred (instead of owner) - person that leases a vessel and controls its use as a charterboat for this fishery. May operate the vessel or may hire a captain/skipper. Lessee determines when the vessel sails and by whom captained.

**Issue 3. Qualification Criteria**

Initial issues who carried clients in 1998 or 1999 and who submitted ADF&G logbooks for an active vessel (as received by ADF&G by February 12, 2000). Initial issues will be required to be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action and any year claimed during the qualifying period (currently May- Sept 20, 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

**Issue 4. Distribution of QS may be based on:**

70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-97 (longevity reward). (Excess QS would be distributed equally among those initial issues with participation in at least one year during 1995-97).

**Issue 5. Transferability of QS (permanent) and IFQs (on annual basis [leasing])**

Charter QS is non-leasable

Charter QS transfers:

1. Initially issued Charter QS is fully transferrable within the charter sector.
2. For purposes of transfer to commercial sector, 75% of an individual's initially issued charter QS is permanently nontransferable and 25% may be transferrable upon Council review and approval after 3 years.
3. Commercial QS purchased by charter operator is fully transferable (two-way) across sectors and retains original designations.

**Charter IFQ leasing:**

1. 20% of a charter operator's annual IFQ is leasable within the charter sector for the first 3 years of the program.
2. Leasing is defined as the use of Charter IFQ on a vessel which the owner of the QS has less than a 50% ownership interest.
3. 10% of a charter operator's annual IFQ may be leased to the commercial sector for the first 5 years.

**Block restrictions**

1. any initially issued (i.e., unblocked) charter QS once transferred to commercial sector shall be unblocked.
2. allow splitting of commercial blocks to transfer a smaller piece to the charter sector - split blocks retain original designations.

**Vessel class restrictions**

1. from A, B, C, and/or D commercial vessel category sizes to charter sector, except that no charter business may own or control more than 1 "D" category block equal to or above the sweep-up level.
2. from charter to commercial at B, C, and D category.
3. initial transfer from undesignated charter only to catcher vessel of comparable size class. Buy down allowances apply (e.g., charter vessel 35'-60' must sell to C or D class commercial vessel.)

**Issue 6. To receive halibut QS and IFQ by transfer:**

For the charter sector, must be either:

1. an initial charter issuee; or
2. qualified as defined by State of Alaska requirements for registered guides or businesses; and
3. fulfill all legal obligations of the charter sector; and
4. hold USCG license.

For the commercial sector, must have a commercial transfer eligibility certificate. All commercial rules apply to any provision that may permit the use of commercial QS/IFQ for commercial purposes by any entity in the Charter IFQ sector.

**Issue 7. Caps**

1. use cap for charter QS owners only of 1 percent of combined QS units in Area 2C and ½ percent of combined QS units in Area 3A (for all entities, individually and collectively) and grandfather initial issuees at their initial allocation.
2. use caps for charter QS owners only of ½ percent of combined QS units for combined Areas 2C and 3A (for all entities, individually and collectively) and grandfather initial issuees at their initial allocation.

**Issue 8. Miscellaneous provisions**

1. Maximum line limit of 12 in Area 3A (remains at 6 lines for Area 2C), grandfather initial issuees at maximum lines in 2000, however, line limits in excess of the maximum are non-transferable.
2. 10% underage provision of total IFQs.
3. A one-year delay between initial issuance of QS and fishing IFQs.
4. Halibut harvested aboard a charter vessel continues to be the property of the angler who caught the halibut provided the charter owner possesses sufficient IFQ.

**Issue 9. IFQs associated with the charter quota shares may be issued in:**

Numbers of fish (based on average weight determined by ADF&G)

**Issue 10. Reporting:**

The Council defers design of the reporting and enforcement strategy to an IFQ technical implementation team, comprised of agency and industry. It is the intent of the Council that a more comprehensive reporting system will address the following items. The Council noted that ADF&G logbooks would not be considered sufficient for monitoring and that the team should consider fish tags and other reporting systems suggested by industry.

1. More timely, verifiable reporting of catch;
2. Enforcement concerns;
3. More accurate geographic referencing of catch location which provides for analysis of halibut harvest in LAMP districts.

**Issue 11. Community set-aside (revised)**

1. Set aside 1% of the combined commercial and charter halibut quota to communities with  $\frac{1}{4}$  percent annual increases if utilized, to a maximum of 2 percent.
2. Source of the set-aside: Equal pounds from the commercial and charter sectors.
3. Sunset provisions: 10 years (starting in the first year of issuance). Persons currently participating in the set-aside program at the time of sunset would be allowed to operate within the guidelines of the program.

**LAMPs**

The Council also supports an expedited local area management planning (LAMP) process by the Alaska Board of Fisheries to address localized depletion and user group conflicts and other issues as appropriate. The Council encourages the Board to complete this process and report back to the Council as soon as possible.

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March 28, 2001

Chairman Dave Benton  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue  
Suite 306  
Anchorage, Alaska 99501-2252

Re: Halibut IFQs

Dear Chairman Benton:

The purpose of this letter is to state clearly and unequivocally to the North Pacific Fisheries Management Council, that the Alaska Board of Fisheries, at this time, opposes the concept of IFQs for the halibut charter boat operators. Undoubtedly, you and other council members have heard the all of the arguments against the IFQs, so I won't reiterate them in this letter. However, the Council should be aware that individual Board members have heard the same arguments, have discussed these issues among themselves and with members of the public and, as a result, believe that the adoption of IFQs would not be in the public interest at this time. Frankly, we see no compelling need to give a public resource to a private group of individuals at this time, particularly in the light of the Council/Board Joint Protocol on LAMPs.

As chairman of the Alaska Board of Fisheries and as one of the authors of the Local Area Management Plan Protocol, I believe that if the Council adopts the proposed IFQ plan in April, the Council will breach the terms and conditions of the Joint Protocol on LAMPs. A copy of the Protocol is attached to this letter for your review and consideration. It is clear that the agreed upon approach to LAMPs is absent from the current process of providing for IFQs for the charter boat operators. In part, this occurred because of funding problems for the Board, but those problems are now resolved.

As you may be aware, the Alaska legislature recently made a special appropriation of \$55,000.00 for the Board to continue its work on LAMPs under the Joint Protocol as well as to allow the Board to work on the halibut subsistence issues. At about the same time, the President of the Senate and the Speaker of the House sent a letter asking that the Board be allowed the time to complete its LAMPs process before the Council takes action on this matter. Thus, both the legislature of the State of Alaska and the Board of Fisheries are asking the Council to honor the Joint Protocol and to proceed with the development of LAMPs.

If the Council approves IFQs for the halibut charter boat operators at its April meeting, it will undermine the Joint Protocol and the public process. Further, such action will bring into serious question the Board's ability to work with the Council on issues of mutual concern. As you are well aware, when there have been issues between the Board and the Council in the past which have created friction between our respective bodies, the Board has always responded to the Council's concerns. The Council should understand that the Board is voicing a very real and substantial concern here. Speaking as the Chairman of the Board, I hope and expect the Council will respond accordingly.

A Board committee, consisting of Ed Dersham, Grant Miller and I, will conduct public meetings in April and early May in Sitka, Cordova, Kodiak and Anchorage. A copy of our schedule is attached for your review. This public process will include a discussion of IFQs along with the numerous other issues which led to the development of the Joint Protocol and the establishment of the LAMPs process. Many Board members have already heard from many private individuals concerning these proposed IFQs. Almost universally, once the concept is explained to the person and once they understand that there are substantial unresolved questions concerning the effect of such action, that person is opposed to the idea of IFQs for the charter boat operators.

After this extensive public process in four (4) cities involving eight (8) days of public testimony, the full Board will meet in Anchorage to develop a report and recommendations for the Council. We will submit our report to the Council for its consideration by June of this year. Further, we hope to complete our work on the LAMPs process this upcoming Board cycle so that a full report, with recommendations, can be forwarded to the Council as per the Protocol for action next year (2002).

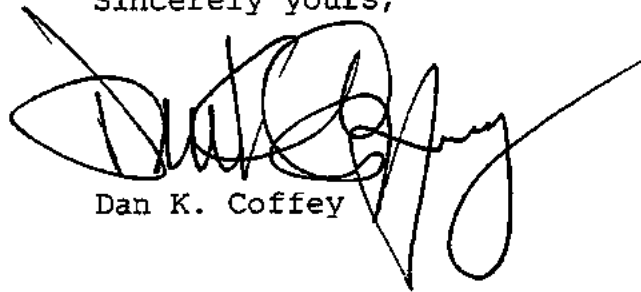
As you may also be aware, the Board and the public have already invested substantial time and effort in this process since the adoption of the Joint Protocol. Because of budget constraints last year, the Board was unable to proceed with this project for

one year, but with the recent appropriation, the budget problem is resolved. The work that will take place in the next six (6) weeks will be a substantial culmination of previous work by the Board and the public. As noted above, a full report will be sent to the Council detailing the information and opinions gathered during this up coming process. This series of public hearings should lead to the eventual adoption of local area management plans which meet the needs of the individual communities. For the Council to act on this important an issue before the Board's work is done would not only be in contravention of the Joint Protocol, but would be bad public policy.

We urge you and your fellow Council members to allow the LAMPs process envisioned by the Joint Protocol to proceed, to allow for public comment and to await the outcome the report from the Board before you act to create an IFQ system for charter boat operators.

Thank you for your consideration of this request.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Dan K. Coffey', with a long, sweeping horizontal line extending to the right.

Dan K. Coffey

cc: Senator Stevens  
Governor Knowles  
Speaker Porter  
President Halford  
Council Members  
Board of Fisheries Members



Post-#	Fax Note	7671	Date	# of pages
To	Dan		From	Dana
Co./Dept.			Co.	
Phone #			Phone #	

Updated 2/17/98

## **Board/Council Protocol on Local Area Management Plans**

In February 1998, the Alaska Board of Fisheries and the North Pacific Fishery Management Council adopted the following protocol to guide the successful development, processing, and implementation of local area fisheries management plans. Though the protocol covers development of local area management plans for all species of interest in a local area, the Council's main purview will be over halibut and those species covered by one of the Council's fishery management plans.

### Scope and Content of Proposals

It is the expectation of the Board and Council that any proposals submitted for review will be well thought out and reflect the efforts and a high degree of consensus of representatives of all users of the fish species in the local area covered by the proposed plan. Local commercial, sport, charter and subsistence representatives, and others as appropriate should be involved in the development of proposals, preferably using a local advisory committee or task force approach. When submitting a proposal, users should be identified and their involvement in the process documented. During development, appropriate agency staff (NMFS, ADF&G, Council, Board, IPHC, etc.) should be contacted to provide guidance and legal limitations so that the proposal has a much higher likelihood of not facing difficulties in the review process. Proposals should encompass all shared fish stocks in the local area and should address as appropriate, catch and possession limits, gear types, effort limitation, closed areas, seasons and overall boundaries of the local area plan. Proposers should anticipate that the local plan, if approved, likely will be implemented for no less than three years before there will be another opportunity to revise it. They should also be aware that the schedule below spans over a year from the April deadline for proposals to implementation sometime in the spring or summer of the following year or longer.

### Schedule for Proposal Review and Implementation

The following schedule is an example of the procedural steps through which a proposal will go. The schedule of activities after the July mailing of proposals to the ADF&G advisory committees and public will depend on the complexity of the proposal, the scope of the required analysis, availability of data and staff to complete an adequate analysis, and other issues before the Board or Council.

**November:** Board of Fisheries calls for proposals (each area is on a specific three-year cycle). The Board will identify its interests in the call for proposals, including a paragraph on how halibut fisheries are handled, and other legal requirements. (Alternatively, the call for proposals could be statewide, but still on a three-year cycle.)

**April:** Deadline for proposals (e.g. April 10, 1998). Staff would screen proposals to evaluate if they meet the Board's call for proposals.

**July:** In early July, all proposals for a specific area would be grouped together, and along with all other proposals, sent out to the Board's mailing list for comment. ADF&G advisory committees and public would have the opportunity to comment by the prescribed deadline. Their comments would be numbered and made available to the Board for their deliberation. Agency staffs would meet and develop concerns for consideration by the joint Board/Council committee at its July meeting. They would weigh management, enforcement and legal issues and whether the proposal violates any of the provisions of the North Pacific

Halibut Act of 1982, the Magnuson-Stevens Act national standards, or other applicable law.

After July, any local area management plan proposal would go through the following sequence:

1. Agency staffs would work together to develop information needed for the Board to make its decision. This would include economic, biological impact information, as well as legal guidance on the ultimate viability of the proposed course of action. The goal is to have sufficient information available to meet the Board's needs and to allow for timely development of an environmental and regulatory assessment that would meet federal requirements once the halibut portion of the plan is forwarded to Council and NMFS review.
2. Joint Board/Council committee meets to review proposal and supporting information. (Most likely in September)
3. Joint Board/Council committee reports to the Council and the Council develops preliminary comments for November Board meeting. (Most likely at Council's October meeting)
4. At its fall or winter meeting, Board considers proposals, public, agency, and Council comments, and deliberates proposal, possibly using a Board committee to work with interested parties during the meeting to develop a unified plan. If the committee successfully resolves outstanding issues, the Board could take final action. If, however, major issues remain unresolved, the Board has the option of sending the proposed plan out for further public involvement and development, perhaps via a task force or other working group. Final action then would be postponed until rescheduled by the Board.
5. Council would receive the Board's proposal along with available analyses and identification of any legal issues. The Council will then send the proposal out for public review. (Timing of this step would depend on staff availability to perform analysis and other issues on Council's agenda.)
6. Council schedules final action on proposed area plan. Final plan would then be submitted to NMFS for review and approval of the halibut portion.
7. Final local area management plan approved by NMFS and implemented as soon as possible, for a minimum of three years.

(Approved by North Pacific Council on February 4, 1998, and by the Alaska Board of Fisheries on February 8, 1998.)

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 [Return to the NPFMC Home Page](#)

March 23, 2001  
UPDATE ON THE BOARD OF FISHERIES' COMMITTEE HEARINGS  
CONCERNING HALIBUT SUBSISTENCE AND UPDATE ON HALIBUT LAMPS

**Committee Hearings**

Board Committee Members: Coffey, Dersham, Miller

Hearing Purpose: 1) Gather AC and public comment on recommendations concerning halibut subsistence fishing regulations proposed by the North Pacific Fishery Management Council (NPFMC); 2) Receive an update on the status of local area management planning (LAMP) efforts in various communities.

Hearing Format: 1) Statement of purpose of hearings  
2) Oral AC and public comment  
3) Round-table discussion with ACs, public and board committee

NOTE: Written comment will be accepted at all hearings and at the Board's office in Juneau via fax (465-6094) or mail. All written comment will be distributed to the full board.

Hearing Reports: The board committee will submit in writing a report to the full board at its May 8-9 meeting in Anchorage.

**Schedule\***

Southeast	April 1, 9 am – 4 pm April 2, 9 am – 4 pm	Sitka, SheeAtika Hotel
Kodiak/Chignik	April 6, 9 am – 4 pm April 7, 9 am – 4 pm	Kodiak, Best Western Hotel
Prince Wm. Sound	April 16, 4 pm – 9 pm April 17, 8 am – 11 am	Cordova, Bidarki Recreation Center
Cook Inlet	April 25, 11 am – 4 pm April 26, 9 am – 4 pm	Homer, Lands End Hotel
Full Board Meeting	May 8, 8:30 am May 9, 8:30 am or as announced	WestCoast International, Anchorage

\* The meeting schedule is set according to airline schedules and meeting room availability.

**Outcome**

The NPFMC requested the board hold public meetings and provide recommendations by June 2001 concerning the NPFMC's proposed halibut subsistence regulations. The board will also present a status report on the various LAMPs in June.

# North Pacific Fishery Management Council

David Benton, Chairman  
Chris Oliver, Acting Executive Director



605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

Telephone: (907) 271-2809

Fax: (907) 271-2817

Visit our website: <http://www.fakr.noaa.gov/npfmc>

April 5, 2001

Mr. Dan Coffey  
Chairman, Alaska Board of Fisheries  
P.O. Box 25529  
Juneau, AK 99802

Dear Dan:

Thank you for your letter of March 28 expressing the Board's position on the halibut charter IFQ program that the Council will be considering at our upcoming meeting. I appreciate the concerns expressed in your letter, and recall those concerns as the subject of considerable discussion at our Joint Council/Board of Fish meeting this past February. Per the terms of our Protocol Agreement, we discussed this and a host of other issues of mutual interest. Issues and concerns were identified in those discussions, and the Board informed the Council that preliminary results of the LAMP process may be provided to the Council at our June meeting. There was also discussion, from both Board and Council members, reflecting the need for LAMP development whether or not the Council approved an IFQ program. We also agreed that, if the Council approved the analysis for public release following our February meeting, the Board may wish to review that analysis and provide additional comment to the Council prior to our final decision in April.

Your recent letter accomplishes that intent, so I disagree that we would somehow be violating our Protocol Agreement by taking action on this issue in April. Nevertheless, I do believe the Board's position to be an important consideration in the Council's decision. In order to assist our deliberations, and to complete our Administrative Record relative to this issue, could you please provide to us any records, meeting minutes, or other supporting documentation where the Board reviewed our analysis and discussed this issue to arrive at the position indicated in your March 28 letter. I believe that would be very useful to the Council's decision process.

I understand that you will be at the Council meeting, and look forward to further discussions on this important matter at that time.

Sincerely,

David Benton  
Chairman

cc: Senator Stevens  
Governor Knowles  
Council Members  
Board of Fisheries Members

COMMISSIONERS:

RICHARD J. BEAMISH  
NANAIMO, B.C.

RALPH G. HOARD  
SEATTLE, WA

KATHLEEN PEARSON  
SKIDEGATE, HAIDA GWAI

STEVEN PENNOYER  
JUNEAU, AK

IDREW P. SCALZI  
HOMER, AK

JOHN SECORD  
VANCOUVER, BC

# INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

DIRECTOR  
BRUCE M. LEAMAN

P.O. BOX 95009  
SEATTLE, WA 98145-2009

TELEPHONE  
(206) 634-1838

FAX:  
(206) 632-2983

March 26, 2001

Mr. Chris Oliver, Acting Executive Director  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 30 2001  
N.P.F.M.C.

Re: April 2001 Meeting, Agenda Item C-1: Halibut Charter Management

Dear Chris:

The staff of the International Pacific Halibut Commission has reviewed the EA/RIR for the Halibut Sport Charter IFQ proposal. We commend your staff for their efforts at analyzing this proposal. As with other recent halibut-related issues the Council has addressed, we see the proposal to include the sport charter fishery into the existing IFQ plan as primarily allocative. However, we have examined several components under consideration by the Council and have the following comments and recommendations:

**Pounds vs. Numbers** – IPHC will continue to manage the resource and conduct its stock assessment in pounds regardless of the Council decision. We would prefer to have the Council work in pounds for coherence with the commercial allocation framework but could accommodate numbers if the Council chooses to issue IFQs in numbers of fish. Should the latter be adopted, we expect that average weight information collected by ADF&G will form the basis of converting between pounds and numbers of fish. The procedure for this is probably best left to a technical group of agency staff to develop. We would be willing to participate in this effort. In the absence of a comprehensive sampling program to determine the average weight of sport-caught halibut, the Commission would probably use the average weight from our commercial fishery sampling.

**Reporting** – The matter of reporting the IFQ harvest by a sport charter vessel is our biggest concern. We can find no persuasive argument for not holding a charter IFQ holder to the same standard of reporting as a commercial IFQ holder. A key component of the charter IFQ reporting program should be validation. The ADF&G logbook has yet to be assessed for its value as an accurate vehicle for fishery-wide reporting, so it is not an appropriate tool for vessel-specific catch monitoring, at this point. We strongly recommend that the Council look at options that include port monitors or other independent catch monitoring programs.

A particular Commission concern about reporting is the potential for “leakage” of halibut catch from the guided to the unguided sector with implementation of an IQ system, or as the GHL is approached. Since the total unguided catch is unregulated, such a process subverts the intent of the GHL/IQ program. We addressed this in our letter to you last February, wherein we advocated

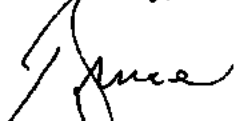
an overall sport allocation, within which guided and unguided catches and their attendant wastage estimates, would be sub-divided. At issue here is the catch of halibut from lodge or charter operations where the clients may be effectively guided, even though a guide may not be physically aboard the vessel. For example, a 'shepherd' boat with a guide for a series of rental boats, or detailed client instruction at the dock. Each condition should be recognized as guided catch. If the resultant catch is not correctly and appropriately allocated to the guided sector, the catch accounting for the GHL or IQs will be incorrect. This scenario further underscores the need for an independent reporting and monitoring program.

An attendant issue with Reporting is the issue of expenses and/or cost-recovery vehicles to fund the needed data capture and processing programs. We find no discussion of the cost of these programs, which will likely involve ADF&G and NMFS. We are especially concerned, after the experience with enforcement of the commercial IFQ program, that it will be difficult for agencies to fund the necessary monitoring and enforcement of a program after the program has been designed and adopted by the Council.

A final comment is that the problem statement and the depletion problems concerning the sport charter fishery areas that are reported regularly to the Commission and the Council do not appear to be substantially addressed by an IFQ program. Certainly an IFQ program will help to promote economic efficiency and perhaps stabilize the growth of the sport charter fishery for halibut. Excessive vessel effort and resultant localized depletion, frequently cited for many areas, will not be affected by an IFQ solution. Creation of Local Area Management Plans (LAMPs) seems to be a far more effective tool for this type of problem and we would encourage the development of those plans.

Gregg Williams and Heather Gilroy from our staff will be attending the April meeting and can address any questions the Council may have about our position.

Sincerely,



Bruce M. Leaman  
Executive Director

cc: IPHC commissioners

# Gulf of Mexico Fishery Management Council

## PROPOSED CHARTERBOAT MORATORIUM APPROVED

(posted April 3, 2001) - The Gulf Council on Thursday, March 29, 2001 approved the provisions of a proposed 3-year moratorium on issuance of new charter of headboat vessel permits in the recreational for-hire fisheries for reef fish, coastal migratory pelagics (mackerels, cobia, and dolphin if not transferred into a Dolphin/Wahoo FMP), and dolphin/wahoo (if proposed FMP is implemented). The provisions were approved by a vote of 10 to 7, and the entire amendment was approved for submission to the National Marine Fisheries Service (NMFS) by a vote of 11 to 6. NMFS must still approve the amendment before any regulations are implemented. The public will have an opportunity to comment to NMFS on the proposed regulations once they are published, and before any final regulations are approved and implemented. The provisions of the moratorium approved by the Council are as follows:

### A. Duration of Moratorium

Establish a 3-year Moratorium on the issuance of charter/headboat (for-hire) vessel permits, unless sooner replaced by a comprehensive limited access system. Effective the date that this Amendment is implemented.

### B. Permit and Endorsements

Create a new charter/headboat (for-hire) vessel permit for the Gulf EEZ with endorsements for reef fish, coastal migratory pelagic and dolphin/wahoo (if implemented). A vessel decal for the permitted vessel will be required. All permits and/or endorsements will be permanently numbered (this is so the permits/endorsements can be tracked through history).

### C. Eligibility

Provide a fully transferable permit and endorsements to the following:

1. Vessels who obtained or have applied for reef fish and/or coastal pelagic permits prior to 03/29/01.
2. Any person who can demonstrate to NMFS they had a charter/ headboat(for-hire) vessel under construction prior to 03/29/01 with copy of contract and/or receipts for expenditures of at least \$5,000.00.
3. Provide for Historical Captain Permits as follows:  
Any U.S. Coast Guard licensed captain, who can demonstrate to NMFS, they were licensed by the USCG and operated, (as a Captain), a for-hire fishery permitted vessel prior to 03/29/01, but did not have a fishery permit issued in their name, and must qualify for the permit within 90 days of enactment and demonstrate at least 25% of their earned income came from recreational for hire fishing in 1 of the last 4 years ending with 3/29/01. They will be issued a letter of eligibility to be replaced by permit/endorsements to be used only on a vessel that they operate as a captain.

### D. Permit transfers

All permits/endorsements will be fully transferable with or without the vessel but without any increase in the passenger capacity.

### **E. Re-issuance of Permits**

Permits/endorsements not renewed or permanently revoked will not be re-issued by NMFS.

### **F. Appeals Process**

Individuals or Corporations can appeal to the RA to resolve issues related to the NMFS permit office records that pertain to initial eligibility.

### **G. Permit and Endorsement Renewal Conditions**

1. Renewal will be every two years provided vessel complies with G2.
2. All vessels holding permits and/or endorsements will be included in an active sampling frame and participate in one of the approved fishing data surveys. Surveys include, but are not limited to :
  - A: Charterboat Telephone Survey
  - B: Beaufort Headboat Survey
  - C: Texas Parks & Wildlife Survey
  - D: Subsequently approved appropriate data collection system.



**HALIBUT MANAGEMENT PROPOSAL**  
**North Pacific Fishery Management Council**

**Name of Proposer:** Alaska Longline Fishermen's Assn.  
**Address:** P.O. Box 1229  
Sitka, AK 99835  
**Phone:** (907) 747-3400 **FAX** (907) 747-3462

**Date:** 5/1/93

**Brief Statement of Proposal:**

This proposal requests the Council to initiate a Regulatory Amendment which:  
1) Sub-divides the Alaskan sport halibut fishery into "guided sport" and "recreational sport" fisheries;  
2) Places an annual cap on the Alaskan guided sport halibut fishery. This cap shall be equal to the 1992 catch of the guided sport halibut fishery as determined by the best available information.

**Objectives of Proposal: (What is the problem?)**

The annual catch of halibut in the Alaskan sport fishery has increased dramatically in recent years. Most of this increase can be directly attributed to the rapid, uncontrolled growth of the guided sport halibut industry. Since the Alaskan halibut resource is fully utilized, this rapid increase has resulted in an economic loss for the traditional directed fishery through reduced quotas. The sport halibut fishery in Alaska is currently unconstrained by quotas. Additional growth in the guided sport industry is predicted. This growth will continue to reallocate halibut away from the traditional directed longline fleet, imposing additional economic and social costs on historic users. The objective of this Regulatory Amendment is to minimize the impact of the developing guided sport halibut industry on the traditional longline directed fishery in Alaska.

**Need and Justification for Council Action: (Why can't the problem be resolved through other channels?)**

The North Pacific Fishery Management Council is the management body authorized to make allocative decisions affecting the Alaskan halibut fisheries.

**Foreseeable Impacts of Proposal: (who wins, who loses?)**

As stated above, this Regulatory Amendment will minimize the impact of the developing guided sport halibut industry on the traditional longline directed fishery in Alaska. The guided sport halibut industry may suffer some economic impacts until measures are implemented to limit growth of this industry. However, the possible negative impacts to the overall halibut sport fishery are mitigated by applying the cap only to the guided sport fishery, and by setting the cap equal to the year of highest reported harvest in the guided sport fishery.

**Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem.**

Capping all sport halibut fisheries: ALFA considers a cap on the recreational sport halibut fishery unnecessary provided growth in the guided sport halibut fishery is constrained.

**Supportive Data & Other Information: What data are available and where can they be found?**

The International Pacific Halibut Commission has data documenting the increase in the sport halibut catch. The State of Alaska has data on the growth of the guided sport industry.

**Signature:** 

Dennis Hicks (President, ALFA)

Allocation of Pacific Halibut Among  
Sport and Commercial Fisheries—Has the Time Come?

Robert J. Trumble  
International Pacific Halibut Commission

May 27, 1993

### Introduction

The Pacific halibut resource is currently undergoing a decline expected to continue until the late 1990s. Growth in the halibut resource is expected at the end of the 1990s. Commercial harvest is also declining, but when an increase might occur is questionable. An increasing sport harvest, however, is expected to continue into the foreseeable future.

Over the last 60 years, halibut abundance has followed what appears to be cycle of highs and lows that corresponds to a cycle in recruitment, although other explanations are also possible. Under management of the International Pacific Halibut Commission, the total halibut available for harvest is set as a percentage of the exploitable biomass. The sport fishery harvest and removals for bycatch, waste, and personal use are subtracted from the available harvest to determine the amount remaining for the commercial harvest. The sport fishery in Alaska and British Columbia is managed without catch limits, and continues an increase begun in the 1980s. As the sport fishery continues to grow and the resource abundance continues to decline, the commercial fishery will decline faster than the decline in abundance. Commercial fishermen will see a comparable decline in catch shares when Individual Fisherman Quotas (IFQ) go into effect.

The National Oceanic and Atmospheric Administration (NOAA) determined that domestic allocation of Pacific halibut in the U.S. should be done by the regional management councils with jurisdiction for the area. The lack of specific allocation for the sport fishery in Alaska is in fact an allocation to the sport fishery of whatever it can catch. This report presents fishery information on the sport and commercial fisheries that may be used in consideration of allocation to sport and commercial uses of Pacific halibut.

### Resource Use

The directed uses of Pacific halibut are for commercial, sport, and personal use harvest, while bycatch mortality from groundfish fisheries and waste in the halibut fishery are incidental uses. Commercial harvests in Alaska have declined from 61 million pounds in 1988 to 51.0 million pounds in 1992, and to a catch limit of 43.2 million pounds in 1993 (Table 1). Projections of minimum total commercial harvest over the next several years range from 25 to 40 million pounds, of which 20 to 35 million pounds would probably be Alaska harvest. Sport harvest has increased steadily for over 15 years, from under 1 million pounds through 1980 to almost 7 million pounds in 1991, mostly in Alaska (Table 2). Increasing number of licensed charter

operators (Table 3) and no catch limit on sport harvest suggests that growth will continue into the future. Personal use harvest, which includes take-home from commercial fishing, illegal retention, and illegal fishing, was first estimated in 1992 at about 1 million pounds for Alaska.

Bycatch mortality increased by over double from 7.2 million pounds in 1985 to 17.5 million pounds in 1990, and decreased slightly to 15.7 million pounds in 1992 (Table 4). The 1992 catch limit reductions for bycatch in Areas 2C and 3A are 3.2 and 7.1 million pounds, respectively. Unless significant changes occur in bycatch management, bycatch mortality should stay at about the recent level for the next several years. Waste in the halibut fishery occurs from lost and abandoned longline gear and discard of undersized halibut, and has ranged around 2 to 3 million pounds per year, mostly in Alaska. The advent of IFQs in Alaska, in about 1995, could cause increase or decrease in the waste, depending on whether fishermen take the time to handle undersized halibut properly, reduce the amount of lost gear, or begin to select only size ranges that have highest value (high grading). For 1992, waste in Areas 2C and 3A was 0.5 and 1.0 million pounds, respectively. Personal use estimates were 0.4 million pounds for Area 2C and 0.5 million pounds for Area 3A.

#### Projected Changes through 2000

Sport and commercial harvests will change substantially in the next several years, in the absence of specific management of allocation actions. Changes in other sources of mortality cannot be easily estimated, so are assumed constant at the 1992 level for the purposes of this evaluation. Since 1988, the coast-wide exploitable biomass fell over 25% from 359 million pounds (309 million pounds in Alaska) to 265.8 million pounds (218 million pounds in Alaska), while the sport fishery increased about 40%. Sport harvest, if continued without catch limits, will grow at or near the current rate for several years, and possibly through the end of the decade. The sport fishery in Areas 2C and 3A has grown at about 15% per year from 1987 to 1991. Projected sport harvest for Areas 2C and 3A used a 15% rate through 1995, and an arbitrary reduction to an 8% rate (half the preceding rate) through 2000 (Figs. 1 and 2).

Commercial harvest change will be a function of declining biomass and increasing sport harvest. The current exploitation rate of 0.30 (reduced in 1993 from 0.35) times exploitable biomass equals the constant exploitable yield (CEY). From the CEY, subtraction of other uses (bycatch, waste, and personal use, set as a constant here) and sport catch results in the staff-recommended catch limit for the commercial fishery. Exploitable biomass is declining at about 10% per year, but recruitment may have reached its low point. If recruitment begins increasing this year, the exploitable biomass should begin growing by the latter part of the 1990s. For this report, the projected biomass declines from 1993 through 1997 at 9, 7, 5, 3, and 1% per year, respectively, then increases from 1998 through 2000 at 1, 3, and 5% per year, respectively. Commercial catch is calculated from changes in exploitable biomass and sport catch through 2000 (Figs. 1 and 2).

The projected changes in exploitable biomass, sport catch, and commercial catch are not actual predictions of the future, but show a probable pattern. While we do not expect values and timing to be exact, we do expect the trends that are indicated.

## Options for Allocation

1. **Status Quo--Do Nothing.** No action on allocation between sport and commercial harvest will allow the fisheries to move in the directions indicated in Figures 1 and 2. This decision implicitly allocates to the sport fishery all the halibut that it can harvest.
2. **NPFMC Allocation.** Under the NOAA ruling, the NPFMC is responsible for explicit domestic allocation of Pacific halibut. Biological, social, and economic factors appropriate for deciding best use of the resource would be laid out in the normal fashion used by the Council for public comment and decision by the Council.
3. **IPHC Restrictions.** The Halibut Commission has authority under the Halibut Treaty and the US Halibut Act to take management actions, such as setting seasons, quotas, and gear, that have allocative implications. While NOAA has ruled that the regional councils should take responsibility for domestic allocation, only the Pacific Fishery Management Council has done so for the sport fishery. The IPHC could decide that, under declining biomass and declining overall harvest, unrestrained growth of the sport fishery is actually a reallocation to the sport fishery. With this philosophy, directed fisheries in Alaska should decline in parallel until and unless explicit allocation is determined by the North Pacific Fishery Management Council. A decision on this option could not be made until the IPHC Annual Meeting in January, 1994, and is unlikely unless the NPFMC does not consider the issue.

## Methods for Control of Sport Quotas

There are two basic forms of management of sport quotas: in-season management, and indirect management. In-season management involves in-season estimates of harvest, with provisions to close when the estimates indicate that the quota has been reached. Indirect management sets closures in advance of the season, based on assumptions of the rate of harvest. In either case, success is largely dependent on support and cooperation of the state agencies involved. Sport fishermen generally prefer in-season management, because they believe they are getting all the fish allocated to them. Indirect management is often contentious, because fishermen usually charge that restrictions on the sport season are too onerous, and will not allow full harvest.

In-season management usually requires creel census-type estimates on a timely, usually weekly, basis. These surveys are expensive and time consuming. In the Pacific Region, the Washington Department of Fisheries conducts quota management for the North Washington coast, and the Oregon Department of Fish and Wildlife conducts quota management off central Oregon. For the most part, sport quotas were rarely exceeded with in-season management.

~~Indirect management is an iterative process of using historical catch patterns to calculate fishing periods necessary to catch the quota. Actual catch is then estimated at the end of the year, and next year's seasons adjusted according to deviation from the quota. This is a difficult process, because the pace of fishing increases as seasons become shorter (does this sound familiar?). Season modifications have included closed days of the week, minimum size limits, and overall season length. Initial success of indirect management is usually poor, because of difficulty in~~

predicting the effects of restrictions. For the first few years, quotas were exceeded in the Pacific region when indirect management was used.

### Summary

Declining halibut biomass and increasing sport harvest will cause commercial harvest in Alaska to decline for at least several years. Allocation between sport and commercial fisheries is currently implicit, as sport fisheries can harvest without catch limits. Without action to allocate, the trend of increasing sport and decreasing commercial harvest will continue. Explicit allocation evaluation by the NPFMC can lay out biological, social, and economic factors for a decision on best use of the halibut resource. If the Council specifically allocates to the sport fishery, coordination and cooperation of ADFG will be very important. Management of the quota can use in-season management, which is accurate but expensive, or indirect management which is less expensive but often imprecise.

Table 1. Commercial catch of Pacific halibut (millions of pounds, net weight) by IPHC regulatory area, 1977-1992.

Year	Regulatory Area						Total <sup>1</sup>
	2A	2B	2C	3A	3B	4	
1977	0.21	5.42	3.19	8.64	3.19	1.22	21.87
1978	0.10	4.61	4.32	10.30	1.32	1.35	22.00
1979	0.05	4.86	4.53	11.34	0.39	1.37	22.53
1980	0.02	5.65	3.24	11.96	0.28	0.71	21.86
1981	0.20	5.66	4.01	14.23	0.45	1.19	25.74
1982	0.21	5.53	3.50	13.53	4.80	1.43	29.01
1983	0.27	5.44	6.40	14.12	7.75	4.43	38.39
1984	0.43	9.06	5.85	19.97	6.50	3.17	44.98
1985	0.50	10.39	9.20	20.85	10.89	4.28	56.11
1986	0.58	11.23	10.61	32.78	8.83	5.60	69.63
1987	0.59	12.25	10.68	31.31	7.76	6.88	69.47
1988	0.49	12.86	11.37	37.86	7.08	4.70	74.35
1989	0.47	10.47	9.53	33.74	7.85	4.94	66.98
1990	0.32	8.57	9.73	28.85	8.69	5.43	61.60
1991	0.35	7.19	8.68	22.87	11.93	5.99	57.02
1992	0.42	7.63	9.60	26.40	8.30	6.65	59.00

<sup>1</sup>Sum of Regulatory Areas may not equal Total weight due to rounding errors.

Table 2. Catch of Pacific halibut by sport fisheries (millions of pounds, net weight) by IPHC regulatory area, 1977-1992.

Year	Regulatory Area						Total
	2A	2B <sup>2</sup>	2C	3A	3B	4	
1977	0.013	0.017	0.072	0.196			0.298
1978	0.010	0.009	0.082	0.282			0.383
1979	0.015	0.018	0.174	0.365			0.572
1980	0.019	0.011	0.332	0.488			0.850
1981	0.019	0.023	0.318	0.751		0.012	1.123
1982	0.050	0.066	0.489	0.716		0.011	1.332
1983	0.063	0.103	0.553	0.945		0.003	1.667
1984	0.118	0.124	0.621	1.026		0.013	1.902
1985	0.193	0.525	0.682	1.210		0.008	2.618
1986	0.333	0.372	0.730	1.908		0.020	3.363
1987	0.446	0.329	0.780	1.989		0.030	3.574
1988	0.249	0.508	1.076	3.264		0.036	5.133
1989	0.197	0.598	1.559	3.005		0.024	5.383
1990	0.197	0.760	1.330	3.638		0.040	5.965
1991	0.158	0.836	1.654	4.236		0.074	6.958
1992 <sup>3</sup>	0.250	0.880	1.680	4.420		0.060	7.290

<sup>2</sup>Catch estimates are currently under review and may be revised.

<sup>3</sup>Estimates are based on the 1982-1991 catch period and will be revised when survey data becomes available. Area 2A catch estimates are preliminary pending final review.

Table 3. Number of Alaska vessels licensed to fish for Pacific halibut for commercial, sport, and both uses.

Alaskan Licenses				
Year	Commercial	Sport	Both	Total
1984	4,224	260	242	4,726
1985	3,514	267	310	4,091
1986	3,719	316	301	4,336
1987	4,324	322	319	4,965
1988	4,810	339	392	5,541
1989	4,792	355	419	5,566
1990	5,226	397	509	6,132
1991	5,437	443	545	6,425
1992	5,021	554	598	6,173



Table 4. Estimates of bycatch mortality of Pacific halibut in thousands of pounds (net weight), by IPHC regulatory area for 1962 through 1992.

Year	Area 2	Area 3	Area 4	Total
1962	1,383	3,083	4,143	8,609
1963	1,283	6,102	2,038	9,423
1964	1,310	11,639	2,965	15,914
1965	1,640	16,539	3,182	21,361
1966	1,879	12,495	3,400	17,774
1967	2,091	9,528	4,718	16,337
1968	2,478	7,053	5,685	15,216
1969	2,651	4,980	7,599	15,230
1970	2,032	6,230	8,028	16,290
1971	2,284	4,341	13,095	19,720
1972	2,506	7,099	9,675	19,280
1973	2,357	7,147	8,029	17,533
1974	2,261	8,667	7,620	18,548
1975	2,548	5,231	3,650	11,429
1976	2,772	5,938	4,564	13,274
1977	2,399	5,988	2,914	11,301
1978	1,850	4,895	5,023	11,767
1979	2,674	6,715	5,419	14,807
1980	1,893	7,099	9,235	18,227
1981	1,694	6,282	6,408	14,384
1982	1,169	5,972	4,756	11,898
1983	1,248	4,892	4,269	10,408
1984	1,376	3,647	4,692	9,714
1985	1,440	1,578	4,207	7,225
1986	1,465	1,246	5,576	8,286
1987	1,952	3,113	5,738	10,803
1988	1,913	3,415	8,858	14,186
1989	1,803	4,086	7,282	13,171
1990	2,556	6,437	8,520	17,513
1991	2,797	5,888	7,567	16,252
1992	2,649	4,931	8,148	15,728

Fig. 1. Sport and Commer. Harvest, Area 2C

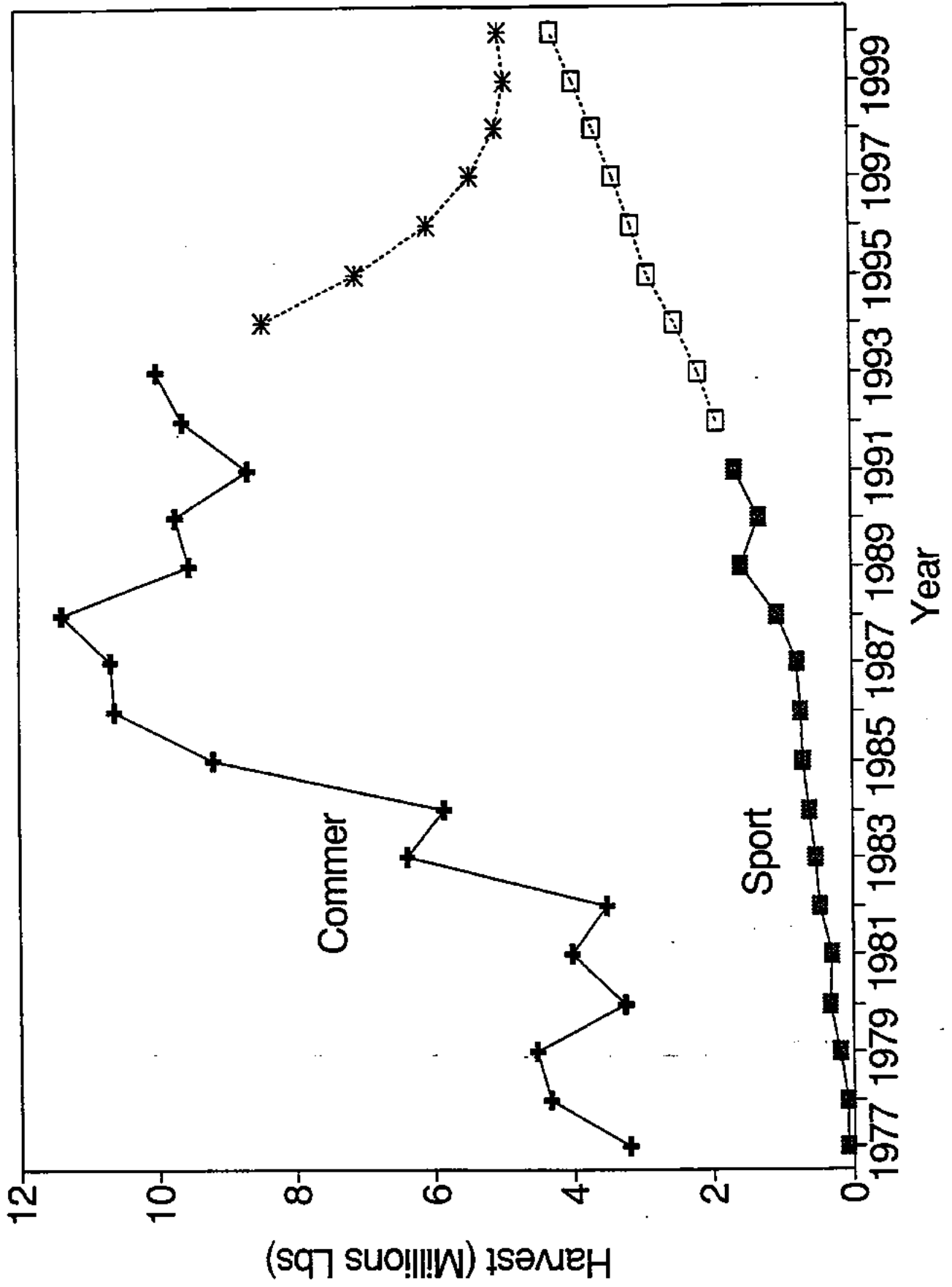


Fig. 2. Sport and Commer. Harvest, Area 3A

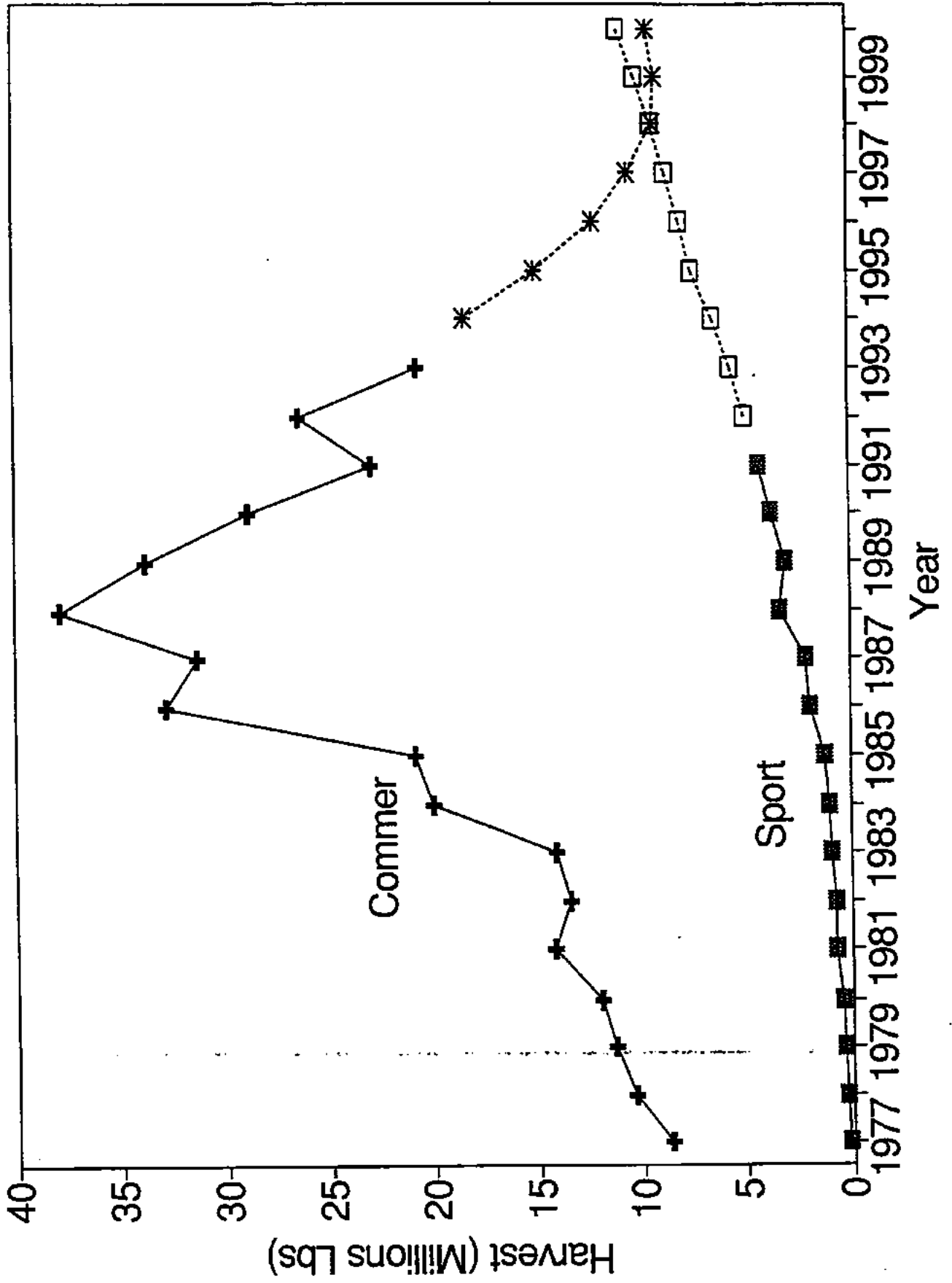


Table 7. Vessels licensed by IPHC in the All Alaskan areas for 1993.

Area	License Category		Total
	Sport	Both	
Cook Inlet	192	186	378
Southeast	357	292	649
PWS/Yakutat	22	56	78
Resurrection Bay	33	38	71
Kodiak	19	37	56
AP/AI/BS	4	13	17
<b>Total</b>	<b>627</b>	<b>622</b>	<b>1,249</b>



**PROJECTIONS OF THE GROWTH OF RECREATIONAL  
HALIBUT FISHERIES OFF ALASKA**

**A REPORT FOR:**

**THE  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL**

**SEPTEMBER, 1993**

**BY:**

**DOUG VINCENT-LANG  
AND  
SCOTT MEYER**

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## INTRODUCTION

In recent years, concern has been raised regarding the growth of recreational halibut fisheries off Alaska. The recreational harvest of halibut has almost tripled since 1982 (Mills 1993, Figure 1). This increase has been proportional to increases in angler effort and harvest of other popular sport fishes such as salmon and most likely is linked to corresponding increases in population and tourism. Recent increases in recreational halibut harvest are concurrent with a decline in the exploitable biomass of the stock. Under the current management system, this presents the possibility of reduced quotas for the commercial setline fishery.

North Pacific halibut stocks are currently managed using a constant exploitation strategy. Each year, the International Pacific Halibut Commission (IPHC) estimates the exploitable biomass (yield) available for harvest in each of 10 established regulatory areas. For each regulatory area, the constant exploitation yield (CEY) is calculated as the exploitable biomass multiplied by a 0.30 exploitation rate. The CEY therefore changes annually in proportion to the exploitable biomass. Each CEY represents the total allowable harvest (in pounds) for that regulatory area, which under treaty, cannot be exceeded. The IPHC then estimates the sport and personal-use/subsistence harvests and wastage and bycatch mortalities for each area. These are subtracted from the CEY and the remainder represents the *catch quota* for each area's directed commercial setline fishery. Currently, exploitable biomass is declining at about 10% per year, thereby reducing the CEYs of the major regulatory areas.

Recent concern over allocation of the halibut resource culminated with the Alaska Longline Fishermen's Association (AFLA) proposal to the North Pacific Fishery Management Council (NPFMC) to establish a quota for the sport charter industry in Alaska. The proposal was submitted to address what the ALFA perceives to be "rapid, uncontrolled growth of the guided sport halibut charter industry" in Alaska. The ALFA believes that further growth of the sport fishery is inevitable and that without some type of restriction, this growth will result in a "reallocation" of halibut from the traditional directed longline fishery, given that the resource is currently fully utilized, CEY's are declining, and sport removals are "taken off top".

Trumble (1993) presented projections regarding the growth of the recreational halibut fishery off Alaska. Trumble concluded that, unless measures were taken to slow the

growth of the recreational halibut fishery, the recreational fishery would become the major source of halibut removals off Alaska by the year 1999. Based on a review of available information, we believe the projections made by Trumble may not be reflective of future changes in harvest. Because the projections will set the stage for discussions regarding allocation, we provide alternative projections (and supporting data) for changes in harvests among user groups through the year 2000.

### **GROWTH OF THE RECREATIONAL FISHERY**

Although the recreational harvest of halibut in Alaska has nearly tripled since 1982, the rate of growth has fallen off in recent years. In southeast Alaska, the harvest from 1989 through 1992 has stabilized at about 72,000 fish. In southcentral Alaska, the harvest over the past two years has stabilized at about 193,000 fish. Preliminary data collected this summer through ADF&G port sampling programs in southcentral and southeast Alaska indicate that harvests may not have increased substantially from 1992 levels, and may have actually declined slightly at several ports. In combination, these data suggest that the number of halibut harvested by recreational anglers may actually be stabilizing.

We acknowledge that some growth of the sport fishery is inevitable. Several observations, however, suggest that the growth will be slower than experienced in the past. For example:

- Room for expansion is limited in many Alaska ports. In southcentral Alaska, the ports of Seward, Valdez, and Whittier all have waiting lists exceeding 5 years for slips. The port of Homer has a 2-3 year waiting list for a 25 ft vessel and even longer for longer vessels. By contrast, there is room for expansion at the ports of Kodiak and Cordova; however, growth at these ports will be constrained by the high cost of travel from large population centers and by weather conditions. The Deep Creek/Anchor Point area in Lower Cook Inlet has seen a rise in effort and harvest over the past two years; however, most of this appears to have come at a cost to Homer rather than representing new growth. Also, new ports are not being planned or developed at present in southcentral Alaska. In southeast Alaska, there is room for expansion at Juneau, however, other ports such as Sitka have limited space.

- Many fleets are fishing over the entire area available within the time and economic constraints of a day trip. The fleets at Whittier, Valdez, and Cordova must travel to the southern fringe of Prince William Sound as large numbers of fish are not available closer, particularly in the spring and fall. A good portion of the Seward, Homer/Deep Creek/Anchor Point, and Juneau fleets fish at the limit of day trip due to increased availability of large fish and reduced competition. To fish waters further from port and to take advantage of higher possession limits, some charters and private anglers are experimenting with overnight excursions; however, most charters we've talked with who have tried this are not planning to continue this venture.
- Increased numbers of licensed charter operators only allow growth, not insure it. There needs to be a market for these services. Recently, some charter fleets are showing signs of overcapitalization. In Lower Cook Inlet, Seward, and Juneau, some charter operators are now offering cutthroat pricing for half-day and full-day charters. This competition indicates demand is not increasing as fast as the supply of charter vessels.

In combination, this information suggests that the sport fishery will not continue to grow at the rate it has over the past decade. Thus, we do not agree that the sport harvests of halibut in Alaskan waters will increase at the rate suggested by Trumble: 15% from 1987 to 1995 followed by at a rate of 8% through the year 2000. This type of projection assumes an exponential rate of growth in the sport fishery, which for the reasons stated above, we do not believe will occur.

Trumble's projections are also based on recent increases in the total *net weight* of the sport harvest versus the total *number* of halibut landed. Estimates of the number of halibut harvested are provided annually to the Halibut Commission. The IPHC converts these numbers to estimate the net weight (in pounds) of halibut annually sport harvested. Because the mean weight of halibut landed has increased substantially over the past decade (14.6 in 1981 compared to 22.4 in 1991), the pounds of halibut landed by recreational anglers has increased at a faster rate than has the number of halibut landed (Figure 2). This is due largely to the reduced recruitment of halibut over this period (i.e., an aging population), resulting in a higher relative abundance of large halibut being available for harvest. However, recruitment may have approached its low point and will likely begin increasing this year (Trumble 1993). With this, the relative abundance of small halibut will increase and the mean weight of a landed halibut



should begin to fall. Coupled with a stabilized or modest growth in sport harvest, this will result in, at the least, a stabilization in the net weight of halibut removed by sport anglers.

## PROJECTIONS

We have prepared alternative projections for growth in the sport fishery and the resulting commercial and sport catches under the current allocation system for Areas 2C and 3A. Our projections differ from those of Trumble in that we predict a linear increase in the number of halibut harvested in the recreational fishery. We also make projections taking into account the likelihood that the mean weight of harvested fish will decrease due to changes in stock composition caused by future recruitment and mortality.

Even though the number of fish harvested in the last three years appears to be leveling off in Areas 2C and 3A, we allow for continued growth in sport harvest by projecting a linear increase in harvest through the year 2000. The number of halibut harvested since 1987 has been variable, but appears to be increasing in a roughly linear fashion. The effect of any stabilization in sport harvests would be a greater allocation to the directed commercial fishery.

Because changes in mean weight of harvested halibut dramatically affect projections, we modeled harvest under two scenarios: 1) assuming mean weight will stay constant (worst-case), and 2) assuming mean weight will decrease. The second scenario is based on the observation that the mean weight of sport-caught fish is related to what is available for harvest. Lacking the time, data, and technical expertise of the IPHC to engage in age-structured modeling, we predicted changes in mean weight based on some simplifying assumptions. First, we adopted Trumble's assumption that recruitment will begin increasing this year. Data from the past cycle suggest that recruitment will be increasing most rapidly in about 7-8 years. The mean weight of a sport-caught halibut during the last rapid building phase of recruitment (1978-1980) was about 13-14 pounds (Table 1). Therefore, we assumed the mean weight would decrease 7% per year from 1993 to 1998, then stay constant until 2000 (Figure 3). This assumes also that no minimum size limit will be instituted for the sport fishery. Institution of a minimum size limit would likely increase the mean weight of sport-caught halibut and increase the total pounds of halibut landed by the sport harvest. For both

scenarios, exploitable biomass and other sources of removals were modeled using the same data and rates used by Trumble.

Projecting linear increases in the number of fish harvested by the sport fishery resulted in dramatically different conclusions than those reached by Trumble. This was true even when the mean weight was held constant. By the year 2000, the sport harvest is projected to reach 116,000 fish in Area 2C and 329,000 fish in Area 3A (Figure 4). Under the constant weight scenario, sport harvest would be expected to reach 2.48 million pounds by the year 2000 in Area 2C, and 6.85 million pounds in Area 3A (Figure 5). For both areas, the sport harvest would represent only about one-half of the commercial harvest. Under the decreasing weight scenario, the year 2000 sport harvest would reach only 1.61 million pounds in Area 2C and 4.43 million pounds in Area 3A (Figure 6). The sport harvest would then only represent about one-fifth of the Area 2C commercial harvest and less than one-third of the Area 3A commercial harvest.

It is also possible that increasing recruitment will actually lower bycatch removals. This is not intuitive to us, but for whatever reason, available data show that bycatch was inversely correlated with recruitment (Figure 7). A decrease in bycatch would result in an even greater allocation to the directed commercial fishery under the current system.

## CONCLUSION

In closing, we believe the projections presented to the Council will set the stage for discussions regarding allocations. Based on a comparison of Trumble's and our projections, it is obvious that the method used to predict growth in the sport fishery can dramatically affect the projections. For this reason, we feel it is imperative that the projections reflect the most likely trend. Based on a review of available information, we believe the projections presented above are more reflective of future changes in harvest among user groups through the year 2000 and offer them to the Council for their consideration. The projections are offered to assure that the Council has the best information available when discussing allocation of the halibut resource off Alaska. They are not made in an attempt to favor one user group over another.

## LITERATURE CITED

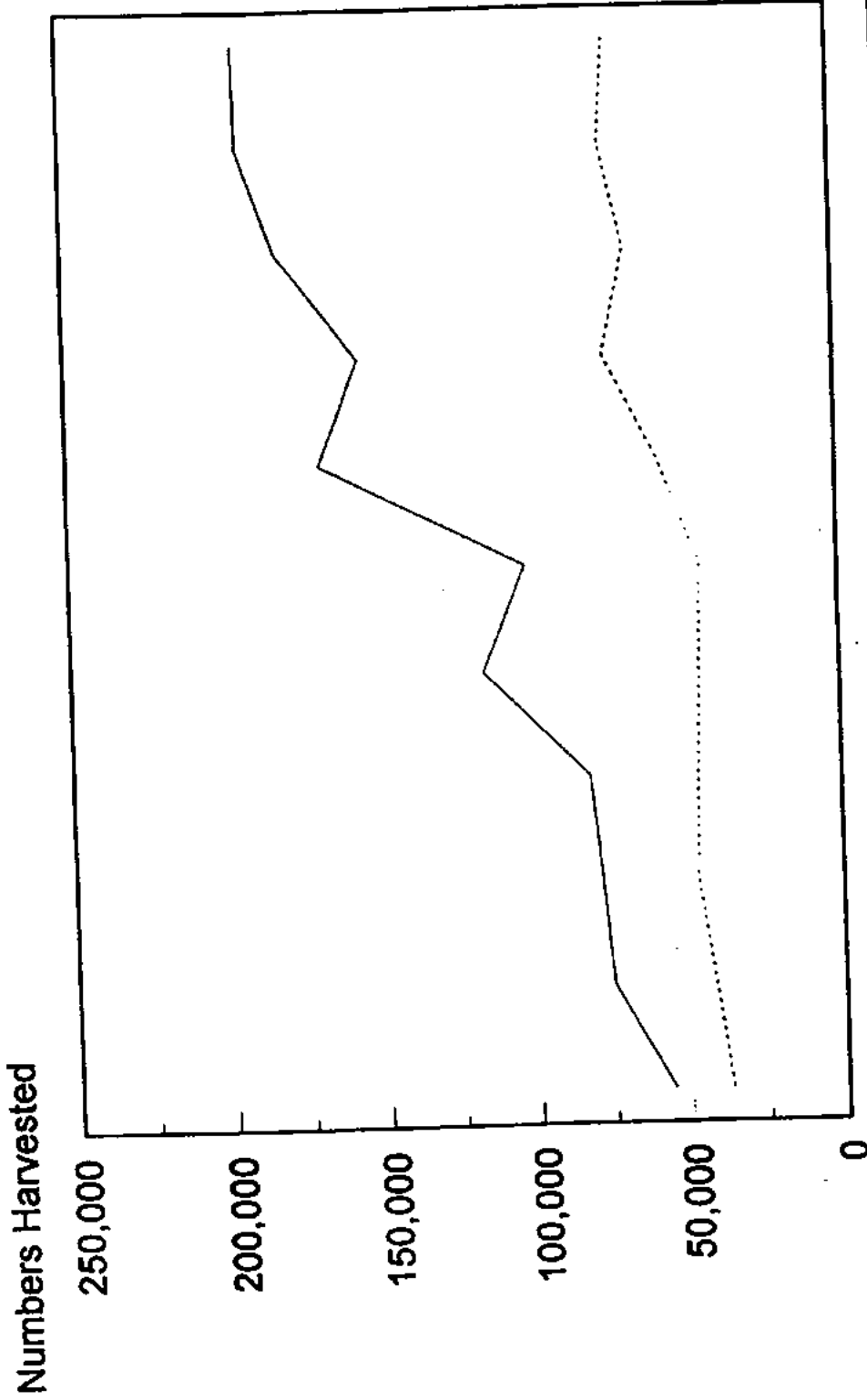
- Mills, M.J. 1993. Harvest, catch, and participation in Alaska sport fisheries during 1991. Alaska Department of Fish and Game, Division of Sport Fish, Fishery Data Series No. 92-40. 190 pp. Juneau, Alaska.
- Trumble, R.J. 1993. Allocation of Pacific halibut among sport and commercial fisheries--has the time come. International Pacific Halibut Commission. 10 pp. Seattle, Washington.
- Mecum, R.D. 1987. Summary of the recreational halibut fishery 1977-1986. A report to the International Pacific Halibut Commission, Alaska Department of Fish and Game, Juneau.

Table 1. Estimated mean net weight (pounds) of halibut harvested by the sport fishery in Area 2C and Area 3A, 1980-1991.

Year	Area 2C <sup>a</sup>	Area 3A
1980	13.4	13.4
1981	14.6	14.6
1982	13.2	13.2
1983	13.4	12.6
1984	14.4	13.3
1985	16.3	15.0
1986	16.6	16.6
1987	19.9	19.9
1988	19.6	19.6
1989	19.6	19.6
1990	20.4	20.4
1991	23.0	22.4

<sup>a</sup> These analyses differ only slightly from those used by Trumble (1993). We used mean weights for all of southeast Alaska for 1983-1986 provided in Mecum (1987).

# Halibut - Alaska Sport Harvest (Numbers)

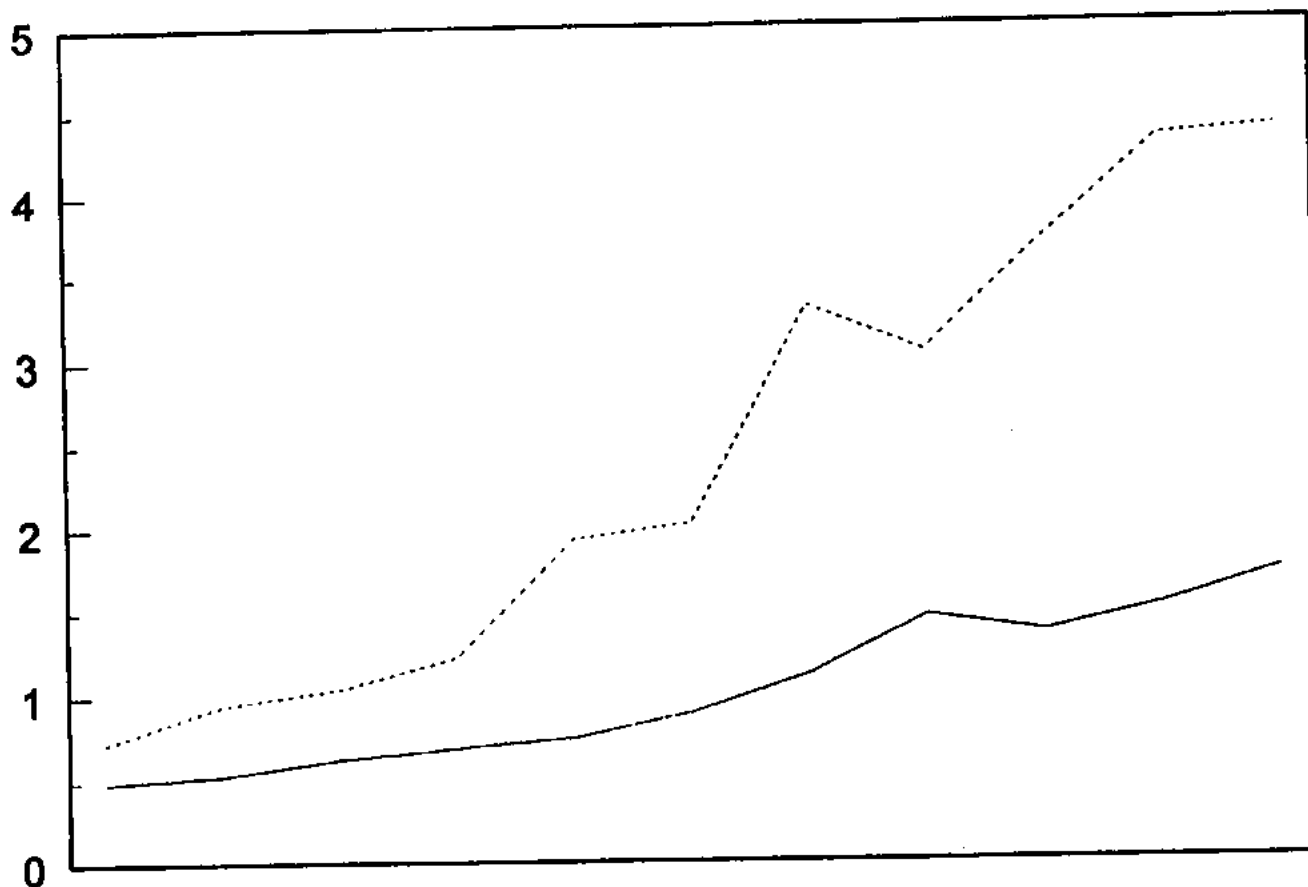


	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
Southeast	37,180	41,995	46,925	46,114	45,028	44,347	56,580	74,304	66,490	74,038	71,861
Southcentral	55,198	75,047	78,045	81,458	115,857	101,446	168,526	154,712	180,568	182,465	193,049

Figure 1. Number of halibut harvested by sport anglers fishing in southeast and southcentral Alaska, 1977-1992.

# Halibut - Alaska Sport Harvest (Pounds)

Millions of Pounds Harvested



	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
Southeast —	0.491	0.529	0.624	0.692	0.747	0.883	1.109	1.456	1.356	1.510	1.713
Southcentral ....	0.729	0.946	1.038	1.222	1.923	2.019	3.303	3.032	3.684	4.312	4.363

Figure 2. Millions of pounds of halibut harvested by sport anglers fishing in southeast and southcentral Alaska, 1977-1992.

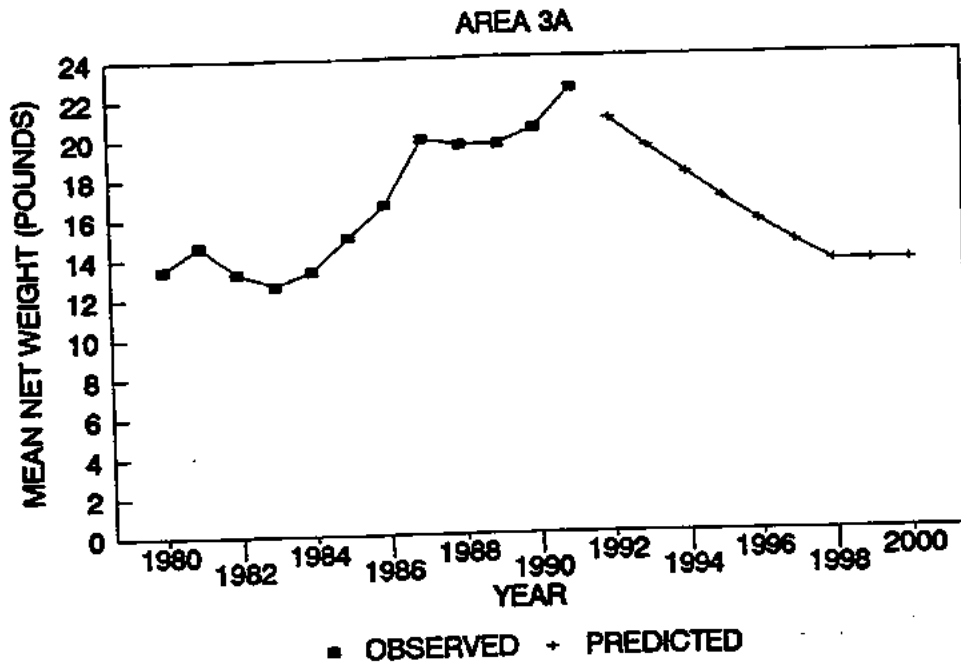
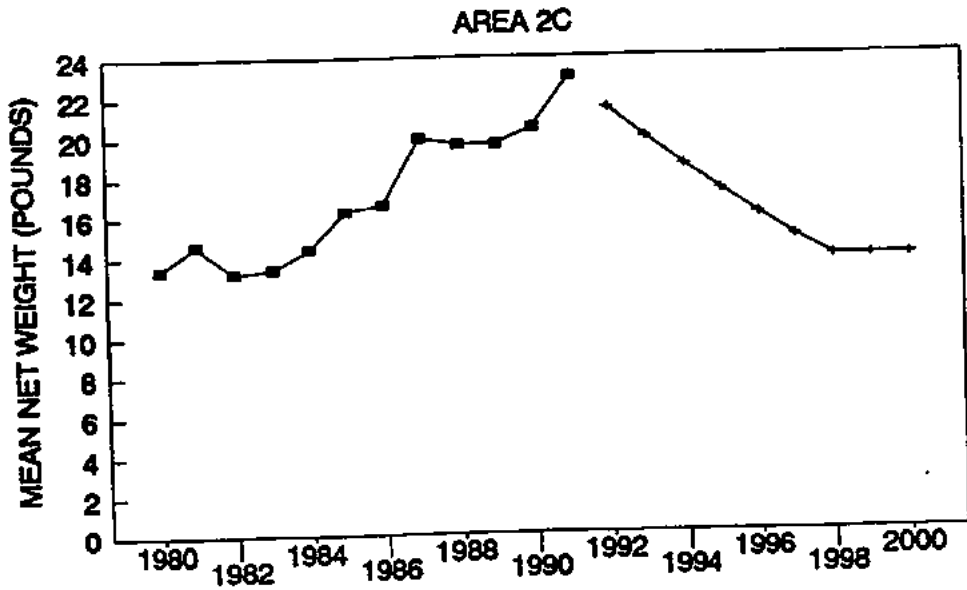


Figure 3. Observed and projected trends in the mean weight of sport-caught halibut harvested in Area 2C (upper graph) and Area 3A (lower graph).

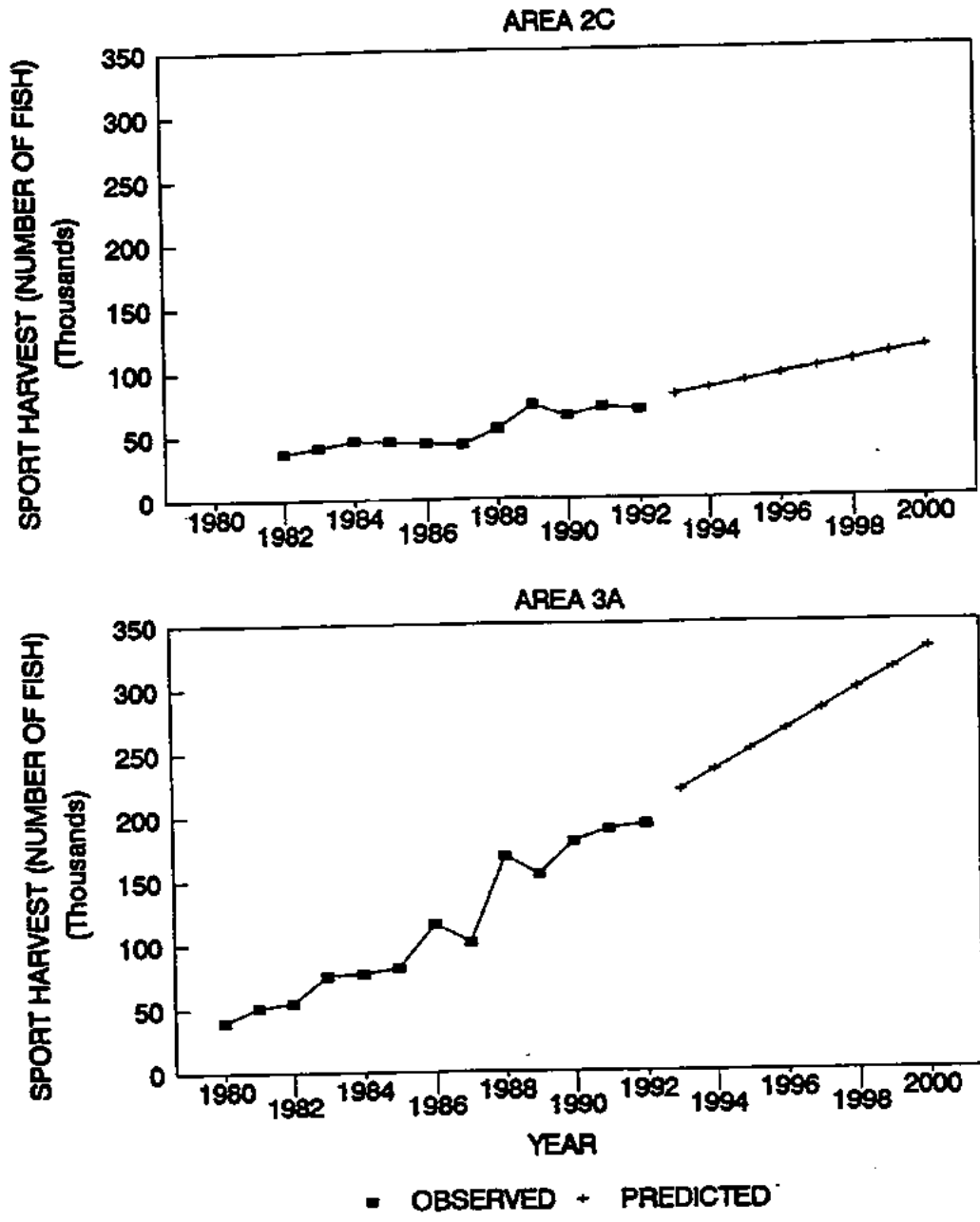


Figure 4. Observed and projected trends in the number of sport-caught halibut harvested in Area 2C (upper graph) and Area 3A (lower graph).



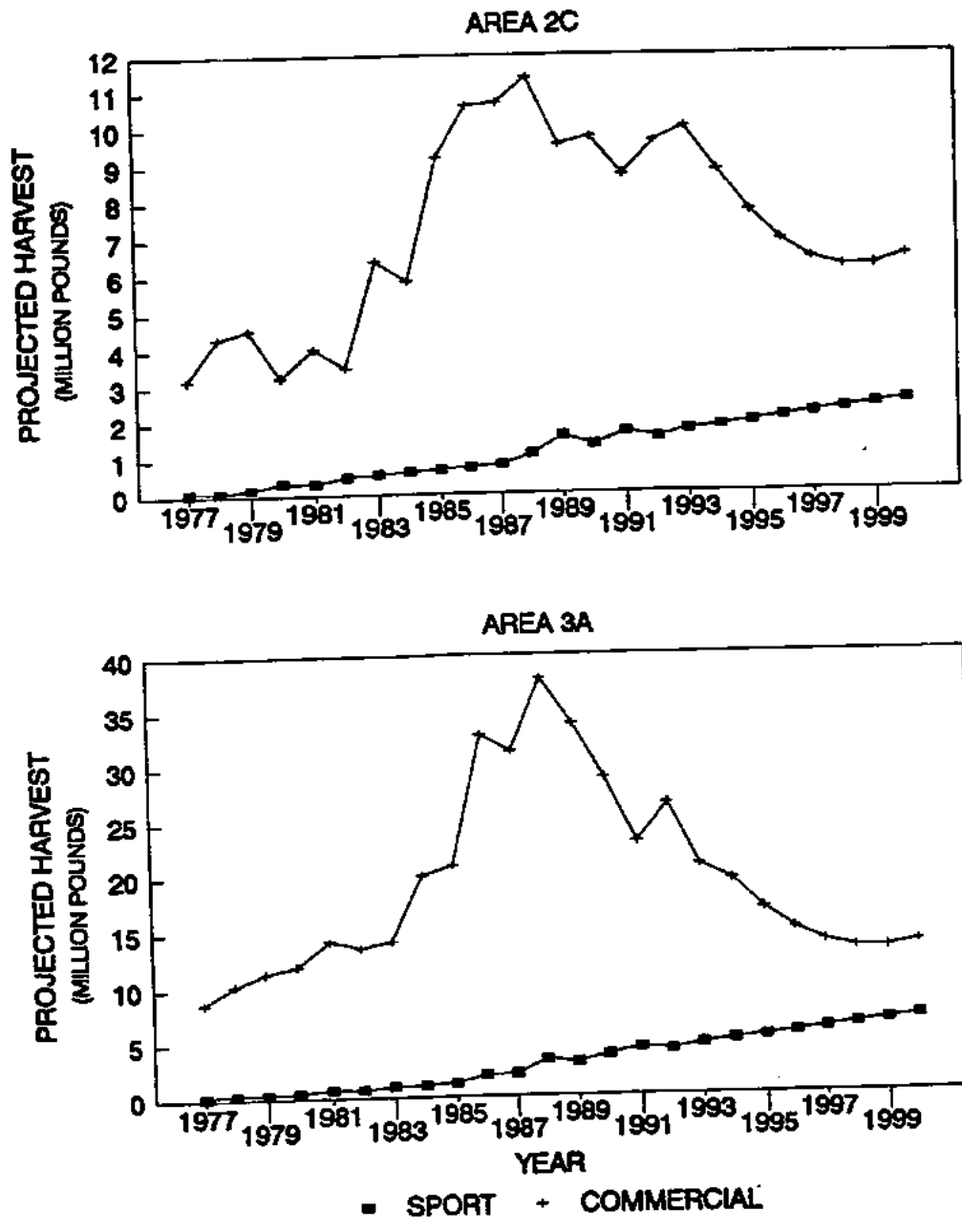


Figure 5. Observed and projected sport and commercial harvests of halibut (millions pounds net weight) in Area 2C (upper graph) and Area 3A (lower graph) assuming constant mean weight of sport-caught halibut.

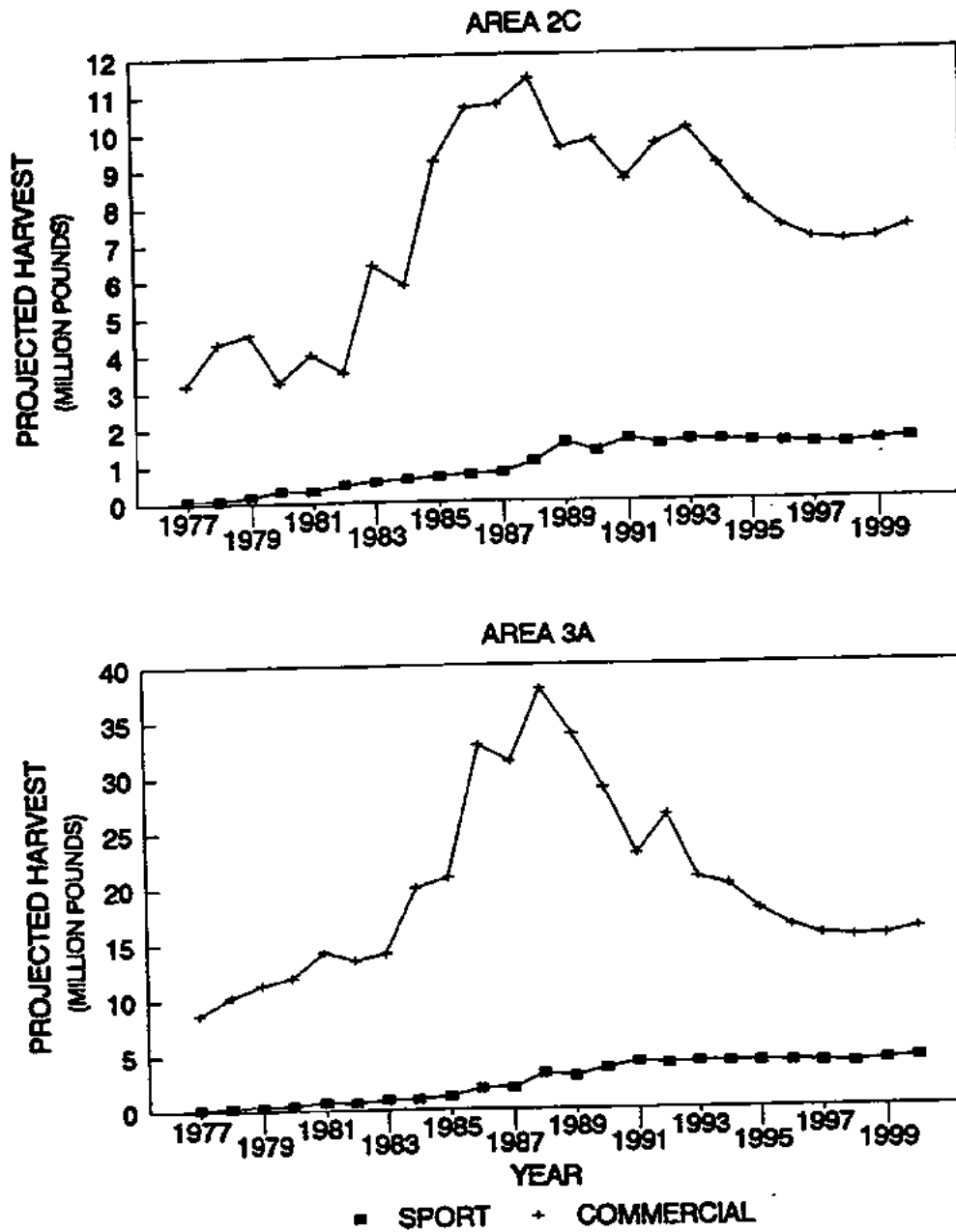


Figure 6. Observed and projected sport and commercial harvests of halibut (millions pounds net weight) in Area 2C (upper graph) and Area 3A (lower graph) assuming decreasing mean weight of sport-caught halibut.

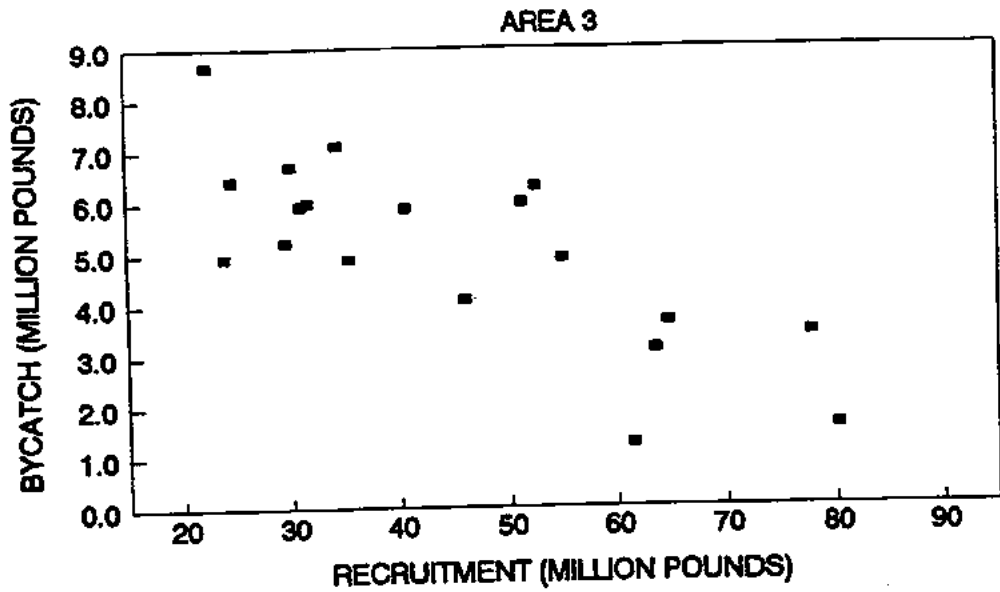
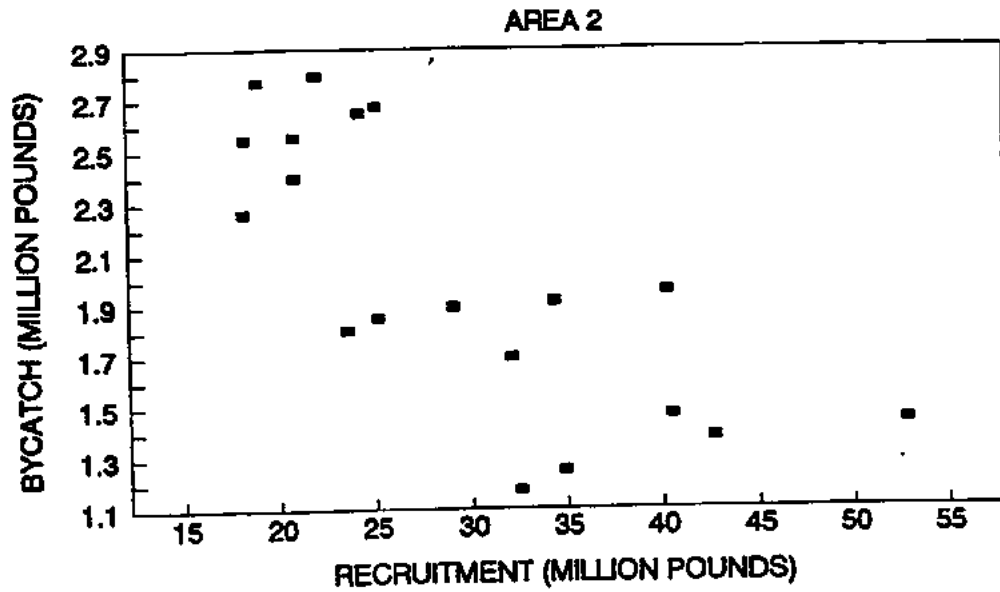


Figure 7. Relationship between bycatch and recruitment (millions pounds net weight) in Area 2 (upper graph) and Area 3 (lower graph), 1974-1992.

IPHC

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

December 16, 1993

Ms. Shari Gross, Chair  
Halibut Charter Working Group  
North Pacific Fishery Management Council  
PO Box 103136  
Anchorage AK 99510

Dear Shari:

At the last meeting of the Halibut Charter Working Group, discussion leading to development of alternatives for sport fishing management was hindered by various estimates of the trends in sport and commercial harvest for the next several years. In hopes of eliminating distracting information, we discussed the range of estimates and reached agreement on the most probable trend for change in the sport and commercial harvests in IPHC Areas 2C and 3A through the year 2000. This trend is based on linear growth in the number of halibut caught per year, at the same rate experienced since 1987. The average weight of halibut, however, would remain constant at recent values. This is one of the approaches described in a report by Vincent-Lang and Meyer to the NPFMC.

Sport and commercial harvests are only part of the halibut removals. Bycatch mortality, waste in the commercial fishery, and personal use are other sources of mortality. Changes in the other sources of mortality cannot be easily estimated, so are assumed constant at the 1992 level for the purposes of this evaluation (see the report by Trumble to the NPFMC for values). From 1988 to 1992, the coast-wide exploitable biomass fell over 25% from 359 million pounds (309 million pounds in Alaska) to 265.8 million pounds (218 million pounds in Alaska), while the sport harvest increased about 40%. Sport harvest, if continued without additional catch restrictions, is likely to grow through the end of the decade. The sport harvest in Areas 2C and 3A increased since the early 1980s as a result of both growth in numbers of halibut caught, and in the average weight of halibut. While projection into the future is difficult, the most likely pattern is continued growth in numbers but little change in average weight. Projecting the trend in the sport fishery for Areas 2C and 3A (Figure 1) assumed continuation of straight line growth in numbers and an average weight 21.4 pounds per halibut in Area 2C and 20.8 pounds in Area 3A.

Commercial harvest change will be a function of declining biomass and increasing sport harvest. The current exploitation rate of 0.30 (reduced in 1993 from 0.35) times exploitable biomass equals the constant exploitable yield (CEY). From the CEY, subtraction of other uses (bycatch, waste, and personal use, set as a constant here) and sport catch results in the staff-recommended catch limit for the commercial fishery. Exploitable biomass is declining at about 10% per year, but recruitment may have reached its low point. If recruitment begins increasing this year, the exploitable biomass should begin growing by the latter part of the 1990s. For this report, the projected biomass declines from 1993 through 1997 at 9, 7, 5, 3, and 1% per year, respectively, then increases from 1998 through 2000 at 1, 3, and 5% per year, respectively. Commercial catch is calculated from changes in exploitable biomass and sport catch through 2000 (Figure 1). In both Areas, projected sport harvest reaches about one-third to one-half of the commercial harvest.

The projected changes in exploitable biomass, sport catch, and commercial catch are not actual predictions of the future, but show a probable pattern. While we do not expect values and timing to be exact, we do expect the trends that are indicated. Several factors could affect the trend either higher or lower. For example, current lack of moorage slips at existing marinas and a tapering off of increases for the past year or two may lower the trend. An expanding economy and more travellers to Alaska may increase the trend. We hope that this letter clarifies our position on halibut trends, and that the Work Group will be able to focus on the job at hand and not on differences in sport catch projections.

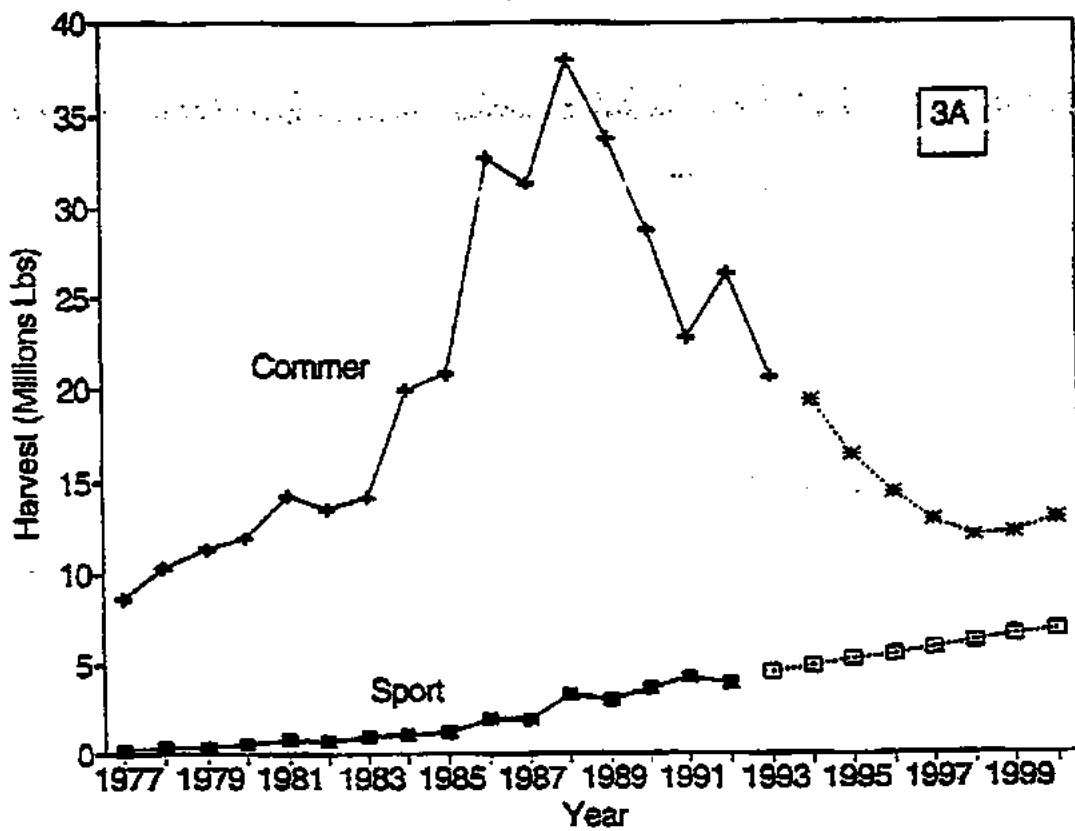
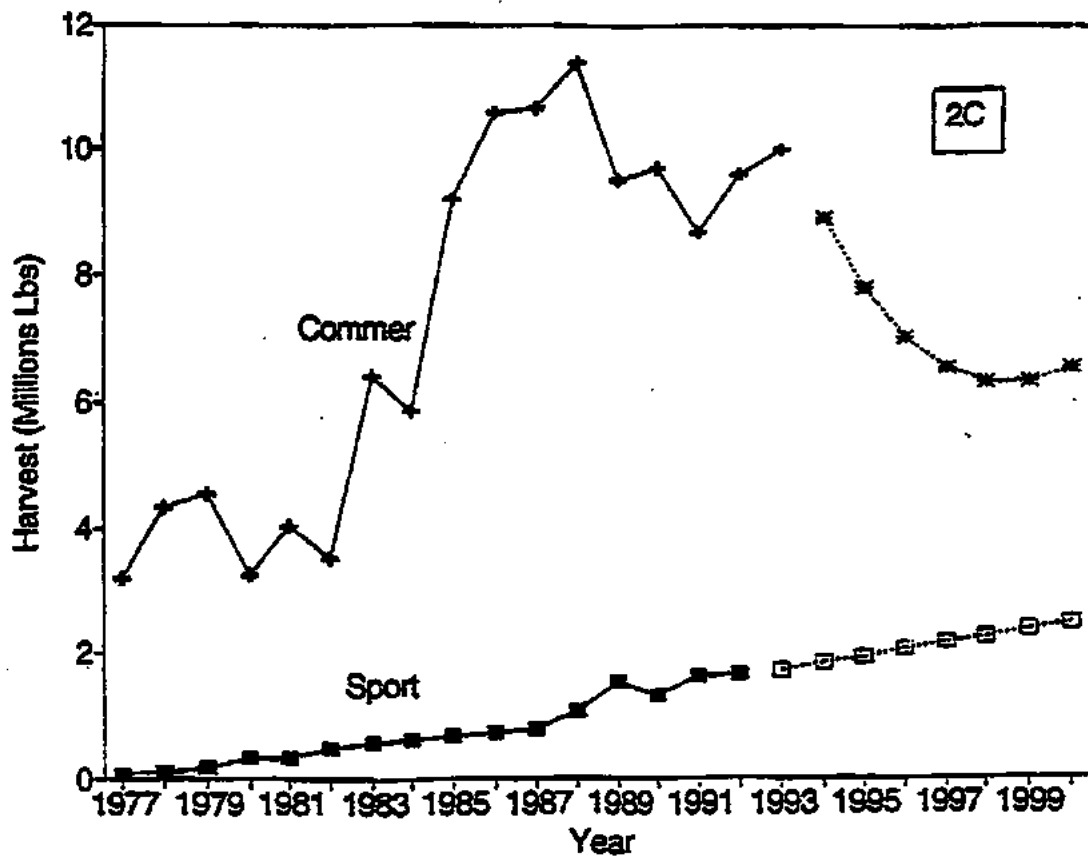
Sincerely,



Douglas Vincent-Lang  
Alaska Department of Fish and Game



Robert J. Trumble  
International Pacific Halibut Commission



Comments Received  
on  
Halibut Charter IFQ/  
Moratorium  
Analysis

Halibut Charter Comments-April 2001 NPFMC Meeting  
(Comment # in parentheses for reference)

A-Ward Charters (115)  
Adventure Charters (239)  
Alaska Legislators: (237)  
Alaska Longline Fishermen's Assn (138)  
Alaska Excursion Adventures (253)  
Alaska Viking Charters (186)  
Alaskan Game Fisher (205)  
Alaskan Adventure Charters (163)  
Alaskan Summertime Charter (209)  
Amerson (51)  
Amoth (173)  
Anchorage Fish & Game Adv. Comm. (254)  
Anderson (125)  
Applegate (63)  
Arctic Tern Charters (212)  
Arsenault (48)  
Aulbach (34)  
Aurora Charters (99)  
Bailey (8)  
Barkhau (123)  
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Becker (91)  
Blossom (230)  
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Bondioli, John (171)  
Bondurant (2<sup>nd</sup> comment) (247)  
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Brady (213)  
Brownies Charters (257)  
Bunker (101)  
Burch (66)  
Buttram (44)  
Cahoon (24)  
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Capt. Pete's Alaskan Experience (174)  
Capt. B's Alaskan C's Adventures (224)  
Captain Greg's Charters (178)  
Captain Brown's Charters (192)  
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Caso-Morris (151)  
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Clarkson (169)  
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Ferguson (64)  
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Fish/Johnson (222)  
Fishward Bound Adventures (132)  
Florschutz (92)  
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Form Letter - Illegible (134)  
Form Ltr-Illegible (28)  
Form Ltr-Illegible (25)  
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Foster, Glenn (11)  
Franke (148)  
Franzel (108)  
Frost, Michael (231)  
Gabrys (180)  
Geis (130)  
Goodhand Charters (221)  
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February 8, 2001

North Pacific Fishery Management Council  
605 West Fourth Avenue, #306  
Anchorage, Alaska 99501

The  
Alaska  
Constitutional  
Legal  
Defense  
Conservation  
Fund, Inc.

P.O. Box 110551  
Anchorage, Alaska  
99524-4001

Founded in 1994  
for the purpose of  
common use of fish,  
water and wildlife  
and access to public  
lands and public  
waters in Alaska.

Dear Sir,

Our organizations purpose is to provide representation for the Public Trust Doctrine beneficiary owners (the public) of those common property halibut fishery resources. We believe that this public trust ownership mandates, that the North Pacific Fishery Management Council, as trustees, are to provide this ownership allocation first, so as to assure the public beneficiary (personal consumptive fishermen, sport fishermen and subsistence fishermen) will all have equal consideration to participate within sustained yield principles.

As allocation trustees the Council's lack of concern; as to the impact of their proposed IFQ, caps and Guideline Harvest Levels and other regulations programs, will have a detrimental effect on these personal consumptive USERS (including Charter Boat clients) which invalidates your regulator authority.

It remains that the Councils first responsibility is to assure equal access to the personal consumptive USER of these common property halibut fishery resources.

Instead these restrictive programs purposely create a predetermined limited level of access, not to be changed to compensate for this growing population of Public Trust USERS of these common property fishery resources.

I wish to point out that I personally addressed these points in documented letters as of January and February 2000, with copies to the North Pacific Fishery Management Council, the International Halibut Commission and the Sport Fish Division of the Alaska Department of Fish and Game. At this time we are willing to further furnish Council members who wish additional copies for more specific review.

In addressing the Councils October 2000 adoption of their Subsistence priority qualifications, we must challenge their legal advice that (1) Federal Law does allow for rural preferences (and Native Preferences).

Directors:

- Dale Bondurant  
(907) 262-0818
- Warren E. Olson  
(907) 346-4440
- Tim Stevens  
(907) 345-3804
- Joe Caraway  
(907) 345-4719
- Frank DiPofi  
(907) 344-6698



-2-

But due to State of Alaska -V- Native Village of Venetie Tribal Government, unanimous decision by the US Supreme Court, which holds that 'all such aboriginal claims by Alaska Natives are here by extinguished' as indicated by explicitly expressed provisions of the Alaska Native Claims Settlement Act (ANSCA); which was enacted by the federal government.

The Court findings cited by the federal legal adviser for the Council failed, to recognize as most controlling, the important Venetie decision; which in fact and intent eliminates any implied federal treaty responsibilities and or commitments with Alaska Natives.

We believe that the Council's action on this issue of subsistence priority for personal USE halibut harvest, has expanded such exclusion priorities for the sole benefit of an ethnic identified class which also allows them to leap over the rural residency boundaries; and thereby is an explicit violation of the US Constitution Article XV which forbids racial based discrimination.

Sincerely,

*Dale Bondurant*

Dale Bondurant, President TAGLDCF

For your information we have enclosed:

1. Copies, Jan. & Feb. 2000 to NPFMC, IHC, AFG
2. Copy, "Putting The Public Trust Doctrine To Work", Second Edition, June 1997

2

**JONATHAN D. KRAUT**

Attorney at Law

February 5, 2001

David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West Fourth, Suite 306  
Anchorage, AK 99501

**RECEIVED**

FEB 12 2001

Re: Halibut Fishery

Dear Mr. Chairman:

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

I am a salt water angler. I am alarmed about a plan under consideration at the North Pacific Fisheries Management Council, to limit the halibut available for charter fishing and, in addition, to allocate that limited halibut run to individual charter fishermen, through an IFQ program.

It seems this plan is being developed without any opportunity to participate and, in fact, without notice, to the users of this important fishery. Many of the salt water anglers who partake of this fishery do not reside in Alaska, although many of them return, time and time again, for fishing trips and most of them encourage others to visit Alaska for that purpose. I am suspicious of the timing of this attempt to offer a very tempting windfall to guides and charter owners without consulting the interest group that will be most affected by the IFQs -- the salt water anglers!

Limiting access to this public resource will set a very damaging precedent altering forever the concept upon which our rights are based -- the public's rights to access the public's resources. Sport allocation should not be limited to an artificial cap placed by the activity of commercial interests. Longliners should be kept away from port areas and fishing should be regulated for an abundance to support good sportfishing.

I strongly urge you to reconsider the concept of sport IFQs in the interest of the fish and the fishery. Work instead towards proven methods to increase the abundance of halibut -- through bag limits and seasons.

Thank you for consideration.

Respectfully submitted,



Jonathan D. Kraut

3

North Pacific Fishery Management Council  
604 West 4 TH. Suite 306  
Anchorage, AK 99501-2252

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FEB 12 2001  
N.P.F.M.C

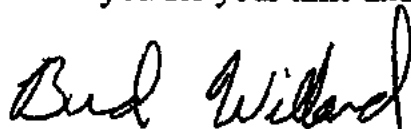
Dear Council Members,

I urge you to reject the quotas for halibut charter operators. Halibut charters only provide the opportunity to catch fish. If the quotas are enacted, the cost of going halibut fishing will increase. It's a simple law of economics- supply and demand. The quotas will force some operators out of business, decreasing supply while the demand for charters increases. I take my wife and sons on a charter every year; we can barely afford it as it is. With these quotas in place I can see charter prices up to \$200 per person.

It is a difficult chooses to limit some one's business but the commercial halibut fishery must make the sacrifice. People should be able to enjoy a charter and catch their own fish for a reasonable price.

Please reverse the Course your on, do not put quotas on halibut charters.

Thank you for your time and consideration,



Bud Willard  
PO Box 875532  
Wasilla, AK 99687

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4th Suite 306  
Anchorage, AK 99501-2252

4  
RECEIVED

FEB 27 2001

Dear Mr. Chairman

N.P.F.M.C

The following are personal comments concerning the upcoming action from the NPFMC on the Halibut Charter IFQ program.

Thank you for taking the time to review my comments. I feel it may be unfortunate that comments such as mine may not be properly reviewed because of the large number of issues and options. I would thank you in advance if you choose to take the time to review these comments. I would especially thank you if you were to favorably act on them..... I will list my preferences on each issue/option in order. I will also attempt to keep comments regarding each issue/option brief.

A brief personal history:

I have been a resident of Alaska over 26 years, having moved to Sitka in 1988 from the Anchorage area. I have been a charter captain for 8 years.

Although I oppose a Halibut Charter IFQ system to begin with, it is painfully clear that the council has this issue on the fast track and action will be taken at the upcoming meeting. I realize the intent is to control growth within the industry and attempt to maintain halibut stocks. I have always supported this idea. However, I have to question the possible results of some of these issues/options and the effect they will have on the charter sector. I feel that even the best case scenario following these formulas, will not provide charter business with enough fish to maintain current levels. We will be required to purchase additional fish, quite possibly at costs exceeding capabilities. I would hope that considerations and options are looked at in detail, before formulating a plan that may immediately put people out of business.

#### Supported Action

Issue 1. Initial QS may be based on:

Option 2. 12.26% in Area 3A and 13.32% in Area 2C of a combined charter and commercial quota.

Suboption. 50% of an individual's QS initial issuance would be fixed and the remainder would float with abundance.

Comment: Obviously we should ask for as much as we can get in Area 2C, since there will not be enough to maintain current business levels. Fixing 50% of an individual's initial issuance is very important to plan any kind of marketing and stability. If there is concern from the commercial sector, they are the group that stand to gain as stocks rise with this Suboption.

Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis:

U.S. ownership based on 75% ownership, with either or both options.

Comment: Documentation should be required to verify that the charter boats controlled by owners or lessees were operated by individuals with appropriate USCG licenses.

Issue 3. Qualification Criteria:

Option 1. Initial issues who carried clients in 1998 and 1999 and who submitted ADF&G logbooks for an active vessel.

Suboption. Require that initial issues be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

Comment: Unfortunately we are being forced to choose between fellow charter captains, or our families/business. This action is designed (among other things) to regulate the growth of the charter fleet. Then lets do that without putting every ones lively hood at risk. Keep the initial level of boats low so our future is a little more stable. If qualification is based on easy entry criteria, the speculators and weekend charter outfits who are looking for a windfall will get it, and the real charter business's who need the fish will suffer. That would be unfair to us Alaskans who have been in this business full time to support and raise our families in Alaska.

Issue 4. Distribution of QS may be based on:

Option 1. 70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-1997 (longevity reward).

Comment: Option 2 (Modified Kodiak proposal) is flawed. This IFQ program will (and is) creating competition within the Charter Industry for fish. If Option 2 is passed as written, charter captains who fish for halibut twice a year will have the same amount of fish as those who fish halibut every day. It is illogical to force a captain who needs fish to stay in business to purchase fish from a captain who did not need the fish to begin with. This will no doubt put some business's out of business who cannot afford to purchase fish needed. I would ask that that you consider the following if Option 2 is passed:

- Part A: maximum of 10%,
- Part B: minimum 60%,
- Part C: 30% or less.

Issue 5. Transferability of QS and IFQ's:

Comment: I would ask the Council not to prohibit transfers between charter and commercial sectors. If this program results in substantial lower numbers of fish for a given business, additional fish may not be available for purchase within the charter sector. Prohibiting transfers will not allow an opportunity for an existing business to purchase fish needed. Allowing transfers between the commercial and charter sector (even if restricted to one way) will allow that opportunity.

I would also hope the Council allows transfers from A, B, C, & D commercial vessel category sizes to charter sector. If D class is excluded, that will bring historical offshore class quota to near shore harvest, which will put additional pressure on near shore stocks. That doesn't make much sense in the grand scheme of area stock preservation, particularly for subsistence users & local residents who cannot get offshore.

Issue 6. To receive halibut QS and IFQ by transfer:

- Option 1. For the charter sector, must be,
  - b) qualified as defined by State of Alaska requirements for registered guides or businesses.
  - c) fulfill all legal obligations of the charter sector.

Suboption. and hold a USCG license.

Issue 7. Caps:

Comment: I would think that some cap is necessary to limit control of the QS's. However, it is important that any cap represent a valid amount for existing charter business's.



**Issue 8. Miscellaneous provisions:**

- Option 1. Maximum line limit of 12 in Area 3A(remains a 6 lines for Area 2C), grandfather initial issues.
- Option 2. 10% underage provision of total IFQs.
- Option 4. A one-year delay between initial issuance of QS and fishing IFQs.

**Comment:** Option 3 could apply if issuance were in pounds.

**Issue 9. IFQs associated with the charter quota shares may be issued in:**

- Option 2. Numbers of fish (based on average weight determined by ADF&G).

**Comment:** Numbers of fish is the only way it will work.

**Issue 10. Reporting:**

- Option 1. Require operator to report landings at conclusion of trip.
- Option 2. ADF&G logbook.
- Option 4. Charter IFQ fish tags. (maybe)

**Comment:** Fish tags would allow enforcement opportunity not available in just the logbooks. Might be unwarranted additional expense however.

**Issue 11. Community set-aside.**

- Option 2. Set aside 1/2 - 2 1/2 percent of combined commercial charter TAC for Gulf coastal communities.

Suboption 1.

- b) proportional amount based on the split between the commercial and charter sectors.

**Comment:** New entrants into the charter industry would come from all user groups, including commercial fishermen in Coastal communities who would benefit from this . This option is for Alaskans by Alaskans, all Alaskans, including commercial fishermen. It would be totally unfair to expect any set-aside to be taken solely from the charter sector. I also feel a sunset provision would be in order with fish reverting back to commercial and charter sectors when reached.

Thank You again for this opportunity to express my opinion.

I urge the Council to consider the future of the existing Sport Charter business and the effect any changes will have on local communities which depend on them.

Control is important, I think we all agree to that.

Control by elimination however, is unjust.

Thank you .....

Marvin Proctor  
P.O. 6174  
Sitka, AK 99835  
907-747-8414

# WILSON'S

GUIDED  
SPORTFISHING

Kings Silvers Halibut

5  
Jim Wilson / Guide

RECEIVED  
February 23, 2001  
FEB 26 2001  
N.P.F.M.C.

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

Dear Chairman Benton,

I am writing in support of the charterboat IFQ proposal now under consideration by the North Pacific Fishery Management Council.

I have fished on Cook Inlet as a private sportfisherman since 1975 and as a charterboat operator since 1990. During the past 26 years, I have watched the growth of sport and charterboat fishing on the Inlet and have become increasingly concerned regarding the health of near-shore halibut stocks. While it was possible only a few years ago to experience excellent fishing within a few miles of Deep Creek State Park, it is now necessary to travel twenty miles or more to enjoy the same experience, with more private and charterboats entering the fishery each year.

In consideration of proposals in support of the status quo, I recognize that the allocation of halibut stocks between commercial and charterboat groups is now necessary in order to preserve the viability of both industries. At the same time, proposals for a moratorium on new charterboats would unfairly restrict those who wish to join the industry. With no restrictions placed on private sportfishermen, and provisions that allow new charterboat operators to enter the industry, I believe that the IFQ proposal as presented by the Homer and Deep Creek Charterboat Associations is the most viable and fair approach to allocating the halibut resource and regulating charterboat operations.

I urge you to support the charterboat IFQ proposal as it has been presented by our charterboat associations. We will be in attendance at the Council's meeting in April and look forward to your full and fair consideration of this issue at that time.

Sincerely



David Benton – Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

6

RECEIVED  
MAR - 7 2001  
N.P.F.M.C

Dear Mr. Chairman,

I am Mark Sappington of the Yakutat Charter Boat Company located in Yakutat Alaska. Mine is a family run operation, whereas halibut fishing is our bread and butter sport fishery. I have been in the sport charter business in Alaska for over 11 years. I am in support of a well-run and well-considered designed IFQ plan for the charter industry as well as the commercial fishery. Please consider these following recommendations in your deliberations.

The council decided the GHL amount in April 2000; this amount is represented, as Issue 1, Option 1 and it should be the base amount for the charter IFQ allocation. I want to see the council respect that decision, after all my industry fought hard for that decision, and you should hold to it.

The initial allocation should have 50% fixed in poundage and not float with abundance for a couple reasons. The total allowable catch changes too much for the charter fleet to take full advantage of their allocation and this option would soften this negative impact to the charters. The recreational anglers want to see this council assure them that they won't lose access and this helps maintain this amount of public access, especially if the fixed quota is restricted to the charter sector only. The timing of this issue to the natural decadal cycle of halibut leaves the charter industry in a losing position for the next 5 to 9 years according to the IPHC forecast. To fix a portion of the charter quota helps to mitigate this natural timing impact.

I feel that all current, legally operating charters should be included in the IFQ program under Issue 3. Qualification Criteria, Option 1 would be my preference and in Issue 4 the most fair distribution plan would be Option 1 because it provides the current amount of resource to the boats that are responsible for catching it. All charter boats would get the same proportion they are responsible for harvesting which is the most equitable way to respect their individual business development.

I am concerned about the immediate transfer of quota out of the charter sector. I am opposed to any transfers out of the charter sector for a period of 3 years in order to let the charter industry learn how to manage their businesses under the quota system, let the charter fleet consolidate the fleet size and effort and let the charter fleet establish a quota value for their industry first before any out of charter sector transfers are allowed. I think that we have time to do this, the visitor rate is static, the stocks are stable and not immediately changing, and there will be more than enough quota initially issued to the charters that immediate transfers between sectors are not necessary. The charter quota should find a value to the charter industry without the commercial quota value influence. During this initial period, if charters need more access then they would be allowed to purchase and use commercial quota. In a few years the council can decide to allow transfers out of the charter sector when both industries agree they are ready. We also feel that the small boat commercial IFQ fishermen and the charter boats are in competition for the same local near shore stocks and the charter fleet will want to target this quota, we don't want restrictions by vessel class for quota to purchase. Any and all block and transfer restrictions should help preserve the current make-up of each fleet and the easier it is to fish quota just means more will be fished. The charter fleet should be allocated pounds that are converted to number of fish for charter use, back to pounds for commercial use. The logbooks are working for reporting the harvest, but the fish tags have a good value for enforcement also, I would go with whatever NMFS enforcement recommends.

I wish to see the community set-aside not move forward. The charter industry is not resource driven and providing halibut where the public is not interested in going will not make a viable charter business. Without the customer support infrastructure in place in the communities being considered, no amount of quota will make a charter business. The problem statement acknowledges the overcapitalization problem in the charter fleet but the community set-aside will create more charters and at the cost of those providing the public access now.

Many of the communities included have or are very near lodges and charter services that already service the available customers at a marginally profitable level, the community set-aside will only reduce the profitability even more. This is different than the Community Development Quota in that the commercial fishermen gets to fish those CDQ's for the communities, the charter fleet will only be in competition with the set-aside charters, not getting anything from it.

I support the IFQ plan moving forward only if you consider the issues above. I know this plan will go a long way towards solving the allocation to the charter boat fleet and the guided recreational angler, but without the above considerations I do not want you to consider including my business in the IFQ program.

Thank you very much for your time and efforts,



David Benton Chairman  
North Pacific Fisheries Management Council  
605 W 4th Ave. Ste. 306  
Anchorage, Alaska 99501-2252

7  
**RECEIVED**

MAR - 9 2001

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

Dear Mr. Benton;

My name is Alan Veys and I am the owner and operator of Pybus Point Lodge in Southeast Alaska on Admiralty Island. I have been in business since 1985 and have operated a fishing lodge ever since. I realize that things are changing in Alaska and we need to adopt new guide lines. I am in favor of the new I.F.Q.

**But the one thing I am most concerned with is that we operate six boats that are owned by myself personally and used and by skippers that in a sense work for the lodge. It is very important that the IFQ's if they go into play that the IFQ's go to the owner of the boat, even if the boat is leased to the different skippers who are working for the lodge.**

**If this is not the case it would no doubt put me out of business.**

**I want it to be perfectly clear that I do not want the IFQ's to go to the individual skipper or lessee. These are skippers who received a pay check every month and who only took guests that were booked through Pybus Point Lodge. I have maintained the boat's and I want the permits to be in My Name!!!**

Second I am concerned with the time factor I do believe that you could go back to 1998 and 1999 and set your quotes on the number of fish and add to that the percentage numbers of fish for each year of being in business back to 1990 or earlier. That would put the person, business or owner.

Sincerely Yours;

Alan Veys

Date: Wednesday, March 07, 2001

RECEIVED

MAR - 9 2001

N.P.F.M.C

Mr. David Benton  
Chairman, North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I wish to express my support for an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a majority of our annual income, especially with the major decline in the salmon fishery do to the decreasing of both the run strength and the ex-vessel dollar value along with further restrictions yearly to increase the fishing allotment to the salmon charter fleet by the BOF.

The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious finds getting involved in allocation disputes.

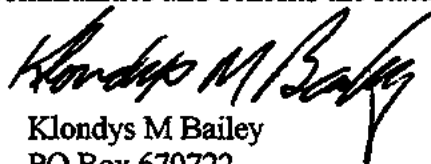
Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely, 

Klondys M Bailey  
PO Box 670722  
Chugiak, AK 99567-0722

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001

March 13, 2001

Mr. David Benton, Chair  
North Pacific Fisheries Management Council  
605 West Fourth Avenue, Suite 306  
Anchorage, AK 99501-2252

9  
RECEIVED  
MAR 14 2001  
N.P.F.M.C.

Dear Mr. Benton:

I am writing to protest the implementation of an IFQ system for halibut fishing. I am a lifelong Alaskan Native living in Anchorage. I have lived in Anchorage for almost 30 years.

I rely on charters to fill my freezer for the winter months. I fish at least 20-25 times each year on halibut charters. I can afford this cost. However, I provide halibut to at least 15-20 individuals and families who cannot afford to pay for a charter. These are elderly people originally from my village and families who are low income. They would not be able to eat halibut if it weren't for the halibut I catch every summer on charters. Most of these people are also Alaskan Native.

I also provide halibut to my sister, her family and my aunt who all live in Washington state and to my son and his family who live in Montana. Until my uncle's death a couple of years ago, I provided him with halibut and he lived in Florida.


I even provide my mother, who still lives in the village (where halibut fishing is abundant) with halibut because she can't fish herself. She relies on the kindness of others in the village to provide her with halibut and sometimes doesn't get enough for the winter.

If an IFQ system is implemented, I will not pay for a charter because I firmly believe they will take me to areas where the boat will only catch "chicken" halibut. On the average, I pay over \$160 per trip. This means I pay anywhere from \$2,005 to \$2,500 per season, depending on how many trips I take. This does not take into account the cost of lodging, tips, food and gas. I normally take at least ten trips to the Deep Creek area, another 10-15 out of Seward and maybe one out of Homer. I must reiterate, I will not pay for a charter if an IFQ system is used. I will find someone who owns a boat and offer to pay for gas or whatever expenses that need to be covered to get out to the halibut grounds.

On numerous occasions I have had friends or family accompany me on charters, at their own expense. A few times we have even filled up a charter ourselves. I have also referred numerous other people to charter outfits because everyone I am acquainted with, in church, at work, etc., know that I fish at least once or twice a week for halibut.

I believe the use of IFQ's will hurt people like me, who enjoy halibut fishing but also use it for subsistence. I urge the North Pacific Fisheries Management Council to vote against IFQs. I do not believe the public is aware of what is going on and would protest this action if given the opportunity to testify before the Council. I certainly would welcome the chance to speak before the Council on this topic but I have not read or heard of any hearings. I would appreciate being put on your mailing list for any announcements.

Sincerely,

  
Rinna E. Mercurieff  
1200 West 47<sup>th</sup> Avenue  
Anchorage, AK 99503  
561-0157

Cc: The Honorable Ted Stevens  
Alaska Department of Fish & Game



RECEIVED

10

March 6, 2001

MAR 13 2001

To: NPFMC

N.P.F.M.C

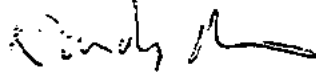
I am in favor of IFQ's for the charter fishery and would like to see them put into place as soon as possible. This issue, I believe, has been under discussion since 1993, which has been long enough for public input on the issue. It is agreed by all involved that something has to be done with the growth in the charter fleet. IFQ's are the only solution anyone has come up with that does not allow either the longline fleet or the charter industry to have unregulated growth at the others expense, as is presently happening with only the longline fleet under IFQ's. The largest segment of the public that owns this resource are the people who will never be able to go on a sportfish trip, but buy fish from the store to eat. Their rights to having fish available should be respected and this means stopping the unregulated growth of the charter fishery.

One of the issues under debate in this conflict is the initial allocation of 125% of the charter fleets historic average. This was arrived at so as to allow for some growth in the charter fleet. I feel that any quota set aside for communities that want to develop a charter fleet should come from the charter initial allocation. After all that is just what the extra 25% is for. It should not come from the longline fleets allocation, as this seems unfair to me. The longline fleet already gave to CDQ's upon initial allocation. Let the charter fleets growth beyond their 125% come from purchasing IFQ's from the longline fleet rather than being allocated them from the longline fleet at no compensation to the longliner.

I feel that whether the council decides to implement IFQ's or some other management plan that is different than IFQ's that the charter fleets allocation should fluctuate with abundance just like the longline fleets. There is no other method that does not allow for one to take from the other unfairly. To give any part of the charter allocation in a fixed quota will only cause either the longliners or the charter people, depending on which way the TAC is going, to be back asking the council to change it.

This issue needs to be resolved soon. It is not going away and will continue to come back to the Council until it is resolved.

Thank You

  
Randy & Carolyn Nichols  
305 Islander Drive  
Sitka, AK 99835



RECEIVED

FEB 16 2001

N.P.F.M.C.

11  
Dlen Foster  
309 Glenwood Ct  
Martinez, CA 94555  
Feb 12, 2001

N.P.F.M.C.

605 W 4th Ave Suite 306  
Anchorage, AK. 99501

Gentlemen,

Recently I heard through a magazine of a proposed Individual Fishing Quota Program for the recreational Halibut fishery.

When are interests going to be directed towards improving the recreational opportunities versus commercial fisheries demands!

I am very upset that commercial interests drive your organization and direct it into the recreational arena.

Alaska's vast opportunities are increasingly used by many, strict limits as they are today and good fishery management will keep it that way.

This proposed regulation needs to be retracted as quickly as possible.

I personally have fished the Southeast Alaska area every year for eight years. Keep your regulations simple so the resource can be enjoyed by all.

Sincerely,  
Dlen Foster

TO:

24 Feb 01

FROM: Butch Sims  
8530 E 17<sup>th</sup> Avenue  
Anchorage, Alaska 99504

12  
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MAR - 9 2001

N.P.F.M.C

SUBJECT: Potential Change to the Cook Inlet Halibut Fishery

1. I'm writing this letter for two reasons. First, I am a Charter Boat operator, who offers Halibut charters to friends, relatives and their friends or relatives, who don't have either a boat or the experience to take advantage of Alaska's best Halibut fishery. My rates are far below most other commercial operators and often result in break-even or out of pocket expenses, just to provide the experience of catching what is often the largest fish these folks have ever caught and or seen in some cases. Most of these folks are either retired or elderly living on a reduced income. At any rate, they fish with me because they can't afford to buy or maintain a boat large enough to safely handle the waters of Cook Inlet or the Gulf of Alaska or to pay the rates charged by the other charters operating out of Deep Creek or Homer. Yet they want to take advantage of the plentiful Halibut available in the waters of central Alaska. Secondly, I'm writing as a dedicated sport-fishing enthusiast, who "got hooked" on Halibut on my first charter back in the early 80s. I've been fishing the waters of Cook Inlet and the Gulf around the Kenai Peninsula since 1987 from my own boat. The Halibut fishery has continued to improve each year even though more and more charters show up each year.

2. As both a charter operator and an avid Halibut fisherman, I've been following the myriad of proposals to "change" the fishery. The only "change" needed in the Cook Inlet/Gulf of Alaska Halibut fishery is to keep the public citizen as the major concern in the issue. The average Alaska resident or tourist for that matter is entitled to enjoy a "public fishery". The state of Alaska thrives on tourism and sport fishing and it has been documented on many occasions, a sport caught fish is more valuable to the community and the state of Alaska than a commercial caught fish. This is true for Halibut as well as Salmon or Trout. Sport fishing enthusiasts don't throw away millions of pounds of Halibut or other sport fish as "by catch" like our commercial long liners do. Sport fishing accounts for about 10% or less of the annual catch of Halibut while a relatively few commercial long liners (as compared to the percentage of sport fishermen) have been catching 60 million pounds or more of Halibut annually.

3. It is my opinion and that of all my sport fishing friends as well as most of my charter operator friends that to further limit sport caught Halibut by reducing the daily or possession limit of Halibut is ludicrous. Commercial long liners continue to catch millions of pounds and to waste millions of pounds annually. Commercial "by catch" exceeds the total annual take of the sport caught Halibut fishery within the Gulf of Alaska and Cook Inlet as well. I've caught many "chickens" with distorted mouths damaged after being on a long liners' hook for hours and hours. If any reduction is necessary and that is very questionable at this point, the only equitable way to do so is to reduce the commercial share. I and everybody else in the state, not carrying a commercial Halibut quota will agree that sport fishing will never impact a healthy fishery and the Halibut fishery in Cook Inlet/Gulf of Alaska has been improving steadily for several years. This increase has actually resulted in an increase in the "Commercial" share of Halibut, but the daily/possession limit for sport caught Halibut hasn't seen an increase in many years.

4. I could go on forever about reasons why "commercial" Halibut long liners should take a hit, but I won't. Your challenge as a government representative dealing with this very important issue is to act in the best interests of the resource and the public. You would be doing an injustice to the public to allow a reduction in the daily or possession limit of sport caught halibut. Two fish limit is small enough to have little or no impact upon the Cook Inlet/Gulf of Alaska Halibut fishery. If a reduction is deemed necessary after a validated analysis of the fishery has been conducted, then reduce the commercial catch by 5%. It's impact would be minimal to them, but taking half of the sport caught catch would be devastating to the sport fishing fleet and to the many of us who enjoy Halibut fishing as a way of life.

5. The last issue I'm concerned with is the suggestion that a cap be placed upon the number of charter operators catching Halibut. The most recent "Buzz Word" is IFQ. IFQ in and of itself isn't bad for fishing, but it was designed to apply to commercial fishing, not Sport Fishing, and that's what Charter Operators are doing. We are providing a means for average citizens to participate in the Sports Fishery. Under the parameters of the Stevens/Magnusson Federal Fisheries Act, which was designed to protect the resource for the public and future generations, "Commercial Fishing" opportunities are reduced for the benefit of all participants. Other parties recognize commercial fishing as the process of catching fish for consumption. The fish caught become the property of the person or persons catching them and are for a commercial purpose. Charter Operators do not own the fish, which they assist others to catch. The resource belongs to the public, so the public should be the primary consideration in any changes to existing rules as they apply to the taking of "Sport Caught" Halibut. Please use your powers to fight for the public in this issue and do not allow a select few to dictate how the public's resource of Halibut will become the private property of a few Charter Operators, who've become greedy. Various target dates and years of experience have been rumored, but to consider any cap at all would have a serious impact upon the public at large. I'm sure you're well aware of what competition does for business. The fewer operators, the more the market will bear. That always means the average public will pay more for the privilege of fishing for a public resource simply because the few commercial Halibut quota permit holders want to continue to plunder the resource. Please do not allow this inequity to be considered. Do not limit the number of charter operators, as those performing well will stay in business and those who don't will simply fade away. Don't allow a few operators to determine the future opportunities for both Alaskans and our visitors, so critically important to the financial welfare of the state. Neither will have a significant impact upon the Halibut fishery in general. Don't allow the daily/possession limit to be reduced as it could result in the trip just not being economically practical for many folks to make the trip to Alaska or the Charter worthwhile for only 1 fish. Don't let a public resource become the private property of a few greedy charter operators. Don't make any change just to satisfy the few commercial Halibut quota permit holders. Any change should be based upon sound and well-documented evidence of need for change. Please keep the public interest in the forefront of your mind as you provide input to the upcoming session of our legislature. We're counting on you to get the Governor involved and keep Halibut fishing opportunities available for all of us at a reasonable cost for years to come. Thank-you for the opportunity to tell my side.

**BUTCH W. SIMS**  
**OWNER/OPERATOR, WILDMAN CHARTERS**

RECEIVED  
MAR 13 2001  
N.P.F.M.C

Mr David Benton

I'm supporting an IFQ program for the Sport "charter" Halibut Vessels in 2C + 3A. Its a shock to me to see what going on in the charter Business. Any size Halibut will do for them!!! Homer was too much I couldn't believe it I'm sure its the same they have to make money too But Not a wasteful fisher as I all

As you can tell I'm Not a lawyer of Doctors But the Charter fleet is a different bunch Money Not Conservation another Management System is Not for us. the IFQ is working we don't need a allocation dispute Committee or more Court time by charters.

the Glacier Bay issue is an example of how money works in the fishery and who get to use the Bay!!

the initial Charter Q.S. allocation should be based on 100% of the 1995-1999 average catch Not 125% the help the recreational fisher Person to get at some But

as in the King Salmon treaty the  
"Kungo" 2000 the charter went right  
to Court to overturn the decision  
as you can see its going to be  
a fight!! We need your help  
my family and I dont make  
are entire living on the TEF  
But it sure helps!! Kids in  
College eat. We now have ~~Star~~ Kols  
Working our fishing Vessels and other  
thing that work. Commercial fishing  
Provides jobs in this town that  
helps!!!

As a Chair person Please  
think it out!! as I know  
you can Dave!

thanks

Craig Long

P.O. Box 211024

Aniak Bay AK 99821

14

9 March 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

Dear Mr. Benton:

In 1999, I was accepted into the NMFS IFQ Loan Program. As a longtime commercial fisherman I was aware that my halibut IFQs would be affected by the natural cycles and fluctuations in the halibut biomass, and was willing to accept this as a normal and necessary part of my business. However, a continuing reallocation of the resource will hinder my ability to repay my federal loan, and have a negative impact on my income.

At the February 2000 Council meeting, I testified in favor of IFQs for the charter fleet. I believed then, and now, that this would promote stability in both the charter and longline fleets. I supported a charter allocation based upon 100% of their average catch percentage of the halibut biomass in the years 1995 through 1999, inclusive.

To protect the charter industry, their initial IFQ issuance could be made for charter only. Charter fishermen could then buy up longline IFQs for use in their industry. This would both protect the charter industry as an entity, and provide a way for future growth, and not adversely affect the existing longline IFQ fishery.

I support an IFQ program for the charter industry that is fair to both charter and longline fisheries to end the continuing allocation disputes, and provide a management tool based on abundance, not politics.

Sincerely,



Charles E. Wood  
P.O. Box 383  
Petersburg, Alaska 99833  
907-772-3480

cc: Governor Tony Knowles, Senator Frank Murkowski, Senator Ted Stevens, Representative Don Young

March 9, 2001

NPFMC  
605 West Forth Avenue, Ste. 306  
Anchorage AK 99501

15  
RECEIVED

MAR 13 2001

N.P.F.M.C

Dear Council Members,

I have been a life long resident of Sitka, Alaska and a commercial halibut fisherman for over 35 years. I grew up fishing halibut on my fathers' vessel and my sons and daughter are now doing the same on mine. I received shares of halibut IFQ's during the initial allocation and since that time have purchased additional shares. My two sons also hold small amounts of halibut IFQ that they have purchased. 50% of our yearly income is from fishing halibut. Needless to say, our family has a large stake in the halibut fishery. We are very much looking forward to the day when we can be assured that the shares of halibut IFQ's we have are not being allocated away from us to another user group.

We feel that it is very important that the North Pacific Fishery Management Council (Council) finalize the charter management plan by adopting IFQ's for the charter fleet. We also feel that the charter fleet should be allocated 100% of the 1995-1999 average harvest. Neither any person nor any group should ever be allocated any more of a resource than what they have harvested in any given period of time.

If the charter fleet comes under the IFQ plan, our thought is that transfers of IFQ's should be allowed between the charter and the commercial fishermen. The transfers should not be allowed for several years as there needs to be time permitted for the charter IFQ program to work out any problems that may surface.

The initial allocation to the charter fleet, as I said before, needs to be tied to historic landings. The fixed allocation should also be tied to abundance. When the allowable harvest of halibut is reduced, or the biomass goes down, both the charter fleet and the commercial fleet should share in the conservation of the halibut resource.

As we see it, it is imperative that the council adopts an IFQ plan for the charter fleet. This is the only tool that will bring to an end any future allocation conflicts.

Thank you for your consideration.

Respectfully,



George Eliason  
F/V Tammy Lin

Cc: ALFA

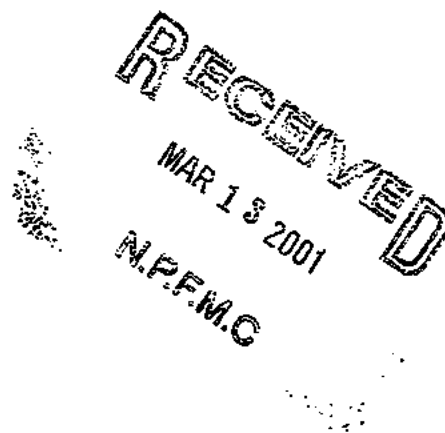
George Eliason  
102 Kuhnle Drive  
Sitka, AK 99835



16

**R & R Lodge**  
P.O. Box 877332  
Wasilla AK. 99687  
Phone (907) 376-4603 Fax (907) 376-4621

MR. Dave Benton  
Chairman, NPFMC  
605 West 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252



March 9, 2001

Dear Chairman & Members of NPMC,

I am a resident of the state of Alaska and have done business as R & R lodge since 1991, providing remote saltwater fishing for Halibut as well as other species. I am also a commercial fisherman and an original issue-e of Halibut IFQ's for commercial longline fishing, and feel I have some insight pertaining to the success of commercial longline program.

I would like to go on record that I support the implementation of IFQ's for the Halibut charter fleet. I realize you have 13 pages of proposals on how to implement this program, and I don't envy you.

Generally speaking it appears to me that you could mix and match all of the scenarios, and may have to, to come up with some concept that the RAM division will be able tweak and write up so as to pass any legal challenges.

There are some points that bother about some of these proposals and I would like to go on record at this time concerning these.

1) INITIAL QUOTA SHARES BASED ON: I support option 3, reason being it was in effect during all quota allocation and is based on the floating quota as set each year by the IPHC. I Do Not Support The Sub-option, ( 0-50 % of initial issuance fixed) sorry we are working on floating quotas, based on the strength of the stocks and you have to take the good years with the bad when it comes to fishing.

2) DISTRIBUTION OF QS MAY BE BASED ON: Given a choice I would support option 2 the Kodiak Proposal. It appears to me that of all things set forth the use of logbooks as an allocation tool for distribution is going to get the whole program in trouble from a legal standpoint. The use of logbooks is flawed in there were no checks &

**balances set in place to stop potential fraudulent postings as to amount of fish harvested. What it gave was a Chance for individuals that foresaw possible IFQ's in the charter industry an opportunity to COOK the BOOKS, So above all logbooks should not be weighted that heavily.** As you know in the commercial longline fishery they had the use of fish tickets that could be used as an accurate data base because they were closely monitored and issued by 3<sup>rd</sup> parties, the fish buyers. IF anything should be weighted is whether you did business, and give a point for each year of participation going back even farther than 1995 add 3-5 years to give the more established operators their credit. Then divide total points into 95-99 catch to come up with units issued just as in commercial longline.

**3) IFQ's ASSOCIATED WITH CHARTER QUOTA SHARES MAY BE ISSUED IN: Option 1: Pounds** This is the way it has to be done because the quota allocation is set by total allowable pounds to catch, The IPHC doesn't care if you catch big or small fish it is the pounds of fish available, if you give boats fish they will have a tendency to high grade and catch in actuality a lot more pounds than allocated. The reason they may do this big fish sell better when advertising. It provides an opportunity to return a lot of the larger fish back into the ocean for it is well known fact that they spawn a lot more eggs, they are not as good table fare, and if a client wants to keep them he will have to pay extra to cover the loss of allocated poundage to the charter boat. All pounds will do is make a charter operator manage his Q's as to get the greatest return on his allocation.

**Lastly, if you decide to implement CDQ's for the charter industry in villages, then it should come from our charter allocation, as a commercial fisherman we have already given 2% to CDQ's**

**There will be problems getting all the reporting tools in place, but I feel that can be done in a simple manner, and once everyone involved realizes there are severe penalties if you try to harvest more than your allocation then the program should be a success.**

**Thank You, and good luck in your deliberations.**

**Sincerely,**

**Robin L. Reed**

A handwritten signature in black ink, appearing to read "Robin L. Reed", written over a horizontal line.



# WAVE DANCE

Custom Charters

17  
RECEIVED  
MAR 13 2001  
M.P.F.M.C

Wayne Sanger  
P.O.Box 516  
Craig, AK 99921

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Ste.306  
Anchorage, AK 99501 - 2252

Dear Mr. Chairman,

I am an Alaskan resident doing business as a fishing charter service in Craig, Alaska. I began in 1987 and have enjoyed a successful business ever since. Please consider the following ideas and concerns as you deliberate the future of my livelihood.

There are problems in comparing a sport fishing business with a commercial fishing enterprise. It is not as easy for a charter business to adapt to increases and decreases in abundance based resource management allocations. When the numbers go up, our facilities can't handle increased utilization and when the numbers go down, we lose regular clientele that took years to establish. There are also problems with viewing fish as numbers (sport) compared to pounds (commercial).

The best way to manage my industry would be through a moratorium on charter licensing to go along with the GHL you already established. Under your Moratorium Alternatives, I support the following: Issues = Option 1, Qualification Criteria = Option 2 (with sub-option included). I believe these licenses should be transferable and the program reviewed in conjunction with the GHL.

If the council decides to include the charter industry in the IFQ program then please consider the following as my preferences.

Issue 1, I support option 1. The initial QS should be based on resources we have already been awarded through the standing GHL. I support the sub-option that fixes a portion of QS and allows the remainder to float with abundance. The council saw fit to establish a fixed bycatch to fit the commercial industry business model. The charter industry business model requires access safeguards to protect established clientele and minimize loss to future marketability. The charter industry can not flex with abundance as effectively as the commercial industry.

Issue 2, I support option 1.



# WAVE DANCE

*Custom Charters*

Issue 3, I support option 2. I also support the suboption requiring continued industry involvement and active US Coast Guard license.

Issue 4, I support option 1.

Issue 5, I support transferability from commercial to sport for the initial three years of the program. Once the value of sport IFQ is established, two-way transferability could begin.

Issue 6, I support options 1 and 2.

Issue 7, I support option 2.

Issue 8, I support options 1,2,3 and 4.

Issue 9, I support option 2.

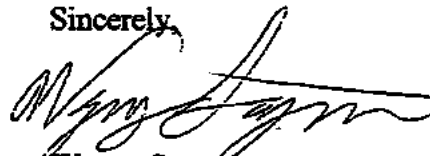
Issue 10, I support options 1 and 2.

Issue 11, I have concerns about the proposed community set-aside. Anyone serious about establishing a charter business or a commercial enterprise could secure the finances needed and buy into the occupation of their choice. Provide low interest, state or federal loans if you like but don't assign quota to entities that don't have a current investment in the resource. If you must include the community set-aside then structure the burden to include both commercial and charter QS proportionately.

I believe a moratorium for new charter permits is the best approach to controlling the charter industry within the current GHL. If you select an IFQ approach to the charter industry I could support it only if it includes the above listed issue options.

Thank you for your consideration.

Sincerely,



Wayne Sanger

March 9, 2001  
Mr. David Benton  
Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave Ste 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 13 2001  
N.P.F.M.C.

Dear Mr. Benton:

I have been a commercial halibut fisherman for 38 years. During this time I have delivered all of my catch to various Alaska ports and have contributed to the local economies.

I support the IFQ program for commercial boats and believe the QS system for the charter fleet should be based on the 1995-1999 catch.

If the council should decide to establish a community set aside program, this allocation should come from the charter fleet allocation as the commercial fleet has already paid once for the COQ program.

Sincerely,  
Robert A. Sliter  
Box 240543  
Douglas, AK 99824



ENTERPRISES, INC.

21862 S. Ferguson Road

Box 569

Beavercreek, OR 97004-0569

Phone: 503-632-4103

Fax: 503-632-4104

19  
RECEIVED  
MAR 13 2001  
N.P.F.M.C.

March 6, 2001

David Benton, Chairman  
North Pacific Fisher Management Council  
605 W. 4th Ave. Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Chairman,

I am an Oregon resident operating my own salmon/halibut sport fishing charter service in Craig, Alaska. In addition to my service, I have been instrumental in booking two to six groups per year to other Alaska charter services for the past 13 years. I am in support of a properly dsigned IFQ plan for the charter industry as well as the commercial fishery. I recommend the following to the council for consideration in your deliberations.

The council decided the GHL amount in April 2000, this amount is represented as Issue I, Option I and it should be the base amount for the charter IFQ allocation. I want to see the council respect that decision, after all my industry fought hard for that decision, and you should hold to it.

The initial allocation should have 50% fixed in poundage and not float with abundance for a couple reasons. The total allowable catch changes too much for the charter fleet to take full advantage of their allocation and this option would soften this negative impact to the charters. The recreational anglers want to see this council assure them that they won't lose access and this helps maintain this amount of public access, expecially if the fixed quota is restricted to the charter sector only. The timing of this issue to the natural decadal cycle of halibut leaves the charter industry in a losing position for the next 5 to 9 years accourding to the IPHC forecast. To fix a portion of the charter quota helps to mitigate this natural timing impact.

Ifeel that all current, legally operating charters should be included in the IFQ program under Issue 3. Qualification Criteria, Option 2 would be my preference and in Issue 4 the most fair distribution plan would b Option 1 because it provides the current amount of resource to the boats that are responsible for catching it. All charterboats would get the same proportion they are responsible for harvesting which is the most equitable way to respect their individual business development.

Sincerely,

Mike Stump

3/7/01

RECEIVED  
MAR 19 2001  
M.F.F.H.

Dear Mr. Berton,

I hate writing letters, but figured I had better say something, figurat I would like to say I support on IFQ program for charter habitat needs if we do 2C and 3A. Commercial fishermen have to have them so I believe the charter fleet should have to have them. And another thing is I never could figure out why they were ever allowed to have that initial charter QS allocation based on 125% of the average catch and not 100%. If I instead 1500 lbs of habitat, the carrying limit going to pay me for 1250 lbs. of

A charter IFQ is needed to end allocation disputes. Maybe that will allow fisheries management agencies to focus more of their time and effort on better management of the resource and not waste funds on getting involved with allocation disputes.

If the Council decides to establish a Community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CBE program.

My family and I depend on the commercial halibut fishery for a good chunk of our income. I have also invested a good amount of money into more IFA in hopes of a way of helping my kids make money for college by going fishing with me.

There is a lot of businesses in Petersburg that benefit from the commercial halibut fleet, and it would be nice to get all disputes settled and maybe get a stable fishery out of things.

Sincerely,

Jack C Lyons  
Box 527  
Petersburg, Alaska

99833



March 7

Mr Knowles;

I am writing to support an IFA program for charter halibut vessels in areas 2C & 3A.

I depend on the commercial halibut fishery for a significant part of my annual income. The halibut fishery provides sustainable jobs and benefits many businesses such as grocers, trucking firms, repair shops, airlines and restaurants. Commercial halibut dollars flow through almost every business of coastal Alaska. I have invested heavily in IFA because of the stability promised by the government; continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFA's are a long term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens.

Copy: N.P.M.C

N.P.F.M.C

MAR 13 2001

RECEIVED

Harland Christensen  
11194 Harknot Rd.  
Anacosta, Va 98221

It also appears the local depletion  
 The initial charter as allocation should be based  
 on 100% of the 1995-1999 average catch (not 125%).  
 Of this process the opportunity for negotiations  
 fishermen to harvest habitat of habitat very high  
 levels.  
 a charter of FA is needed to end allocation disputes.  
 In 2000 when the SE charter was contract by  
 the treaty charter copy they went to court and tried to  
 overturn the BOF allocation decision.  
 If the council decides to establish a community act  
 over the program, the allocation should come entirely  
 from the charter allocation of the commercial  
 fleet has already paid once for the CDQ program  
 (2% of the quota).

TO WHOM IT MAY CONCERN:

3-7-61

I AM WRITING TO SUPPORT CHARTER BOAT IFQ'S FOR AREA 3A. IFQ'S FOR CHARTER BOATS ARE THE ONLY LONGTERM SOLUTION FOR THE GULF HALIBUT FISHERY. IFQ'S ALLOW MANAGEMENT OF THE BIOMASS. RATHER THAN MAKING A CONSTANT ISSUE OF ALLOCATION.

THE CHARTER ALLOCATION SHOULD BE BASED ON THEIR PAST TAKE; JUST AS IFQ'S FOR COMMERCIAL FISHERMEN WERE; NOT ON 125% BASIS OF WHAT THEY MIGHT CATCH...

MY FAMILY AND I HAVE MADE CONSIDERABLE INVESTMENTS IN IFQ'S WITH THE INSURANCE OF STABILITY PROMISED BY THE GOVERNMENT; I'D NOT LIKE TO SEE THAT UNDERMINED.

RECEIVED

MAR 13 2001

N.P.F.M.C

THANK YOU

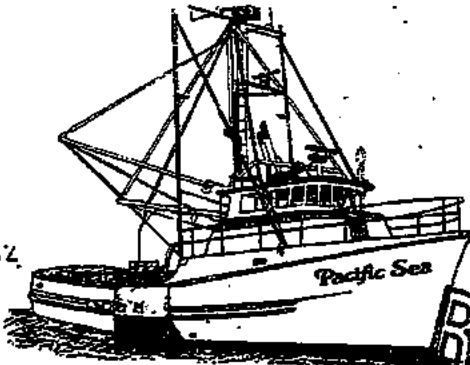
JOHN SCHANDELMEIER

HC-72 BOX 7193

PRASCI, AK 99737

317101

Mr. David Benton  
Chairman  
North Pacific Management Council  
605 West 4th Ave Ste 306  
Anchorage Alaska 99501-2252



444  
PO Box 858  
Petersburg,  
AK 99833

RECEIVED  
MAR 13 2001

N.P.F.M.C

Dear Mr. Benton,

I Am writing to support an IFQ Program for  
Charter halibut vessels in Areas 2C and 3A.

I was born and raised in Alaska, and have  
been commercial fishing since I started fishing  
with my Dad 40 years ago. The commercial halibut  
fishery provides a large part of my yearly income, and  
is also very important to the economy of the town  
I live in, Petersburg Alaska.

I feel the charter fleet has to be included in the  
IFQ program the commercial fleet is fishing under. It would  
make management of the resource much better. Any fixed QS  
would only add to local depletion of the stocks and would  
aggravate conservation burdens. The initial QS should be  
based on 100% of the 95-99 average catch, not 125%. The  
implementation of IFQ's is needed to end allocation disputes between  
charter and commercial fisheries.

Sincerely,

Gainhart Samuelson  
GAINHART SAMUELSON

F/V Pacific Sea, P.O. Box 858, Petersburg, AK 99833

Copy: Governor Knowler

24

Date: 3-5-01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

N.P.F.M.C

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Samuel L Cahoon *Samuel Cahoon*

Address: PO Box 424 Nepavine Wg 98565

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*IFQ shares provide equal opportunity for all and proper resource management*

*Samuel Cahoon*

25

Date: 3-3-01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

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Sincerely,

*Georg J. Perry*

Name:

Address:

53270 Russ Ct Kenai Ak 99611

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

Its Time to do Something!

26

Date: 3-6-2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

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Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Powers

Name:

*David A. Powers*

Address:

*PO Box 1496 Soldotna, Alaska 99669*

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*I am an IFQ holder and depend on the Halibut I catch as a large part of my income.*

Date: March 9 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

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\* I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

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Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Ben Mitchell

Address: 103 Davin - Sitka

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*the out-of-control charter fleet must be regulated before all of us are "on the beach", crew fishing is occurring.*

*Ben Mitchell*



28

Date: \_\_\_\_\_

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

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Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Scott Felle

Address: 4515 Trafalgar Juneau, AK, 99801

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

This number is nothing more than an outright fish grab which proves to me these people don't care about the resource at all. And it also tells me that the charter fleet will never be happy and won't be made happy with anything given them. So give them that and don't be swayed by their greed. Sincerely Scott Felle

Date: 3/9/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

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this is fair      This is Not

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Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Michael A. Clemens

Address: Box 1395 SEWARD ALASKA 99664

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

MR. Benton, My family Citutation is UNIQUE in that my brother is A Sports Fisherman Charter operator, sporting goods Store owner. WE have talked About this issue, there will be many apposed to Anything being done with the halibut Quota. You must protect the resource and be decisive in doing so. Many have put YEARS of their life into the waterfront business, Many are New Commeres, (Be fair & Decisive & ALASKA will Prosper.)

DEAR MR BENTON,

RECEIVED

MAR 13 2001

3/5/01

I AM A COMMERCIAL <sup>N.P.F.M.O.</sup> HALIBUT  
 FISHERMAN IN ALGA 3A AND WOULD LIKE  
 TO GO ON RECORD AS ONE WHO  
 VIGOROUSLY SUPPORTS AN IFQ PROGRAM  
 FOR THE HALIBUT CHARTER INDUSTRY.  
 UNLESS THIS IS IMPLEMENTED THE BATTLES  
 OVER ALLOCATION BETWEEN OUR TWO  
 INDUSTRIES WILL JUST CONTINUE ON, YEAR  
 AFTER YEAR. I SUPPORT AN INITIAL  
 ALLOCATION OF 100% OF THE 1995-1999 AVERAGE  
 CATCH. I ALSO SUPPORT A FREE FLOWING  
 EXCHANGE OF COMMERCIAL + SPORT CHARTER ~~TO~~ IFQS.  
 MANY OF ~~THE~~ MY FRIENDS IN CORDOVA WHERE  
 I LIVE ~~ARE~~ AGREE WITH THESE POSITIONS.  
 ALSO THE CORDOVA CHARTER OPERATORS

WAS EXCITED ABOUT THE IFQ PROGRAM  
AND FULLY SUPPORT IT. PLEASE REMAIN  
FOCUSED ON THE FACT THAT CHARTER  
OPERATORS ARE COMMERCIAL FISHERMAN  
AND HAVE TO DEAL WITH ON  
SUCH ~~AS~~ A BASIS. THANKYOU FOR  
CONSIDERING MY FEELINGS ON THIS  
SUBJECT.

SINCERELY

RICHARD CASCIANO  
BOX 584  
CORDOVA, ALASKA.  
99574

March 05 2001

RECEIVED

MAR 13 2001

N.P.F.M.C.

MR. David Benton  
 North Pacific fishery management Council  
 605 West 4<sup>th</sup> Ave, ste 306  
 Anchorage, Alaska 99501-2252

Dear MR. Benton,

I am writing to support on IFQ program for charter vessels in Area 2C and 3A.

My family and I depend on the Commercial halibut fishery for a significant part of our Annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as Grocers, trucking firms, repair shops, Airlines and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fisherman and charter operators create instability in both industries.

The initial Charter Q's allocation should be based on 100% of the 1995-1999 Average Catch (net 125%). This preserves the opportunity for recreational fisherman to harvest halibut at historical

high levels.

Any fixed Qs. issuance to the Charter Fleet would violate prudent Conservation and is disproportionate in the sharing of Conservation burdens. It also aggravates local depletion.

A Charter IFQ is needed to end Allocation disputes. In 2000, when the SE Charter fleet was constrained by the treaty Chinook cap, they immediately went to Court to try and overturn the BOF allocation decision.

If the Council decides to establish a Community set aside program, the allocation should come entirely from the Charter Allocation. The Commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely  
David Poluchkin  
P.O. Box 449  
Willow AK.  
99688

32 ✓

2403 Aurora Court  
Juneau, Alaska 99801  
March 5, 2001

Mr. Dave Benton  
Chairman - NPFMC  
605 West 4<sup>th</sup> Ave. Ste 306  
Anchorage, Ak 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

Dear Mr. Benton:

I am a commercial halibut fisherman writing in support of an IFQ program for commercial charter vessels in IPHC areas 2C & 3A. I believe this is a prudent long-term solution for resolution of our allocation conflict. I offer the following reasons why:

I am very concerned about uncontrolled growth of another commercial gear group when I have invested heavily in my own IFQ'S. I was led to believe that there would be stability in the commercial harvesting sector of the halibut fishery. My investment (loan) is in excess of \$80,000, and I am concerned about making my payments if there is no limit on this other commercial group. These fisherman have a distinct advantage over ordinary sport fisherman as they are out their every day, bait the hooks for their clients, clean the fish for their clients, box and ship the fish for their clients, and get paid by their clients. Judging by the size of the fish they bring to the docks, shall we say ping-pong paddles, I believe there is not much concern about the long-term health of the Halibut resource by this commercial user group! I am concerned about this resource!

Many Alaskan sport fisherman I have talked to are also concerned about this uncontrolled growth by charter fisherman, as when they go to their favorite halibut hole, they find a charter vessel already there, and fish not available to them. These same fisherman would never bring home a flounder sized halibut as they know this is a waste of a great fish!

While I believe that there is a valuable place in the Alaska economy for the commercial charter fleet, their prosperity should not come at the expense of already established user groups. The charter fleet is making money off of these fish. They should be able to afford the price of IFQ's, just like I had to. If they cannot, then they should not be in the business of making money off of these fish!

I would like to personally testify at the April meeting of the NPFMC, <sup>but</sup> I am planning to fish during this time. I need to be fishing to make my IFQ payments. Please do not interpret the lack of my presence or other commercial fishermen as a lack of interest. I am harvesting halibut for the millions of Americans who would like to enjoy this excellent product, but who cannot afford to travel to Alaska or do not wish to catch their own fish to eat. Please take the American consumer into consideration also.

In conclusion, I would like to see the IFQ program for charter fisherman be approved. The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). Additionally, the charter quota should follow the health of the resource as my IFQ's do now. A flat quota for any user group will put the health of the halibut resource in jeopardy. We cannot afford a repeat of some of the bad management decisions made in other parts of the country! Thank you for your consideration of this important issue.

Sincerely,



Carl Peterson

Cc: The Honorable Tony Knowles, Governor, State of Alaska  
Senator Ted Stevens  
Senator Frank Murkowski  
Congressman Don Young



March 11, 2001

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 13 2001  
N.P.F.M.C

Reynaldo D. Gutierrez  
800 Pherson Street  
Sitka, Alaska 99835

Dear Mr. Chairman,

I am writing this letter to convey to you that I am not in support of your proposal to have a halibut IFQ (Individual Fishing Quota) plan for sport fishing charter operators. Such policy will cause hardship to many fishing guides, including those who are just starting their business. This will prevent many charter guides—including me—from earning a living to support our family. I read an article at the Sitka Sentinel newspaper that the State is under litigation for preventing and over charging fishing fees to non-resident commercial fishermen. Probably this will have the same effect on what IFQ's do to us charter guides.

Before I go further, let me introduce myself to you. My name is Rey Gutierrez , I am a retired U.S. Coast Guard with twenty years of military service. I am an American citizen and a Sitka, Alaska resident since 1978. I was involved in the MV/ Prisendam (tour ship) rescue of 532 passengers without human casualty in October 4-6 1980. I did several three months fishery patrol a year in Bering Sea at the Donut Hole, and also caught one of the Taiwanese fishing boats who was drift net fishing illegally at North Pacific in 1989 while assigned onboard the U.S. Coast Cutter Midget. I was also involved in rescuing some commercial fishermen in distress at sea. I believe that I have contributed to the preservation of our resources and human safety.

I have read IFQ issues and options, which will not qualify me under these conditions. I will highlight and give my opinion on them. Why is there a moratorium permit being considered on this IFQ proposal? By proposing this moratorium, other people will not be able to start their business. I believe that ocean natural resources are not privately owned by anybody. Why was the qualification criteria based on the fishing guide who fished and submitted a logbook back in 1995-1999? Are they the only person who will receive the IFQ permit? The meeting of IFQ program was held in April 2000. If you use the data back in 1995-1999, isn't this going backward. In all fairness to everybody, why not start with the date going forward when the IFQ is approved by the North Pacific Fishery Management Council. One of the proposals is to buy IFQ from the people who owns them to be able to fish for halibut. I believe it is unfair to me to buy a permit from the person who is not even a resident of the state. Some of the perspective halibut IFQ permit holders are from out of state who are only here during the spring and when the season is over they will take their money and leave the state. I spend and pay my taxes here—I am an Alaska resident for more than 20 years— does this mean anything at all? Shouldn't Alaska residency be considered as one of the qualifying factors to have an IFQ entitlement?

The proponent of halibut IFQ and commercial fishermen are always saying that the stock of halibut is depleting, they are wrong! According to Sitka sentinel newspaper headline issued on Jan 31, 2001, " New Counting Brings Boost in Halibut Quota." The International Pacific Halibut Commission and Canadian Treaty organization is recommending raising the Gulf of Alaska quota from 18.3 million pounds last year to 21.9 million pounds this year. It recommended raising the Alaska Peninsula quota from 15 million pounds to 16.5 million pounds and the Southeast quota from 8.4 million pounds to 8.8 million pounds. These recommendations are for commercial fishermen and there is no shortage of halibut stock for them. Enclosure.(1) Sitka Sentinel dated January 31, 2001.

One of the options is keeping logbook of halibut catch to qualify for IFQ, some of the charter boat operator here in Sitka are catering to tour ship clientele who only fish for three hour total. They fish close by in Sitka Sound for different species. To fish for halibut you have to go in the open water about at least 20 miles

away. Charter operators are not allowed to fish in Sitka Sound for halibut. And if you have a small boat, you cannot fish for halibut outside for safety purposes. Does this mean that Sitka Charter operators are not qualified for IFQ's because of insufficient catch and logbook entries? There is no comparison for charter operators from Homer, Kodiak, and Sitka.

If this IFQ is approved, some special interest people will get richer and charter operator like me will suffer the consequences. I do not support the IFQ moving forward. It is not fair to everybody who is just starting the fishing charter business. According to the flyer that I read, IFQ's are inappropriate for recreational fishing. IFQ's privatize a public resource and charter operators are neither commercial nor recreational fishermen. Charter operators are service providers- not fishermen. Commercial fishermen can sell their catch to brokers or processors for cash. Charter operators provide the transportation and local know-how for citizen to access and harvest their own public halibut resource. It is unfair to the public to separate guided from unguided sport fishing and this is the effect of this sport IFQ program. Citizens that don't own boats, can't afford to, or don't have local know-how economically penalized by this IFQ program. It will result in a situation where guided sport fishermen effectively (if not legally as well) won't own the halibut they catch on a chartered vessel. Since IFQ's are treated as property rights, the sport fisherman will have to either buy their halibut catch from the charter operator or initially pay more for fish. This is because the charter operator that buys IFQ's will have to amortize this cost as a business expense and pass it to the sport fisherman. It's the same either way. Every U.S. citizen has ownership of our public halibut resource with the right to access and harvest by simply buying a sport fishing license. IFQ's for guided sport will penalize major sections of the U.S. population-- those that lack a sufficient size boat or any boat at all, money, experience, and boat operating skill. Young and older sport fisherman will especially negatively impact since they are more likely to use a charter service. Public access will have a new economic barrier. Guided and unguided anglers will be treated differently. IFQ's are not in the public interest.

There is also a question being asked, "Are IFQ's Property?"

IFQ's are not considered to be property, they are defined as a fishing privilege because Congress can revoke them without compensation per the Magnuson-Stevens Act. But they certainly are property because they have monetary value, it can be bought and sold, and can even be used as collateral for loans! There has never been a serious legal challenge as to whether or not IFQ's are property, so they remain in force. The commercial fishing industry certainly believes they are property and often refer to IFQ's as having "privatized" the public fisheries resource--Of course, if the Federal Courts were ever rule that IFQ's are property, it would invalidate the existing 1995 IFQ program for the commercial fishermen.

The NPFMC could easily reduce sport harvest with the existing tools already in place such as adjusting season lengths and bag limits, and adopting local area management plan or harvest limits. They shouldn't be recommending giving away the public fishery resources via IFQ's to solve a problem that doesn't exist.

Please do not implement the IFQ plan.

Sincerely yours,



Rey Gutierrez

Enclosure.(1) Sitka Sentinel dated: January 31, 2001

Date: 3-3-01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

I have fished commercially for halibut for the past 15 years. My family and I depend on the income which is derived from this fishery. Our community also depends on this fishery. It is very important that our halibut stocks remain healthy and able to sustain a reasonable harvest level. I do not see halibut as merely a way of making money but as a wonderful food fish which I love to pursue with a sport rod as well. Unfortunately the days of taking my two sons or visiting relatives out for an action packed day of catch and release are over. I'm afraid the reason for this is because the Charter fisherman are camped out on every halibut hole within 30 miles of town, and unless you have a large cabin cruiser the unmolested fish are out of reach. Also, there are very few charters who are interested in catch and release. We must have a way to keep as accurate a count on the charter-harvested halibut as we do on the commercially caught halibut. I believe the way to do this is through a Fishing Quota system.

IFQs are a long-term market based solution that will give fisheries management agencies the tools they need to accurately and effectively manage the resource. Lets spend our time and money managing instead of bickering over allocation.

The amount of Quota Share allocated to the charter fleet should be determined each year just as the commercial quota is, and not be a fixed amount In bad years, this could lead to total devastation of local stocks that families and recreational sportsman use.

Any initial allocation to the charter fleet should be based on 100% of the 1995-1999 average catch, and not 125%.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid for the CDQ program (2% of the quota). I also feel that if IFQs are the way the board goes with the charter fleet, if charters are allowed to receive the same loans from NMFS that the commercial fisherman are, then they should also be expected to pay the 3% landing fee. Your consideration of this letter is greatly appreciated. Please help to keep fishing a clean, sustainable and beneficial business for this great state of Alaska.

Sincerely, Gary Aulbach



PO Box 726  
Petersburg, AK 99833

By SHANNON HAUGLAND  
Sentinel Staff Writer

Large herring observed in a test fishery two weeks ago prompted the Department of Fish and Game to boost this year's Sitka Sound sac roe herring quota by 10 percent above preliminary estimates, the department announced today.

This year's quota of 10,597 tons will be the third highest in the record of the fishery, and more than double last year's. The quota is based on a 20 percent harvest of a spawning biomass of 52,985 tons.

"It's not surprising to me too much that the fish looked very good," said Bill Davidson, the area management biologist who manages the fishery. "We saw very plump fish. Compared to last winter, these were decidedly larger."

## New Counting Brings Boost in Halibut Quota

KENAI (AP) — A change in the way researchers count halibut has upped the 2001 catch quota for Alaska fishermen.

Bruce Leaman, director of the International Pacific Halibut Commission, a U.S. and Canadian treaty organization, told the Peninsula Clarion that biologists expect a gradual decline in the North Pacific halibut stock.

But research last summer suggested there may be more halibut in the North Pacific than previously thought, opening the door for increased quotas.

The new assessment stems from a reevaluation of how bait used in annual halibut surveys changes the results.

Like commercial fishermen, biologists catch halibut by laying longlines on the sea floor. Each longline has hundreds of hooks.

From 1982 through 1986, biologists baited alternating hooks with salmon and herring. There were no surveys from 1987 to 1992. When biologists resumed in 1993, biologists used only salmon for bait.

Then, in 1999, they decided to test longlines baited with squid and herring in case salmon was not always available. In their tests, longlines baited with only salmon caught twice as many halibut as those baited only with herring.

That suggested that surveys using only salmon for bait might overestimate the halibut biomass, Leaman said. As a precaution, researchers

lowered their 1999 halibut estimates by 20 to 30 percent, and that led to cuts in commercial fishing quotas.

However, Leaman said, biologists still had not compared longlines baited only with salmon to those baited with salmon and herring on alternating hooks. They did that last summer and found little difference between the two.

The biologists concluded that surveys conducted with only salmon as bait probably do not overestimate the amount of halibut.

Commissioner Drew Scalzi of Homer said the commission had other evidence on which to base higher quotas. The 2000 survey catches were strong, commercial catch rates were up and the halibut seem to be growing faster, he said.

Leaman said the halibut biomass now is near a long-term peak. However, it appears to be headed for a decline, based on the estimated abundance of age groups still too small for commercial fishermen to keep.

The commission is recommending raising the Gulf of Alaska quota from 18.3 million pounds last year to 21.9 million pounds this year. It recommended raising the Alaska Peninsula quota from 15 million pounds to 16.5 million pounds and raising the Southeast quota from 8.4 million pounds to 8.8 million pounds.

Recommendations now go to the U.S. and Canadian governments.

The 2001 Alaska fishery runs from March 15 to Nov. 15.

The results of the test fishery were consistent with what biologists expected, based on their observations during last year's fishery, which revealed a large number of 3-year-olds and 5-year-olds. Those fish will be returning in force during the spring fishery, Davidson said.

The 4-year-olds make up the largest percentage of the population, comprising 46 percent of the total spawning biomass. About 23 percent will be 6-year-olds, 15 percent are 7-year-olds, 7 percent are each 3- and 5-year-olds, and 3 percent are 8-year-olds and older.

"We have a well-rounded population," Davidson said. "We also saw 1- and 2-year-olds as well as 3-year-olds in the test fishery." That bodes well for the continued health of the

Continued on Page 10

recovered and the death toll was likely to reach 25,000.

The estimate is based on the number of bodies recovered, those reported missing, the estimated number still lying under debris and reports gathered by government agencies, said Haren Pandya, home minister of Gujarat.

that over 100,000 Pandya said the stat much lower.

The increased several rescue team alive in the rubble bulldozers began experts laid expl the rubble.

## Reserve Cuts Sl

By JEANNINE AVERSA  
Associated Press Writer

WASHINGTON (AP) — The Federal Reserve, seeking to prevent the faltering economy from slipping into a recession, cut a key interest rate by another half percentage point Wednesday.

"Consumer and business confidence has eroded further, exacerbated

by rising energy costs drain consumer purp press on business pr Fed said in a statem

The decision can closed-door meeting policy-making gro Open Market Com includes Fed Greenspan, Fed gov

## DOT to Present Plan For O'Connell Bridge

By SHANNON HAUGLAND  
Sentinel Staff Writer

The state's plans for widening the sidewalk and installing new lights on O'Connell Bridge will be on the agenda of the Parks and Recreation Committee meeting at noon Thursday.

Representatives from the state Department of Transportation and Public Facilities will make a presentation and take comments from the public on the proposed improvements, which are scheduled to be made this summer. The meeting will be held at Harrigan Centennial Hall.

Preliminary designs call for widening the sidewalk on the bridge by 1.6 feet and replacing the guardrail lighting with at least eight 35-foot-high light poles, said David Hawes, DOT transportation planner. He said it has not yet been decided which side of the bridge would have the new lights.

He said he believes the widening of the sidewalk will better serve pedestrians and cyclists who may prefer to use the sidewalk instead of the road. The new 6-foot sidewalk will provide enough room for wheelchairs to pass each other as well, Hawes said.

"This is a more workable width," he said.

On the recommendation to replace the guardrail lighting, Hawes said the department can no longer purchase replacement parts for the current lighting fixtures, which are built into

the top of the or bridge.

"We outlasted Hawes said. He reports that the lights illuminate the

Hawes said poles will be placed intervals of 150 feet

As to whether it compromise the bridge design, he said with the pole design ment will welcome on it, he said.

Bike riders have about the hazards of row vehicle roadway which allows speed within inches of bike

Construction of requires approval ning Commission, vited to the noon said.

The work plan is part of \$2.8 bridges work in St Bridge will be maintenance will Cascade Creek to Creek Road bridge Industrial Park (site).

Hawes will be meeting by Engineer Mi

Jan 31, 2001 Enclosure (1)

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March 7, 2001

David Benton, Chairman  
North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501

RECEIVED

MAR 13 2001

N.P.F.M.C

RE: Halibut Charter Boat Issue

Dear Mr. Benton,

I am sending this to you to make sure that there is no question as to how the council perceives my position on the halibut charter boat issue. I am opposed to the council taking any action that might affect the sport harvest of halibut, be it on a charter boat or a private boat, until such time that the sport harvest achieves parity with that of the commercial harvest (including by-catch).

I would have you know that I particularly object to the council's excursion into this area. I participated in the early halibut task force meetings. I found them to be exceedingly abusive of my participation; disingenuous is how I would describe it. The commercial fishing industry's domination of the process, beginning with the task force and on up through the advisory panel and the council itself amounts to what I feel is a bully pulpit. The process completely disregarded my industry's input initially and subsequently evolved into a process of progress by intimidation and duress imposed upon those who continued to participate. Bully tactics plain and simple!

The development of IFQs as a solution to this so-called problem is just nothing short of outrageous. The council was originally duped into addressing this issue and now has apparently failed to find a way out gracefully (saving face among their commercial fishing brethren) so they decide to make me into a commercial fishing entity. Something that I find distasteful and will not accept.

Mr. Benton you have served on the council for many years, beginning as the ADF&G representative and now as the governor's appointee; I am particularly disappointed in your performance. That you could be so myopic as to promote this treatment of the sport fishing charter industry and the public, which it serves, places your objectivity in question. It appears to me that you have been completely overwhelmed by the commercial fishing interests. I don't know why but it is a shame that all of Alaska's interests are not better represented on this council.

As far as a solution, I would suggest that the council take action that is consistent with other coastal area council actions regarding allocation between sport and commercial interests, and allocate equally the halibut resource. The excess (unharvested) sport allocation of halibut could be sold back to the

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commercial fishing industry, assuming they want to buy it. The funds could be used for council habitat projects.

I am not sure of how it is that the council is to find its way out of the mess that it has created for itself, but it doesn't include making me a commercial fishing entity and restricting the public's access to that public's resource too!

Respectfully yours,

  
Dennis H. Randa

Ps: One of the NPFMC members was heard to say, at a combined Alaska Board of Fisheries and NPFMC meeting, that there was no public interest in this issue thus they should pass it. My participation, or in this case lack of participation, was due to that fact that I found an unfriendly, uneven field upon which to present my input into the process. I was driven from that process by the behavior of those "in power" when they refused to sincerely listen to what I (and others like me) had to say.

Cc: Governor Tony Knowles  
Senator Ted Stevens  
Senator Frank Murkowski  
Representative Don Young  
Secretary Don Evans

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March 4, 2001

Mr. David Benton  
North Pacific Fishery Management Council  
605 west 4th Ave. Ste 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 13 2001

N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in area 2c and 3a.

I keep my boat in Seldovia, Ak. and spend a lot of the summer on it . I haven't been doing any commercial halibut long lining lately. We have about 3 halibut charter boat's operating out of Seldovia, two of the vessels do great at catching a lot of fish 40lbs and above. The third vessel does not come close to catching as many lbs. or fish. It would be hard to estimate how many lbs. the first two take out of the Bay.

The thing that bother me is a couple will go out fishing and bring 4 fish back and have in excess of 100 lbs. and more time than not a good deal more lbs. I just can't see these people eating that much fish in a season. Maybe they are giving it to the poor. Then they could be taking it home and sharing with friends and family and using maybe half , the rest laying in the freezer and spoiling because of freezer burn. That bother me.

I can't speak for the other vessel operating out of Homer, but these two vessel, the owner's are hard worker and good fisherman. I do feel they should be cut back to maybe 1 fish if over 80lbs. I also feel that they should not be allowed 75% of the average catch between 1995-99 would be a good place to start. The commercial fleet didn't get a (125%) of their catch.

Your consideration of this letter is appreciated.

Sincerely



Charles w. Niemann  
625 South Lane St.  
Anchorage, AK 99508

Copy Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001

9 March 2001

Mr. David Benton  
Chairman  
North Pacific Management Council  
605 West 4th , Ste 306  
Anchorage, AK 99501-2252

31  
RECEIVED  
MAR 13 2001  
N.P.F.M.C

Dear Mr. Benton

I am writing in concern of the Halibut I.F.Q. Program. I have been fishing halibut since 1972. Where were the commercial charter boaters then?

We commercial halibut fishermen, through the International Halibut Commission always voted to harvest less fish than the biologists recommended. Year after year we voted to take less so that we would preserve the stocks.

Now we have a brand new entity (commercial chartered fishermen) trying to. No demanding a part of the fishery that we have so carefully preserved. They do this for their personal profit . But have they added one dollar for research or limited themselves one pound for conservation? I think not!

Now I am presented with ALTERNATIVE PLANS. Where is the alternative that says the commercial charter fishermen should buy. Yes. Buy. quota share from real commercial halibut fishermen? They are selling fish, so are we. What is the difference? We qualified for quotas share did they?

Thank You  
Russell Wyatt  
1017 Townie Rd.  
Sequim, Washington  
98382

*Russell Wyatt*

Tel 306 683 9667



March 15, 2001

FROM: John P. Lunetta  
P.O. Box 8051  
Chenega Bay, AK 99574  
907-573-5162

RECEIVED  
MAR 22 2001

N.P.F.M.C

TO: North Pacific Fishery Management Council  
605 W. 4<sup>th</sup>  
Suite 306  
Anchorage, AK. 99501  
907-271-2809  
ATTENTION, David Benton

SUBJECT: Written Testimonial regarding the possible enactment of the Chartered I.F.Q. system.

Dear David,

I wish to take this time and express myself on a very serious issue that has been brought to my attention. I have been informed of the possibility of an I.F.Q. allotment being implemented and directed to the Sport/Charter industry. My family and myself will be greatly affected by this I.F.Q. allotment. I need to communicate to you, on the severity of our situation, if this I.F.Q passes into law.

My wife and myself taught school in Prince William Sound in the village of Chenega Bay from 1997 to 1999. In 1998 I passed my Coast Guard Captains certification (100 mile offshore, 25 ton limit) and started a small chartering service. In 1998 and 1999 I had no clients (due to the remoteness).

However, In 1999 we purchased a piece of property approximately 2 miles from the village of Chenega Bay. We actually put forth our life saving in developing this property into a small personal fishing lodge. We currently live on site, and have a residence/business situation.

In the year 2000 we operated and had fish tickets recording our clients catch. The year 2000 was our first actual year of recording fish tickets. Even through, I started the business in 1998.

My family and I are extremely troubled and concerned on this I.F.Q. sport-fishing allotment system. If passed, under the situational ways of earning I.F.Q.'s. We fall short of having earned any quota, which basically puts us out of business.

I can't over-emphasize this grave situation we have unexpectedly fallen into. Please, take the time and here out legitimate concerns.

My feelings to rectified this situation, and make this fair to individuals like myself who have been put into this unexpected situation. Is to make a category fitting the description I have explained. Allotting a minimum of 3000 pounds of I.F.Q. I feel this would be fair and not excessive, allowing the operation of our business, and providing time for finances to be earned to buy additional I.F.Q's at a later time.


The starting of a new category will grandfather myself. Plus, others into an operational solution. I cannot financially afford the unforeseen expense of a sport-fishing I.F.Q. Or have the history of earnings for a commercial bank loan. This is a very serious issue!

The other alternatives of solution are supporting the no-action program, and the community set-a-side program. This would spare individuals like myself from this I.F.Q. situation.

The Chenega Bay area is extremely remote. The area people have very limited ways of earning finances. We have nothing in comparison to Homer or Seward in-way-of commercially or sport fishing Halibut fleet. We need to take these sensitive issues into consideration before this I.F.Q. program is enacted.

David, If I can be of any assistance to you, please give me a call. I hope this testimonial was of help, and opens positive areas for solution.

Sincerely,



John P. Lunetta

**Northern Lights Charters**  
**P.O. Box 793**  
**Ward Cove, Alaska 99928**



March 7, 2001

To Whom It May Concern:

I am a charter fisherman in Ketchikan. After reviewing the different options of halibut I.F.Q.'s for charters, I would like to recommend that you adopt the Kodiak proposal. I would prefer seeing a straight longevity basis for halibut share distribution and the Kodiak proposal is the closet to that. There also must be an allotment for each boat so that lodges can continue their operations with as little disruption as possible and hired skippers can find work. This will spread the poundage evenly and the resource will be used by a larger number rather than being monopolized by a few. (i.e. logbooks only).

The I.P.H.C. specifically stated in 1995 that there would be no guarantees into the fishery beyond that year. We need to stick with what we say and not change plans. Considering a fishery based on longevity (prior to 1995) would be proper, but more importantly we need to establish individual limits now. Please don't leave us hanging again. Give us transferable shares under the Kodiak proposal now. Thank you.

Sincerely,

*Kenneth P. Teune*

Ken Teune  
Northern Lights Charters  
P.O. Box 793  
Ward Cove, Alaska 99928

**RECEIVED**

MAR 13 2001

N.P.F.M.C

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**Sitka Sportfishing Charters Inc. & Dove Island Report**

John and Caren Yerkes  
Box 1512  
Sitka, Alaska 99835

North Pacific Fishery Management Council  
David Benton, Chairman  
605 West 4<sup>th</sup> Avenue Ste. 306  
Anchorage, Alaska 99501-2252

RECEIVED  
MAR 14 2001  
March 14, 2001  
N.P.F.M.C

Dear Mr. Benton,

First of all I would like to thank you and the council for your efforts to manage the fishery resources of the North Pacific. These jobs are often under appreciated. Thanks!

As the header indicates I am the owner of a sport fishing charter business in Sitka. We have been in business since 1991. There were so many rumors going around at the recent Long Beach, Ca. sportsmen's show that I felt I should do some research to get abreast of what appears to be some impending action to restrict access to Halibut.

The following are my concerns:

- a) Provision should be made to protect the long-term fisheries access for lodges. (I define a lodge as an isolated facility that offers an "Alaskan experience" and not just urban housing and fish harvesting).
- b) Allowance for absences or reduced activities from the fishery due to disabilities or illness to be factored in when considering restricting access. (Ex. I personally was restricted from participating, because of a back injury.)
- c) Economic investment in the business should be a significant factor considered. (Ex. We have spent virtually every accessible dollar for years preparing facilities, shore side and on our island, in preparation for putting boats in operation in 1999.), (We were expanding in 1994 when I injured my back resulting in the selling off of boats.)

We have always practiced conservation and good harvest practices. Our lodge provides a quality experience that all Alaskans can be proud of. I believe it is the intent of the Governor of our state and the legislature to support responsible quality use of our resources. It is with this end in mind I would like to recommend provisions in any forthcoming regulatory restrictions that address my concerns.

Could I have someone clarify to me in writing the current position of the Council concerning this topic, the process that is being undertaken, how I can be best heard on these matters, the timeline, and who I might contact to insure my concerns are addressed?

Sincerely,

  
John E. Yerkes, Owner

TOLL FREE 1-888-318-3474 (FISH) or 907-747-5660

E-mail: [sitka.sportfishing@worldnet.att.net](mailto:sitka.sportfishing@worldnet.att.net)

Web site - [aksitkasportfishing.com](http://aksitkasportfishing.com)

3/13/01

To the North Pacific Fisheries Management Council;

Including halibut charter boats in an IFQ system is not an acceptable method of managing halibut stocks. Charter boat captains do not catch any halibut, their clients do.

Limiting charters affects the sport-fisherman like myself who catch 2 halibut a year. If anything, more halibut should be allocated to sport fishermen.

If you feel that an IFQ system is unavoidable, please grant me an IFQ of 200 pounds of halibut so I can fish my quota from any charter I choose.

Sincerely

*Joel Telford*  
Joel Telford

13307 Stephenson St  
Anchorage AK 99515  
907 336-3307

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MAR 14 2001

N.P.F.M.C

3/13/01

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RECEIVED

MAR 15 2001

N.P.F.M.C

North Pacific Fisheries Management Council  
605 West Fourth Av.  
Suite 306  
Anchorage, Alaska 99501

I am writing this letter about the IFQ program for the Charter fleet. I have been a commercial, charter and sports fisherman. I am writing this about a concern I have about the proposed program. I realize something has to be done to control the number of charter boats that compete with mainly the sportfishers. I have been fishing off Deep Creek and Anchor Point for the past 25 years and have watched the growing charter fleet with growing concern!

My main concerns centers around the buying and selling of IFQs between the commercial and charter fleets. These two groups fish in generally different areas of Cook Inlet. What I can see happening over time is that the charter fleet will eventually expand by buying up many commercial IFQs and moving more fishing pressure closer to shore where it will increase competition between the sports and charter fleet.

Judging from my experience in the last 5 years, it seems that if a sport fisher does not get his fish early in the season (general before July) halibut catches decline much faster than in the past. It seems that this situation might be due to the large number of charter boats going out twice a day for many, and catching many of the fish that would generally head into the waters where most sportfishers would be able to catch these fish, say within 3-4 miles of the beach. Most charter boats, due to their size, which has increased due to the tractor launch operations go 8-12 miles offshore; this would seem to reduce competition, but I think they catch many of the fish headed to the inshore area. It is unbelievable the number of charter boats in Cook Inlet at this time and most make 2 trips a day. I know of a few that have gone out 3 times a day during July when the tides are just right!! The foregoing applies mainly to Deep Creek and Anchor Point. They catch alot of fish!!!! If we could do away with the tractor launches at Deep Creek and Anchor Point, that would help. Homer is a whole other story, their numbers just need to be limited.

This is a public resource and we have to find a way to give the sportfishers their just supply. We have good halibut stocks at present, but from the research I read states that the stocks should be declining in the near future. Try to find a way to leave some halibut for general public!!!

Your consideration would be much appreciated.

Bud Crawford  
36651 Chinulna Dr.  
Kenai, Alaska 99611  
ph. 283-9271





Paul & Sandra Holt  
1541 Pioneer Peak Drive  
Wasilla, AK 99654-5930

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RECEIVED  
MAR 15 2001  
N.P.F.M.C.

North Pacific Fisheries Management Council  
605 West Fourth Ave.  
Suite 306  
Anchorage, Alaska 99501-2252

**To The Council:**

We are writing this letter for several reasons.

1. That we are some of many who use the Halibut Charters. It has come to our attention that certain Charters are wanting to limit the number of Charter Boats that will take on passengers. As well they are being encouraged by commercial halibut IFQ holders who want the sportfish catch limited. We do not need the IFQ system implemented. By doing this it will allow the Charters to get their fishing quotas and to charge more for less fish, and fewer chances of catching the larger halibut.
2. We feel it is not proper, to pay the money for a charter and be told we DO NOT OWN the fish we catch. By doing this you are telling US the public that we have no rights to any fish that are caught. We feel fish caught in Alaska's waters should belong to the Alaskan public and not a select few.
3. We feel the commercial fishermen are too GREEDY, way to wasteful and because of this they punish the Charter Fishing Industry and the public who use them. Their quota should be the one lowered. There are a few options listed in your proposal that would seem fair. But the remainder of it in our opinion, is unfair to those Alaskan's who work, vote, reside and pay taxes in this State.
4. We hear the commercial fishermen cry about how much money they are losing. Yet the prices of fish in our stores are outrageous. Yet we hear most of the fish caught in our waters goes to the lower 48's. We the Alaskan public should have fair prices in the markets as well as a fair chance of catching our own. We can abide by the two fish limit, but if the limit goes down to one for the money we pay the charter will not be worth it. We are also upset

hearing that some charters want to own the fish the public catches so that they can charge not only for the charter but to charge for the fish as well. Does this show out and out GREED?

5. Not all Alaskans can afford there own boats to go out halibut fishing. This mean in order to fish we have to pay for a charter. When you restrict the number of charters you also restrict Alaska Residents from fishing on charters that charge reasonable prices in our own waters.

If you could consider keeping the Halibut, Salmon and Trout as status Quo as it is right now we can except and agree with this. But we want alot less "BY CATCH" by the long liners. As this "By Catch" is wasting our resources. KEEP OUR PUBLIC RESOURCES PUBLIC!!!!

It offends us to think that you elected officials or even appointed officials would try to sneak this by us, without us being made aware of it. This speaks of dirty politics and makes us wonder if out elected officials are worth our trust. As you do not seem to want to listen to the people. But we realize we the people are not intelligent enough to know what we want.

Respectfully;

Tax Payers, Voters, and Fisherman of Alaska

*Sandra and Paul Holt*

*Jene & John Wilkinson*



3-12 RECEIVED  
MAR 19 2004  
N.W.C.

MR. DAVID BENTON, CHMN  
NORTH PAC. FISHERY MANAGEMENT COUNCIL  
605 WEST 4<sup>TH</sup> AVE, STE 306  
ANCHORAGE, AK 99501-2252

DEAR MR. BENTON.

HAVING LIVED AND FISHED AROUND JUNEAU AND SITKA FOR THE LAST 15 YEARS, I HAVE WITNESSED A TREMENDOUS GROWTH IN THE NUMBER OF CHARTER FISHING OPERATIONS.

IN ORDER TO PREVENT FURTHER ADVERSE EFFECTS ON OUR FISHERIES ABUNDANCE, I WOULD LIKE TO SEE AN IFQ PROGRAM ESTABLISHED IN AREAS 2C AND 3A FOR THESE CHARTER HALIBUT FISHING OPERATORS.

AS A COMMERCIAL FISHERMAN, I HAD TO QUALIFY, BY PAST FISHING HISTORY, FOR MY IFQ'S (OR PURCHASE THEM). THEREFORE I THINK IT ONLY FAIR THAT CHARTER FISHERMEN SHOULD HAVE TO QUALIFY AND BE HELD ACCOUNTABLE TO THE SAME REGULATIONS AND CRITERIA AS COMMERCIAL FISHERMEN DO.

THIS WOULD ALLOW MORE EFFICIENT FISHERIES MANAGEMENT PROGRAMS TO PROCEED, PROTECT AND PRESERVE A VITAL FISHERY THROUGHOUT S.E. ALASKAN COMMUNITIES, AND REGULATE & PROTECT THE GROWTH AND STABILITY OF A VIABLE CHARTER FLEET. ASSURING A MORE SECURE FINANCIAL FUTURE FOR ALL OF US WHO HAVE COME TO RELY ON HALIBUT FISHING FOR A GOOD PORTION OF OUR ANNUAL INCOME.

IT WOULD FAIRLY ALLOCATE THE RESOURCE TO VETERAN, ESTABLISHED FISHING OPERATIONS AND PRECIPITATE MORE EFFECTUAL USE OF FUNDS FOR MANAGEMENT AND ENFORCEMENT, THROUGH MORE SIMPLIFIED UNIFORM REGULATORY MANDATES.

I ALSO FEEL THAT IF "COMMUNITY SET-ASIDE PROGRAMS" ARE IMPLEMENTED BY THE COUNCIL, SUCH ALLOCATIONS SHOULD COME FROM THE CHARTER FLEET. SINCE THEY HISTORICALLY HAVE A MORE DIRECT EFFECT ON LOCAL RESOURCES AND ALSO THE

COMMERCIAL FLEET HAS ALREADY GIVEN  
UP 2% OF THE QUOTA FOR THE CDQ  
PROGRAM.

IN MY OPINION THIS WOULD BE THE  
FAIREST, MOST FAVORABLE WAY TO END  
THE ALLOCATION DISPUTES BETWEEN  
THE CHARTER AND COMMERCIAL FLEETS.

THANK YOU FOR YOUR CONSIDERATION  
OF THIS LETTER.

RESPECT FULLY YOURS,  
Roger D. Buttram  
209 LANCE DR. #3  
SITKA, AK 99835

P.S. PLEASE FEEL FREE TO USE THIS LETTER,  
OR COPIES THERE OF, IN SUPPORT OF OUR EFFORTS  
TO PRESERVE THIS VITAL, VALUABLE FISHERY.

Copy: GOVERNOR KNOWLES

45

March 13, 2001

Judy Connolly  
27732 Raven Court  
Chugiak, AK 99567

RECEIVED

MAR 15 2001

North Pacific Fisheries Management Council  
605 West Fourth Avenue  
Suite 306  
Anchorage, AK 99501-2252

N.P.F.M.C

RE: Halibut Charter Fisheries Quota

I am against including the halibut charter fisheries in the existing individual fishing quota commercial program.

Please maintain the status quo!

Thank you



Judy Connolly

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Date: 3-13-01

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MAR 15 2001

N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: DAVID LITTLE

Address: PO BOX KWP, KODIAK, AK 99697

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

P.S. WE LIVE IN A SMALL COMMUNITY, "VILLAGE ISLANDS", ON THE WEST SIDE OF KODIAK ISLAND. THE ONLY INCOME IS FROM COMMERCIAL FISHING. WE HAVE FISHED HALIBUT COMMERCIALLY FOR TWENTY YEARS.

WITH THE ADVENT OF IFQS FOR THE HALIBUT FISHERY, WE INVESTED HEAVILY IN (OVER)

ADDITIONAL QUOTA, AS HAVE OUR  
NEIGHBORS. WITH DEPRESSED SALMON  
AND HERRING MARKETS, HALIBUT IS  
CRUCIAL TO OUR COMMUNITY.

PLEASE CONSIDER THIS FACT WHEN  
MAKING DECISIONS THAT WILL IMPACT  
OUR QUOTA AND THE HALIBUT  
FISHERY IN GENERAL.

THANKS VERY MUCH!

DAVID LITTLE

47

March 12, 2001

RECEIVED

MAR 15 2001

N.P.F.M.C

Chris Oliver  
Acting Executive Director  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501-2252

Dear Mr. Oliver:

I have been following your deliberations on the potential of setting an IFQ and Quota Share program on the charter sport fishery industry and am very concerned about the grave consequences such an action may have on the industry and the ultimate disposition of a valued resource.

My background- I am an avid sport fisherman, and have fished Alaska waters for the past 10 years as a sport fisherman, and am currently looking forward to running my first charter operation out of Homer this year (your potential action may make this the only year that I will be able to do this).

As I look at the action that you contemplate to undertake, I find no history that supports this type of resource allocation. I am totally unaware were in our United States history have we taken a public resource and allocated it totally for business purposes. In this instance, a portion of the resource being given to a commercial fishery, and the small balance being "given" to people who furnish sport fishing access through guide services.

It is incredible that you would consider putting the commercial industry ahead of the public's right to the fishery. We have always held that the recreation component of any natural public resource was first and foremost to commercial enterprise. This is true in numerous other fisheries that have enjoyed commercial status until it has been over fished, at which time the commercial activity is stopped in favor of the recreation sport fishery. In the case of halibut fishing the public access is 90% through guided fishing.

Recognizing that a healthy halibut fishery does exist, we are witnessing a positioning by the commercial fishery to limit the recreation sport fishery through this action of setting guided sport fishery quotas. It is interesting to note that the program is being structured to actually reduce the guided fishery access through a "clever" process where the sport fishery access can be sold to the commercial enterprise.

Before I elaborate on this particular element, I must say that it is absolutely beyond a rational human's ability to comprehend the action of taking a public resource and giving the right to that resource to anyone who has not compensated the public for it. It is mind boggling to try to comprehend how the fact that a fisherman in his quest to make a living, comes into possession of a commodity that he can sell for real money simply as a result that he was fishing at a particular time in life. If we are going to "give" a fisherman the right to the public resource, make him pay the public for it. Anything less than that is simply stealing from the public.

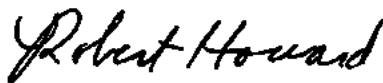
How do we find ourselves in this situation? I venture to say that it is an idea concocted by commercial fisheries, who are able to garner support from the charter fishery through the fact that the process will give the charter fisherman something that he never had- a guarantee to a resource that he has absolutely no right to own. He could never buy it- because the public isn't interested in selling it to him. As a result of this process, the charter fishermen, those that were fishing at the "right" time will own \$\$\$\$\$millions of fish, for their control and disposal. WOW! How is this allowed to happen?

The charter fisherman will be given a commodity that only one entity can afford to buy- the commercial fishery. The charter industry has historically been operated with such a low profit margin, no one can afford to buy QS and make a living at the rumored value of the fish. What does that lead to? The fish share that may be sold into the commercial will be sold, then the amount available for the guided sport fishery will be reduced, leading potentially to higher charter fares, which is great if you are wealthy. If you are not wealthy, you are denied the opportunity to seek this type of recreational fishing, which is definitely contrary to this country's genuine interest in providing economical access to recreation.

Why are you the Council messing with a system that isn't broken? It doesn't make sense. If you are concerned about the viability of the fishery, why center on the sport fishery? The recreational impact is inconsequential to that of the commercial enterprise. If it is deemed that the fishery is in such dire straits that it needs to be protected, why not do it where 90% of the fish exist- the commercial industry.

If the sport industry could ~~consume the entire~~ halibut biomass, it should. The fish are a resource to be enjoyed by all, not by a select few, and not as a result of flawed legislation.

Sincerely,



Robert Howard  
16530 Jackson Oaks Drive  
Morgan Hill, CA 95037



Mar 15 01

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MAR 16 2001

N.P.F.M.C

To the Council,

This is a public comment letter addressing the Halibut charter issue. I have been a Halibut charter captain here in Homer since 1984. I am appalled with what has been transpiring over the last 5 years in Cook Inlet, and what you, the council have planned for OUR sport fishery.

The Halibut recourse is a PUBLIC resource. It does not belong to the commercial interests. The longliners do not own these fish, although they seem to think they do.

This is supposed to be a conservation issue, but in reality, it is of coarse a Money issue.

As far as IFQ's for charter operators, it is my opinion that the greed is spreading from the commercial longline fleet, to our charter industry. I do not feel that I or anyone else should be given anything for having been involved with this fishery, except the right to fish.

I have been running a 6-passenger boat since 84. I have made my business by making my clients happy, and catching (or trying to catch, larger than average fish) In longliner terms, a "highliner". Now when you people saw fit to dole out the ifq s to the longliners, the "highliners" got a bigger share. Does that mean that I will get a bigger share?

I also should be able to upgrade to a larger boat without having to buy ifq,s to do it. And the guy that got involved with the charter fishery 4 years ago. He gets the same IFQ that I do? The whole thing is ridiculous, and has been brought on by greed.

I am a member of the Homer Charter association, and I want to make it perfectly clear that I do not support this plan. This is an issue that should be settled in the Supreme Court, and I am convinced that once it ends up there (and I believe it will) that the Longline association will be very sorry that they ever brought this up. The fish belong to the people, and the people should have an allocation of 51 percent of the total allowable catch.

Also, as a concerned citizen, I would like to add, that after all the years that I, and a lot of other charter fishermen have been on Cook Inlet, why has no one asked us what we think about the health of the fishery? After all that is what this is supposed to be about. Conservation.

In you infinite wisdom of allocating the IFQ's to the longliners, there seems to have been some thing that were overlooked. Since they now have 8 months to fish instead of 48 hours, They are fishing closer to port. I hardly ever saw the longline fleet 10 years ago, but now, I see them setting gear all along the coast. Worst yet, in the Kelp beds. This will lead to near coastal depletion in a matter of (my guess is 5 years). There is no reason that a 65-foot boat should be laying gear in Cook Inlet. They should be out on the banks.

It is my opinion that Cook Inlet should be shut down for longliners over 32 feet in length. If you are really concerned about the future of these fish, you better look into that, because it is getting hammered, and will not hold up. As far as the charter fleet is concerned,

The larger charter boats catch more fish than the 6 man boats, and as conservation means, they stand to get more IFQ's than me?

The same people that have been depleting the resource stand to get more from it. That is not conservation that is pure greed. As far as the Charter issue goes, maybe it should be a 6-passenger fishery only.


I recently got back from the East Coast of America. The North Atlantic fisheries management council has pretty much shut down the commercial fleet for codfish, But the sportfishermen (charter operators included) are still fishing. That is because it is a PUBLIC resource, and the general public should always have access to the resource rather on their own boat, or hiring a boat to take them to the fish. There is no difference in the two.

I am very upset about this issue. Over the past 5 years I have written the secretary of State, The governor of Alaska, Congressmen, Even the President of our country. Now I am writing to you, (again).

I hope to see everyone involved in this issue in the Supreme Court, Where I believe the right decision will be made.

Tony W. Arsenault  
2277 Aspen Court  
Homer, Alaska

99603

  
(907) 235-3692

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave. suite 306  
Anchorage, Alaska 99501

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RECEIVED  
MAR 16 2001  
N.P.F.M.C

I own a charter boat business that operates out of Homer, Alaska. I am a year around resident of Homer.

I am writing about the charter boat IFQ program that is being proposed.

I have a state license that is issued as a charter boat business. The Kenia borough lists my business as a charter boat business. The state of Alaska issues me a guides registration and a charter boat registration. No place except N.P.F.M.C. is my business classified as a commercial fishing endeavor. I license my boat with the "Commercial Fisheries Entry Commission" but it is listed as "Fishing, Sport Charter".

All of a sudden I now have a business that is competing with the commercial fisherman. I am not fishing. I have a service business that takes clients out to areas that may or may not have halibut to catch. I furnish equipment to catch these fish and I bring clients back to the dock at the end of the day. I do not guarantee these clients fish and I do not get paid any more or any less depending on how many fish they may or may not catch. (unlike the commercial fisherman who relay on how many pounds they bring to the dock) All I get paid for is taking them out and bringing them back.

I do not believe that we need to be trying to compete with the commercial fisherman. That is what we would be doing if the IFQ program is initiated. With the Guideline Harvest Level in place we should not be as big a problem for the commercial fisherman as they had foreseen in the past. The charter boats have a cap as well as the sports fishery allocation.

I believe that ALTERNATIVE 1 is the best choice at this time. I think that the amount of fisherman requiring charter boats has probably reached its peak and may even be declining as indicated by the last couple of years.

If in future years this trend reverses itself then would be the time to look at other alternatives.

If the IFQ program is implemented this is how I would like it to be implemented.

Issue 1. Option 1.

Issue 2. Option 1.

Issue 3. Option 7. Sub-option

Issue 4. Option 2.

Issue 5. Option 1.

Issue 6. Option 1.

Issue 7. Option 2.

Issue 8. Option 1., Option 2., Option 3., and Option 4.

Issue 9. Option 2.

Issue 10. Option 2. or Option 4.

Issue 11. Option 1.

Regardless of how the council decides, we all need to be aware of and guard against locking in something that may need to be changed with changing conditions.

Respectfully:

Jerry S. Montgomery

Owner - Operator

Jerrys Charters

Box 1287

Anchor Point, Alaska 99556

3/8/01

Gregg Parsley  
North Pacific Excursions  
P.O. Box 211235  
Anchorage, Alaska 99521

David Benton - Chairman  
North Pacific Fishery Management Council  
605 w. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK. 99501-2252

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MAR 16 2001

N.P.F.M.C

Dear Mr. Chairman,

I recently read the 16 page draft of the Sport Charter IFQ program to be voted on in your April meeting and have several comments.

I have been Sport Charter fishing in Alaska since 1985. In 1998 I was involve in the log book program, however I only fished the months of June and August as I did bear photo trips in July. This was the first year for the log books and the consensus among the Homer charter fleet was to "pencil whip" the log books, write down a full load and full catch every day. I refused, saying that mentality would only give the commercial fleet more ammunnition to be able to take more from the sport fisherman. I was wrong.

In the fall of 1998 I was transiting back to Southeast when I had a catastrophic fire in my engine room and had to be towed back to Homer (I owned a 100' converted tug that I used for a charter boat and mobile lodge). I was unable to fish in 1999 and purchased a new vessel the "Captain Jack" that year. I was going to sportfish the Captain Jack in 2000 when an old friend talked my girlfriend and I into crewing his fish packer the "Balaena" for the summer.

I guess you can see my dilemma if you were to add language that reads "filling out a log book in both 1998 AND 1999", all the years I have been sport charter fishing would be out the window and I would not be included in the IFQ program, this would certainly not be fare to me and my family. I am a very low impact sport charter, we take up to 80 people a year and have a lot of fun, not quite the derby fishing found for instance in the Homer charter fleet.

My son started deck handing for me when he was 8 years old. He eventually deck handed on other charter boats out of Homer and Seward and received his USCG 100 ton Masters license when he was 19 at AVTEC in Seward. He has crewed for me since 1996 on my larger boats and is now in his 3<sup>rd</sup> year at California Maritime Academy and is an Alaska resident. He has expressed an interest in eventually getting a large charter boat and doing a similar operation to mine. He has paid his dues in Alaska and under a sport charter fishing IFQ program will not be eligible. That is not fare to this 22 year Alaska resident.

I have kept up to date on the sport fish charter IFQ program since it started and have always opposed it. I think it is a bad idea that was brought on by greed, with no scientific data, by the commercial drag fleet to try and increase their by-catch. I think that we Alaskans will live to regret any sport charter IFQ program as outlined. I have several acquaintances in the Homer charter fleet and it seems the general attitude on the sport charter IFQ is a retirement program and most can not wait to sell their IFQ's to the commercial fleet. That is not right and should not ever be allowed. Sport charter caught halibut are worth more than 6 times the money to the Alaska economy as commercial halibut, however the commercial fleet has a much larger lobby. That's not right.

I beg you to table the proposed sport charter IFQ program indefinitely. As I said, I think it was brought on by greed from the commercial industry and allowed to snowball by greed from the sport charter industry.

I do not want an IFQ, I just want to take sport fisherman fishing and have fun.

Regards



Gregg Parsley

Letter to North Pacific Fishery Management Council

51

**Subject: Letter to North Pacific Fishery Management Council****Date:** Thu, 15 Mar 2001 13:26:01 -0900**From:** Amersons <amerson@alaska.net>

**To:** "Gov. Knowles" <governor@gov.state.ak.us>,  
 Sen Stevens <senatorstevens@stevens.senate.gov>,  
 Sen Murkowski <email@murkowski.senate.gov>,  
 Don Young <don.young@mail.house.gov>, Anna Kerttula <amkert@sso.org>,  
 Tim Evers <tnjevers@alaska.com>, Perry Flotre <arctictern@alaska.com>,  
 burnis sims <wildmancharters@gci.net>

**From:** John Amerson  
 Eagle River, AK 99577  
 amerson@alaska.net

**To:** Mr. David Benton  
 Chairman, North Pacific Fishery Management Council

RECEIVED  
 MAR 15 2001  
 N.P.F.M.C

Mr. Benton:

I would like to take this time to express my concerns about the possibility of the Cook Inlet Charter fleet going to a IFQ system. I feel that there is several other options still available that would benefit everyone uniformly and not just the most senior charter operators. I feel that the IFQ system is just another means of limiting the opportunity for free enterprise and monetarily benefiting some more than others. If this system is to be enacted, you instantly make it possible for charters to charge whatever they want for a charter due to limited competition. Yes, new charters will possibly be able to enter the fleet if they can afford to pay the ridiculous price that an IFQ's would cost if sold by a operating charter. I feel that a majority of the support for the IFQ's are coming from either the commercial fleet, who we all know would like to see sport fishing curtailed more than it currently is, or just a few greedy charter operators who feel that they own more of the catch than others due to the fact that they have been operating longer. I agree that we need to limit the catch of Halibut to preserve a sustained yield for future generations, your idea might just do that, but it surely along the way will also line the pockets of the few who would benefit from it.

Here are a couple of options to be considered, which would reduce the halibut catch in excess of 25% :

1. Prohibit the Charter fleet from doing double halibut charters in the same day. This alone would reduce the catch by nearly 10-20%. I have watched over the last 10 years or so in Ninilchik and I have seen the number of operators who do doubles go from near zero to more than I want to mention. The idea of taking double trips daily is not only a dis-service to their clients, but also should be prohibited by some DOT/Coast Guard regulation. Truckers, Pilots, Bus Drivers you name it are restricted by the number of hours they can work/drive/fly, WHY is not a charter operator restricted by some method. Remember they do hold the safety of their clients is in their hands until they get off the boat. There is no way they can be alert enough to avoid a hazardous situation and still get the job done after they have been doing a week or more of doubles with very limited sleep. Is there a reason for these daily doubles? Could it possibly be just the drive to catch more than their share of the halibut, along with the GREEDY desire for more money while giving the clients less service. Oh

Letter to North Pacific Fishery Management Council

ya by the way these operators who have done all of those daily doubles will surely qualify for a larger IFQ under your potential new plan.

2. My next option is to restrict the Charter Crew from fishing while they have paying clients on board their boats, we already do this for Cook Inlet early run King Salmon. Besides they should be catering to their paying clients and not fishing anyway. This option could yield up to 15-25% reduction in catch alone. This assumes that you have a boat of six clients and a crew of two. Currently they have the ability to catch 16 fish per trip. Prevent the crew from catching their limit and now you have a limit of 12, a 25% reduction in catch.

I have been living and fishing in Alaska for nearly 20 years and I to want to see my children's children enjoy the fishing that I have become accustomed to. I do see and feel the pressure that is the driving force to restrict the halibut harvest, but lets face it, why not try some easier and less cumbersome options before enacting the IFQ system. Besides if we really wanted to slow down the halibut harvest, lets start out with outlawing the commercial fleet of trawlers that every year after fishing result in tons and tons of by-catch and waste that nobody benefits from.

In closing, I would like it to be known that No I am not a charter and have no plans on becoming one, I just would like to see everyone benefit from our state resources and not just the chosen few.

Thank you,

John Amerson





**OPEN YEAR-ROUND!**

**RECEIVED**

MAR 18 2001

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

N.P.F.M.C  
March 15, 2001

Dear Board Members:

As an owner and President of Land's End Resort in Homer, Alaska, I would like to submit the following comments regarding proposed new regulations on Halibut Charter Management.

Land's End Resort is one of Homer's largest private sector employers, contributing annually over \$180,000 in sales tax revenue, \$60,000 in property tax revenue, and over \$1 million in payroll to our local economy. We just completed a \$1.2 million expansion of the hotel, using all local labor and financing through AIDA. This is our third such expansion in ten years.

Halibut Charters are the lifeblood of my business. Without a healthy charter industry, and plenty of sport fish available for residents and visitors to catch, my business would fail. It is revenue from summer operations, derived largely from the halibut fishery, that allows Land's End to remain open in the winter, boosting jobs and tourism year-round.

The council's mandate to consider allocation of halibut between commercial and charter sectors must stem from one or all of the following needs:

- a) Preserve the health of the stock.
- b) Maximize the economic yield from the resource.
- c) Protect jobs and rural economies.

I would like to make the point that caps on the charter fleet do not serve any of these goals or the broader public interest.

My hotel (100% Alaskan investors) have an investment equal to or greater than most Halibut fisherman, and is also highly dependent upon the resource. If allocation policy is based on protecting livelihoods and incomes, I would ask: Why are some people's livelihoods and investments protected, and not others? Why is the government called upon to protect commercial fisherman's jobs and livelihoods through guaranteed allocations, and not others?

With regard to protecting jobs and rural economies, the council must know, before it acts, the relative contributions to local economies that both the sport fishery and the commercial fishery create. This leads to my next point.

Surely you know that a charter transported sport fisher pays more in pursuit of Halibut than the Halibut is worth to a commercial fisherman at the dock. These people pay a premium for the pleasure of fishing and the hope of catching a trophy fish. Were it not for this premium, they would all buy their fish at the store. The average sport fisher spends more than \$10.00 per pound to catch halibut, although some get lucky and pay less. No commercial fisherman can afford this, and yet they insist their harvest rights should be protected. Why?

By extension of logic, if the average charter yields more than \$10 per pound of fish caught to the local economy, their proportionate contribution to the local economy (per pound of fish caught) is greater than that of the commercial fisher. (Otherwise commercial fishers would be bankrupt.) Due to the size of the commercial fleet, their aggregate contribution is greater than charters, to be sure. However, when apportioning (or limiting) future allocation, the point is not current total contribution, but the marginal contribution of the fish you are restricting.

Therefore limiting the growth of the charter fleet could mis-allocate the resource and assign it to a lower economic yield--a failed policy of Russia's "central planning". This is bad economic policy, and contrary to our free enterprise system. For example, what if sport fishing becomes so rare in the world that suddenly people will pay twice what they do now to fish? Should the "invisible hand" which allocates capital and resources so efficiently in the free world be replaced by the restrictive oversight of the council?

Some on the council may dispute the argument that a charter caught sport fish is worth more than a commercially caught fish, in spite of overwhelming facts to the contrary. However, if charter caps are implemented, at least provide for a safety valve whereby the council takes a small allocation (say 10,000 lbs.) and places this "share" out to bid annually. This would give the council an annual "barometer" of what the market price is among sectors, and who can afford to pay the most, which in turn provides a guide to policy makers on the best way to allocate the resource.

A small allocation which is subject to highest bid would not create the havoc some fear in the industry, particularly if the amounts put to bid were initially small, and increased over time as markets dictated. This would limit the damage to any one sector and provide a rational, economic basis for your decision. In fact, this is how the commercial fishery sells Halibut. It could even generate revenue for NPFMC!

NPFMC  
Page 3  
3/15/01

Limited entry and IFQ's have taken Alaska dangerously away from the equal access clause found within the natural resource section of our State Constitution. Unlike the existing Salmon and commercial Halibut programs, which are justified on the basis of resource protection and only allocate a resource among one user group (i.e. commercial fishers), this new initiative proposes to choose the winners and losers among competing members of the public and different user groups. You are proposing to limit the public's access to a natural resource, not in order to protect the resource (this can be done with total harvest limits and bycatch regulations) but to protect other sectors within the fishery. I believe this violates our state constitution, even though I do not believe guiding licenses or commercial salmon and halibut IFQ's do.

Finally, any system of guaranteed allocations creates financial liability to "buy out" owners of such allocations if for any reason this plan proves unwise in the future. Recent history is full of examples of public bailouts of one kind or another, most recently a proposal to buy a block of the pollock fleet.

I fail to see why the public should accept the financial liability associated with guaranteeing anyone a permanent allocation of fishstock. The public is not served by such guarantees: fishers should accept the risk of market forces just as every other industry in the free market world does. Allocated shares are not needed as an inducement to fish or invest in the commercial halibut fleet, as perhaps was the case with pollock. The inshore halibut fishery may shift, and our public policy may need to shift to accommodate market forces. Shifts in policy should not come at a huge financial penalty to the public which owns the resource.

In summary, I am opposed to limits on the charter catch; such limits do not serve the public interest, nor do they appear to serve any of the goals within the council's mandate.

Sincerely,



Jon Faulkner  
Land's End

Date: 3/13/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 15 2001  
N.P.F.M.C

RECEIVED  
MAR 15 2001  
N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: *Karen Johnson*  
Address: *224 Hattian Sitka AK 99835*

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*I depend on the income from my halibut IFQ to get me through the summer and to allow me to volunteer my time for the Cape Decision Lighthouse. Please call me if you had some questions about the funds you received for Point Retreat. Thanks David. Karen (907) 747-7803 hm 747-7717 wk*

S. Rutter  
Box 8124  
Port Alexander AK  
99836

RECEIVED

MAR 16 2001

3/06/01 54

NPMC :

N.P.F.M.C

I would like to commend the council for its attempt to bring the guided sport sector under the umbrella of IFQ management. However, I have some reservations about the 25% "room to grow" provision.

I can remember sacrificing a full third of my original allocation, for 2C halibut, to accommodate community development in the Western Gulf. So it's a little difficult to stomach the guides demands for a handout. It will take me the rest of my life to amortize my Quota Share basis. I shouldn't be burdened with subsidizing every wanna-be guide who may or may not have even caught a halibut.

You have a tall task to make this system work for the common good. I suggest the implementation of some kind of stamps or tags for lbs of fish, would possibly be useful in the rural areas. Provided there be increased enforcement to monitor compliance.

And, I would like to thank Linda Benken for her public service.

Guides should be in the same market, a level playing field with the fisherman. Free market.

Sincerely,  
S. Rutter  
S. Rutter Port Alexander, Alaska

15 March 2001

Chris Oliver  
Executive Director  
North Pacific Fisheries Management Council  
Anchorage, Alaska

55-  
RECEIVED  
MAR 19 2001

N.P.F.M.C.

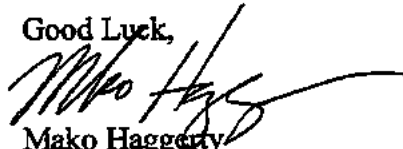
Dear Mr. Oliver,

Boy, did the greedy commercial guys do it this time, they disturbed that sleeping gorilla, the "sports fishing interests". Look out! Pissed off gorilla'll go for 50% of the entire halibut quota in 3A and 2C and everywhere else they can reach with their little boats.

From my perspective here in Homer the Charter fleet is evenly split on the IFQ issue. Only Bob Ward, the self-styled, self-appointed spokesman for the charter fleet, is happy about the Golden Parachute, I mean, the Charter boat IFQ plan. As for the general public,...well forget the general public. The Council has never really cared about their opinion anyway. It's their fish you're divvying up and giving to the Charter fleet.

Boy aren't you guys going to have fun in the future allocation battles. I'm going to crack a beer, kick back and watch the fireworks. Didn't the Council have enough conflict? They had to invite the Charter fleet to sit down and help divide the pie.

Good Luck,



Mako Haggerty  
PO Box 2001  
Homer, Alaska

56

RECEIVED

14 March 2001

Mr. David Benton  
Chairman NPFMC  
605 West 4th Ave. Ste 306  
Anchorage, Alaska 99501-2252

MAR 18 2001

NPFMC

Dear Mr. Benton,

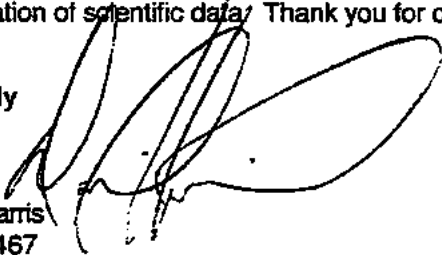
I am a commercial fisherman who relies on the halibut fishery for a significant portion of my income, so I am writing to you to support an IFQ program for halibut charter vessels in areas 2C and 3A. I believe charter IFQ's are needed to end allocation disputes between commercial fishermen and charter operators. Charter IFQ's are a long term solution that will allow fishery managers to focus on managing the halibut resource which fluctuates with natural cycles of ocean productivity, rather than wasting time arguing about resource allocation.

The allocation of halibut between the commercial and charter fleets must be based on a percentage of the Total Allowable Catch, not some fixed poundage. As you are well aware the TAC for halibut changes every year, the result of the best efforts of fishery managers to balance the health of the resource with the highest rate of exploitation possible. When (not if) the TAC declines, the allocations for both the commercial and charter fleets must decline at the same percentage. A fixed allocation for the charter fleet will unfairly penalize the commercial fleet in the event of halibut biomass decline. It is important to realize that at this time fishery managers recognize that the halibut biomass is at a historically high level, due to favorable oceanic conditions and is expected to decline naturally with the observed changing in those conditions. With that in mind the initial charter allocation should be based on 100% of the 1995-1999 average actual catch, not 125% that some are pushing for. So that charter operators have the opportunity to expand their operations if they desire, there should be some mechanism for the transference of quota between the commercial and charter fleets, just as there exists within the commercial fleet today.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already done this with the 2% of the commercial quota dedicated to the CDQ program.

Without adopting charter IFQ's there will be continued allocation disputes between the commercial and charter fleets causing instability in both industries, benefiting only the lawyers hired by both groups to fight out in court that which should be decided by fishery managers through careful examination of scientific data. Thank you for considering this letter.

Sincerely



David Harris  
Box 20467  
Juneau, Alaska 99802

copy :Governor Tony Knowles

57

**Steve & Margie Jangaard**  
**5017 168th Pl N.W.**  
**Stanwood, WA 98292-7958**

3/15/01

**RECEIVED**  
MAR 19 2001  
N.P.F.M.C

Mr. David Benton  
Chairman  
NPFMC  
605 W 4th Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton

I am writing in support of an IFQ program for the halibut charter fleet in areas 2C and 3A.

I began fishing halibut commercially in 1972 and depend on the fishery for a major part of my family income.

An initial charter QS based on 100% of the 1995-1999 average seems fair and is much the same way as the commercial allocations were initially set.

Any community set aside programs should come out of this allocation since the commercial fleet has already paid for the CDQ program.

Status Quo is unacceptable since the proportionate allocations of the halibut stocks keep increasing for the charter fleet and visa versa for the commercial fleet.

Lets make it fair for all!

Yours truly,





58

Matthew R. Metcalf  
P.O. Box 175  
Gustavus, Alaska 99826

March 15, 2001

Mr. David Benton  
Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave., Suite 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 19 2001

N.P.F.M.C

Dear Mr. Benton,

I am a commercial halibut fisherman with quota in areas 2C and 3A writing in support of IFQ's for the charter operators in Alaska. I did not receive an initial quota when the fisheries went to IFQ's, but have since purchased a considerable amount and therefore I am very concerned about any changes that may affect the fishery. A carefully planned and fair charter operator IFQ system is the most equitable approach to managing a fishery that must be divided between two user groups.

There are several issues that I would like to see addressed and implemented in an IFQ system for the charter fleet. The first is that the amount of fish going to the charter fleet must be based on their actual historical catch and not on an inflated percentage (like 125%) that they claim is needed for growth of their industry. The commercial numbers were based on past production and it is only fair that the charter fleet's numbers are too.

The charter quota should not be a fixed allocation. They must share in the ups and downs of the resource and share in the conservation burden. If they have fixed quotas then any decrease in the TAC would be entirely absorbed by the commercial fleet. They should also have the burden of any other adjustments to the TAC such as community set asides, sport fish quotas, or subsistence quotas just as the commercial fleet has had to fund the community development quotas with 2% of our quota.

The creation of a fair and equitable IFQ system is essential for ending allocation battles between user groups. A system that gives all users a historically based share of the resource is the only long term solution. The commercial halibut fishery is vital to the fishermen, processors, support businesses and small communities throughout the State Of Alaska; let's come up with a plan that is equitable to everyone involved.

Sincerely,

*Matthew R. Metcalf*

Matthew R. Metcalf



# Magnum Charters

P.O. Box 2423 Kodiak, Alaska 99615  
1-888-330-7600 toll free  
(907) 486-7600 ph/fax  
e-mail [magnum@ptialaska.net](mailto:magnum@ptialaska.net)  
[www.magnumcharters.com](http://www.magnumcharters.com)

59

David Benton – Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK. 99501-2252

March  
**RECEIVED**  
MAR 18 2001  
N.P.F.M.C.

Dear Mr. Chairman,

I am an Alaskan resident and have been operating my own sport fishing charter business in Kodiak since 1992. Like many other charter operators in Alaska, I have worked very hard to build a successful business. Most of the alternatives and their options listed in the halibut charter management plan are directly related to stopping the growth of my business. I cannot support anything that says I cannot prosper anymore than I do now without having to buy my prosperity. I agree that some kind of growth control in our industry is needed. I am in favor of a moratorium that controls the development of the halibut charter industry within a specific area. I am in favor of a division of sport fishing areas so that a moratorium can be implemented that will allow growth in those coastal communities that have not yet fully developed their tourism industry. Neither one of these options I have stated were considered in the moratorium alternatives. Why? Without considering those 2 very important options to Alternative #2 in the halibut charter management plan then I cannot support any other alternative except for Alternative #1, Status Quo. Please do not consider including my business in the charter IFQ program.

Respectfully,

Capt. Gary Salter  
Magnum Charters

60

Gary W. Meyers  
4033 Deborah Drive  
Juneau, AK 99801

March 8, 2001

RECEIVED  
MAR 19 2001  
N.P.F.W.C.

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue Suite 306  
Anchorage, AK 99501-2252

Dear Mr. Benton:

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a large part of our annual income. This fishery provides many jobs and benefits many businesses in our community. We have invested a lot in IFQs because of the stability promised by the government.

Allocation disputes between commercial fishermen and charter operators create instability in both industries. Charter IFQs are a long-term solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, instead of wasting money getting involved in the allocation disputes.

The initial charter QS allocation should be based on 100%, not 125%, of the 1995-1999 average catch.

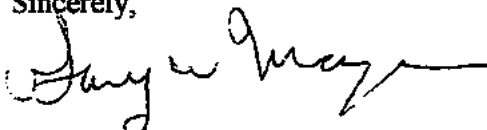
If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program.

Commercial fishing benefits our state, as well as each community, in many positive ways.

A charter IFQ is needed to end allocation disputes.

Thank you for your consideration of this letter.

Sincerely,



Gary W. Meyers

cc: Governor Tony Knowles

To: DAVE BENTON, CHAIR  
NPFMC  
SUCH, AK 99501

12 MARCH 2001

RECEIVED  
MAR 1 8 2001

DEAR MR BENTON, NPFMC

I'm writing in support of an IFQ program for charter halibut vessels in area 2C & 3A. I've lived in Alaska over 30 yrs & have comm. halibut fished since 1976. When IFQ's first appeared in the halibut fishery, I didn't receive enough to make a living. Since then, due to the stability promised by the government, I've made substantial investments (additional IFQ's & a safer boat). And so far, knees on wood, so good. There is some stability in the halibut & blackcod fisheries, the resource is healthy & the economic benefits spread throughout the state. But the continued assault on allocation issues by the charter halibut fleet serves to undermine the whole process. No one benefits by these allocation squabbles.

We don't live in a perfect world. Many fishermen (including myself) were left out during the initial implementation of IFQ's (crew members especially). But a healthy fishery exists today. Charter IFQ's may not be perfect, but they are a long-term market based solution that will allow fisheries managers to focus their precious time & money on improving fisheries management and not waste it on allocation disputes. And moratoriums are not the answer. History has shown <sup>that</sup> the allocation fights continue. They also lock out other communities from joining the industry, which the state says they're against. As for Gill's, one need look no further than the southwest king salmon situation. I trust you're aware of the court injunction brought by the charter sector last year on proposed management measures. Charter IFQ's are one way to try to bring peace & stability to this issue.

A few final points. There should be no fixed allocation to the charter fleet. This flies in the face of conservation & the sharing of the conservation burden. The amount should fluctuate with the biomass, just like the comm. fleet. The initial charter Q's allocation should be based on 100% of the 1995-99 average catch, not 125%. If a community set aside program is developed, the allocation should come out of the charter boat quota. The comm. fleet already paid for the CDQ program (2% of quota). This would also benefit the recreational fisherman who tends to fish where the charter fleet fishes. The charter fleet tends to fish closer to towns. Please remember that comm fishing is the largest private employer in our state. Thank you for your time & consideration.

PAUL BARLWES  
BX 155  
GUSTAVUS, AK 99826

62

Date: 3-6-01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: S.D. Jolly

Address: 410 Haggard Rd Tonasket, Wa 98855

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

I have 29 years experience  
commercial fishing.

RECEIVED

MAR 15 2001

N.P.F.M.C

63

RECEIVED  
MAR 19 2001  
NPFM.C

Date: 3/6/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

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If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: ALLEN E APPLIGATE - FV. Bernice-3

Address: 1701 E Fremont ST. PAHRUMP, NV. 89048

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*Im A IFQ share holder & former 2512 AK. Resident  
& STILL fishing my Boat. I DONT need another  
Reduction of my Quota share.*

*Thanks*

*Ala*

64

Concerning the halibut quota system for commercial charters: if you do that, PLEASE make it possible for me to sell my area 2c blocked B class quota shares to a charter operator. I cannot sell the shares I own because of the restrictions placed on this classification. This block has been available for sale since I got it, and no one will buy it because it cannot be fished on a smaller boat. Why the size of vessel should matter is incomprehensible to me; xxx pounds is xxx pounds, whether caught from a row boat or a ferry boat.

I was NOT treated equal under the law to the other ifq holders. My quota is supposed to be freely transferable. But there is no market for it. If you make charter ifq, please make a provision so I can sell mine to a charter operator. Equal protection and treatment under the law was in effect when I grew up. Perhaps you can restore it.

Michael Ferguson

A subject, not a citizen.

CC: President Bush

CC: Vice President Cheney

CC: Secretary of Commerce Evans

RECEIVED

MAR 20 2001

N.P.F.M.C

65

ALSO 3-1-2001  
I just bought  
A large boat  
35' glass boat  
to charter fish  
Dan Urekar

DAN UREKAR  
P.O. Box 461 Bucklee WA. 98321  
HT 67123 M  
BL 253144  
FAX 907-271-2817

RECEIVED

MAR 20 2001

N.P.F.M.C

Dan Urekar  
I am A HT 67123 also  
A charter captain Sport Charter  
years 1997 - 2001

I have had a AK Business license  
97-2001 BL 253144  
fish on Southeast Alaska Charter

I have been license COMMERCIAL  
Fisheries Activity Fishing Sport Charter  
1997 - 2001



But I have not had a <sup>Log</sup> ~~log~~ book.  
I didn't know about log book.  
1997 I was Reg in Anchorage Sport  
division then it switch to Juneau  
in 1998. I thought my commercial  
Fisheries was my right thing  
when said Activity Sport Charter

I do not want to lose my right  
to charter fish. I have much  
time and money in my Business it  
my life's head DAN Dan Urekar



RECEIVED

66

March 13, 2001

MAR 21 2001

Dear Mr. Benton,

N.P.F.M.C

I am writing to express my opposition to the Charter IFQ plan about to be implemented by the North Pacific Fisheries Management Council. I realize the Council claims the right to implement any policy they wish, and offer the argument that the process is open and fair. I am sure I do not have to explain to you how sport fishermen and the charter boat industry have no input into this decision. As you well know, there is no serious intention of the Council to look out for the charter industry, or to seriously consider our point of view, regardless of our one person representation on the Council.

I simply cannot recognize that the Commercial Industry owns these fish. People that come on my boat are sports fishermen. They buy a license and have as much right to those fish as do the commercial interests. It is not really about my business, and the plan is misdirected. But, this plan will put many of us out of business. I know of at least seven charter operators getting out this year here in Juneau, and the classes most of us took to get our licenses, are no longer even offered in Juneau due to lack of interest. I can't see how I can hang on regardless of which of the horrible options the Council adopts. Unlike salmon, many sports fisherman have no access to halibut without us.

The plan is clearly designed to freeze the charter fleet out of the halibut business as much as possible, at a time the commercial fleet continues to have record harvests. We cannot even approach numbers to rival the industry bycatch. I know I speak for dozens of charter boats when I express my disillusionment with the process. Writing letters, speaking out, and trying to influence the decision seems so pointless. The outcome has been predetermined, we all know it, and it shakes my faith in our government, when commercial interest is sacred above all else. If your response is going to be a form letter extolling the virtues of the public input and hard work and fairness of the Council, save the stamp. I don't know anyone not on the Council that believes that. Their job is to represent the commercial halibut industry. They do a great job of that, but should not be involved in my business, or what I maintain is sport harvest aboard charter boats.

A second issue I'd like to address is the problems the IFQ system is causing in the Juneau area. I have no idea if you can influence this issue. With each passing year, Icy Straits, in the Juneau area, is increasingly pounded day after day by commercial halibut fishermen. It seems that some gear is essentially out all summer as several captains share a boat or gear. The effect is to strangle halibut movements into the Juneau area. Most Juneau charter boats do not even target halibut as the fishing has deteriorated so badly. While I

still do well as I do multiple day trips and can get away from the commercial fishing, day fishermen, even with their own boat, cannot do that. I understand the Sitka area has some plan that allows some escapement. We need to do it soon in the Icy Strait region. On this issue, I'd love to hear your opinion.

Sincerely,



Lauren Burch

Alaska Top Dog Charters

PO Box 20424

Juneau, Alaska 99802

(907) 723-6462

[topdogch@alaska.net](mailto:topdogch@alaska.net)

LAW OFFICES

*Michael J. Schneider, P.C.*

TELEPHONE (907) 277-9306

880 "N" STREET, SUITE 202  
ANCHORAGE, ALASKA 99501

FAX (907) 274-9201

March 19, 2001

67  
**RECEIVED**  
MAR 21 2001  
N.P.F.M.C

North Pacific Fisheries Management Council  
605 West Fourth Avenue, Suite 306  
Anchorage, AK 99501-2252

**RE: OPPOSITION TO IFQ SYSTEM FOR HALIBUT FISHING CHARTERS**

Dear N.P.F.M.C.:

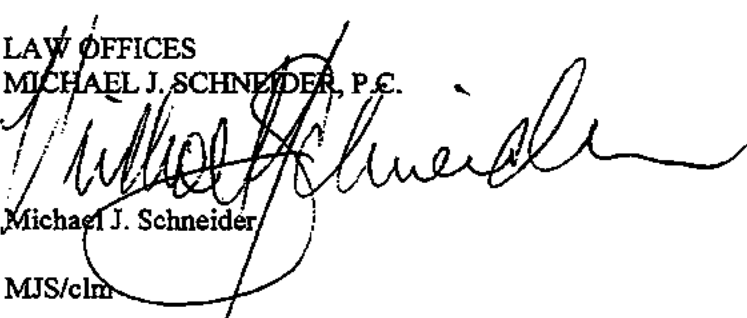
I do a little halibut fishing of my own, and I am an infrequent customer of the halibut charter fishing industry. I am not surprised that those in a position to render a constitutionally public resource into private property are pressing for the adoption of the IFQ system in the context of the halibut charter industry.

It seems there are better and fairer ways to attain the desired goal. Competition itself limits the number of people engaged in the charter business. If declining stocks force restrictions on the number of fish that can be taken, this will, in turn, decrease the demand for halibut charter services and further reduce the number of charter operators. It would seem that managing the resource in this manner would attain management objectives and goals while avoiding privatization of a public resource to the detriment of those in the future that may wish to enter the industry. It keeps halibut charter operators from gouging the public after securing their semi-monopoly. It leaves in place a system where we all own the resource equally.

As I understand it, halibut numbers are currently healthy and halibut charter operator numbers are steady or declining. This would seem an unlikely combination of circumstances to back drop the implementation of an IFQ system.

Yours very truly,

LAW OFFICES  
MICHAEL J. SCHNEIDER, P.C.

  
Michael J. Schneider

MJS/clm

cc: Senator Ted Stevens  
Alaska Department of Fish and Game

68  
RECEIVED  
MAR 21 2001  
N.P.F.M.C.

# CITY OF PORT ALEXANDER

P.O. Box 8068 Port Alexander, AK 99836 907/568-2211 Fax 907-568-2202

RESOLUTION 01-04  
A RESOLUTION CONCERNING ISSUES OF ALLOCATION BETWEEN  
CHARTER AND COMMERCIAL HALIBUT FISHERIES

WHEREAS there are few income alternatives in Port Alexander to sustain a family other than commercial fishing for salmon and halibut and;

WHEREAS Port Alexander is concerned with the rapidly expanding guided sport fishery and;

WHEREAS we do not want to see our commercial fleet displaced by the guided industry and;

WHEREAS continued allocation disputes between commercial fisherman and charter operators create instabilities in both industries and;

WHEREAS any fixed QS issuance to the charter fleet would violate prudent conservation, is disproportionate in the sharing of conservation burdens, and aggravates local depletion of halibut stocks; therefore,

BE IT RESOLVED that the council for the City of Port Alexander supports the initial charter QS issuance be based on 100% of the 1995-1999 average catch, that any community set aside program allocation should come entirely from the charter allocation, and that the local personal use harvest of halibut should be preserved.

APPROVED AND PASSED BY THE CITY OF PORT ALEXANDER  
ON THIS 15th DAY OF MARCH, 2001.

Signed: David Wallen

David Wallen, mayor

Attest: Karen Maley

Karen Maley, city clerk

69

John Lawson  
P.O. Box 8142  
Port Alexander, Ak. 99836  
Ph. 907 568 2280

03/15/01

RECEIVED  
MAR 21 2001  
N.P.F.M.C

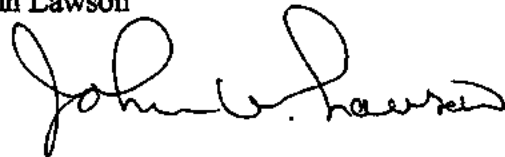
North Pacific Fishery Management Council  
605 West 4th Ave. Ste 306  
Anchorage, Ak. 99501-2252

Council;

I am writing in support of a IFQ program for chartering operations fishing Halibut. The charter QS allocation should also be based on only 100% of the average catches from the time period of 1995 to 1999 not the (125%) they are asking for. This will help preserve the some what depleted levels we are at this time experiencing in 2C around Port Alexander where my family fish Halibut as resident fisherman in our subsistence life style. It would be great if we could look forward to more Halibut, but in my over 30 years in Sitka and Port Alexander it is just not happening so we all have to help, and the local resident fisherman have been giving for years. The small amount of Halibut that the resident fisherman take each year does little to offend the total population and we are the largest manned fishery there is with a fast declining catch rate per days fished to bring home food for the table.

Thank you for allowing me to comment.

Respectfully  
John Lawson



North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK 99501

70  
RECEIVED

MAR 21 2001

N.P.F.M.C

Dear Sir:

I have been following the proposed changes to the halibut charter industry with great interest. I operate a large charter company out of the Homer area. This will be my 6<sup>th</sup> season and the previous owners had it for 10 years. It makes me very uneasy to set by and watch what is happening to my livelihood and not make a comment. I must be on the record because the changes you are about to make will be very damaging to my business. I know that you have the responsibility to manage the resource so that it is not depleted and can see that a great deal of time and effort go to that end. But I feel you are over stepping your bounds when you get into a public allocation issue.

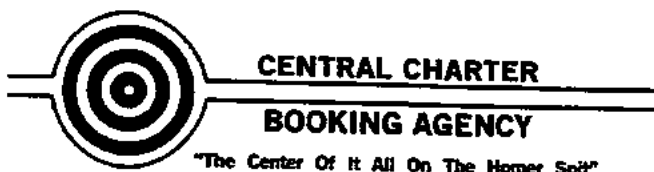
In your "Halibut Charter Management Problem Statement" Item # 3 you say: "As there is currently no limit on the annual harvest of halibut by charter operations, and open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of the open-ended reallocation may be substantial and could be magnified by the IFQ program."

I would contend that the charter operator has little to do with this reallocation. As a matter of fact, if we added an additional 1000 boats and captains very little would change. That is because the driving force behind the reallocation is JQP, "John Q. Public". The number of people coming to Alaska to fish determines how many charter boats will fish not the number of charter boats in the water. As a private citizen I may elect to go to the grocery store and buy my halibut or to a public restaurant and order halibut instead of pork. I might even plan a vacation to Homer, Alaska and take a charter to catch my own halibut. Pound per pound it may even cost me more but that's my choice. So this open-ended reallocation has very little to do with the charter business but with the choice I make as a private citizen to spend my hard earned money. Why should a government agency have preference over one group or another? Why not leave it to free enterprise and let the public choose for themselves? Do I get it from a store (ie commercial) or charter a boat to get my own? Let me make that decision, but don't you do it as a government agency! If more people elect to fish for their own halibut, then the allocation will shift from commercial to sport. That's free enterprise not big government forcing the issue. To put the charter industry under a GHL or IFQ is simply big government restricting free enterprise.

I would contend that it is your job to manage the resource as to depletion issues but allocation should be determined by free enterprise. I would strongly discourage any change in the charter halibut fishing industry.

Sincerely

*Garth Bradshaw*  
Garth Bradshaw



"The Center Of It All On The Homer Spit"

4241 HOMER SPIT RD., MAIN DECK, HOMER, ALASKA 99603-8006

NPFMC  
605 W. 4<sup>th</sup> Ave #306  
Anchorage AK 99501-2252

71  
RECEIVED  
MAR 21 2001  
N.P.F.M.C

Subject: Halibut Charter IFQ

To: All Council Members, Especially Bob Penny

My name is Jill Skidmore & I would like to voice my opinion in support of the IFQ plan to control the number of guides in the halibut fishery. I am a disabled sport angler & rely on a guide to take me fishing. I do not own my own boat & could not, even if I wanted to, I must have assistance to go fishing. I do not care if the cost increases for me to go on a charter boat as long as I can still have an opportunity to go, & catch 2 halibut.

I live In Soldotna & have my own Physical Therapy clinic. I work 6 days a week from 8-5pm Monday-Saturday. I like to fish a lot and used to go fishing for King salmon on the Kenai River, but now I can't because the River is closed to me when I get off work. The State did not control the number of guides & now there are too many. The way the state has tried to solve this problem is to take away my opportunity to fish, How does that solve the number of guides? It does not matter how cheap charters are if I cant go because the fishery is closed to me. This type of management does not hurt the guides only the people who use them. Please do not allow the halibut fishery to be managed that way. Please manage the Charter Fleet in a way that allows the user to maintain the same opportunity they have now with access to the fishery 7 days a week, 24 hours a day, with a 2 fish bag limit!

Thank You,

*Jill Skidmore*  
Jill Skidmore

Po box 1127  
Soldotna AK 99669  
907-262-2980

"Your Adventure Begins Where The Road Ends"

72



P.O. Box 2826  
Kodiak, Alaska  
99615

Capt. Chaz Glagolich  
Owner/ Operator  
(907) 486-6930

March 21, 2001

David Benton—Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue Suite 306  
Anchorage, AK 99501-2252

RECEIVED

MAR 22 2001

N.P.F.M.C

Subject: Halibut Charter Management Plan

Dear Mr. Chairman,

Is it not, as it should be, the "Bottom Line" of the Halibut Charter Management Plan to ensure the continued healthy stock of the bio-mass? If this is truly the issue, please consider the following:

- Charter boats are merely platforms from which individuals with a sport-fishing license can hopefully fulfill the parameters of that license. If the healthfulness of any particular bio-mass is an issue, the daily bag limit or "slot-size" could be adjusted accordingly. This existing flexibility in regards to annual sport fishing license parameters is the obvious, simple, cost effective, and common sense solution to a potential problem concerning a common use resource.

Sincerely

C.A. Glagolich  
Chazman Charters  
Kodiak, AK 99615



20 MARCH 2001

DAVID BENTON - CHAIRMAN  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
505 W. 4<sup>TH</sup> AVE SUITE 306  
ANCHORAGE, AK 99501-2252

RECEIVED

MAR 22 2001

N.P.F.M.C

DEAR MR CHAIRMAN —

I AM A RESIDENT OF ANCHORAGE AND ALASKA FOR 35 YEARS THIS COMING AUGUST. DURING THIS PERIOD I'VE TAKEN THE SAME FISHING CHARTER OUT OF HOMER EVERY YEAR FOR 32 YEARS. SOME YEARS I'VE TAKEN AS MANY AS FIVE FISHING CHARTERS DEPENDING ON THE NUMBER OF FRIENDS AND RELATIVES VISITING FROM THE LOWER "48".

PLEASE NOTE THE FOLLOWING POINTS REGARDING  
"INDIVIDUAL FISHING QUOTA"

POINT #1 — THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL IS LOPSIDED IN FAVOR OF COMMERCIAL FISHING VS. SPORT FISHING (10 MEMBERS FOR THE COMMERCIAL FISHERMAN [INDUSTRY] COMPARED TO ONE FOR THE SPORT FISHERMAN SIDE).

POINT #2 — SPORT FISHING INDUSTRY PUMPS MORE MONEY INTO THE ALASKAN ECONOMY THAN THE COMMERCIAL FISHING INDUSTRY.

POINT #3 — FISH IS A PUBLIC RESOURCE, — SO — WHEN I CATCH A FISH IT BELONGS TO ME. — NOT — THE CAPTAIN OF A FISHING CHARTER SERVICE.

POINT #4 — FISH BEING A PUBLIC RESOURCE SELLING ONES QUOTA WOULD BE ILLEGAL.

POINT #5 — RESTRICTING THE COMMERCIAL FISHING INDUSTRY FROM PUTTING THEIR LOBLINES IN COOK INLET WATER WOULD IMPROVE THE AVAILABILITY OF FISH FOR THE SPORT FISHERMAN TO CATCH, WHICH WOULD IMPROVE THE ECONOMIC POSTURE OF ALASKANS.

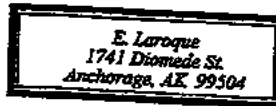
IN SHORT AN IFQ FOR SPORT FISHING IS NOT  
THE BEST INTEREST OF OR FOR ALASKANS.

SINCERELY

*Ernest Laroque*

ERNEST L. LAROQUE

COPY FURNISHED ←



GOVERNOR TONY KNOWLES  
U.S. SENATOR TED STEVENS  
U.S. SENATOR FRANK MURKOWSKI  
U.S. REPRESENTATIVE DON YOUNG  
MR. ELDON MULDER

74

3/21/01

Dave Benson, Chairman  
North Pacific Fishery Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99501  
FAX 1-907-271-2817

RECEIVED

MAR 25 2001

N.P.F.M.C

Dear Mr. Benson,

I am opposed to the implementation of a halibut charter IFQ program. This whole concept appears to be the handiwork of established charter boat operators who wish to limit their competition and line their pockets by privatizing a public resource. While charter boat captains have every right to express their views as members of the general public, any charter boat captain or other individual with a substantial financial interest in this matter should be recused from participation as an Advisory Panel Member or Council Member. See *Carney v. State Board of Fisheries*, 785 P.2d 544. Some of my other concerns are as follows:

1. Accurate base data for determining an equitable allocation of IFQ shares is not available. Log book entries of numbers of fish (not weight) caught over a short period of time, even if considered credible, cannot reasonably and fairly establish historic use of the resource.
2. Implementation of a charter IFQ program will increase the operating costs for those initially entering the charter business and for existing operators who find the need to purchase additional quota shares. These additional costs will be passed on to the consumer via higher charter fees. Guided sport fishing for halibut will become an elitist activity for the rich, especially later in the summer when most of the quota has been caught and demand for fish exceeds the supply of available "fishing platforms."
3. If quota shares are allowed to be transferred between the commercial fleet and the charter fleet, an imbalance could result. In a worse case scenario, market forces could cause all of the charter allocation to be bought up by the commercial fleet or visa-versa.

4. This program presents an enforcement nightmare! The Homer charter fleet alone could keep 50 enforcement officers busy all summer. The fact that most of the boats return to port at about the same time every day compounds this problem.

5. This program would set a precedent for privatization of other public resources. What would be next, ICQ for clams? IDQ for ducks? IHQ for big game?

Charter IFQ is an ill-conceived program that creates more problems than it corrects. Before the Council goes down this slippery slope I hope it considers more traditional measures to reduce the impact of the charter fleet on halibut stocks such as the following:

1. Reduce the daily bag limit for guided sport fishing to one halibut (leaving the unguided sport fishing limit at two halibut per day).
2. Reduce the possession limit for guided sport fishing from four fish per person to one fish per person and reduce the possession limit for unguided sport fishing from four fish per person to two fish per person.
3. Prohibit captains and crew from taking halibut during commercial charter operations. (Under current regulations, a captain plus one crew member fishing 100 days a year could harvest 400 halibut in addition to those caught by clients).
4. Close halibut chartering on specific days. (Kenai River salmon charter operations are closed on Sundays and Mondays in July).
5. Outlaw the crucifier on all fishing vessels including cod longliners.

Thank you for hearing my concerns.

Sincerely,

*Frank Griswold*  
Frank Griswold  
519 Klondike Avenue  
Homer, Alaska 99603

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

75  
RECEIVED  
March 20, 2001  
MAR 23 2001  
N.P.F.M.C

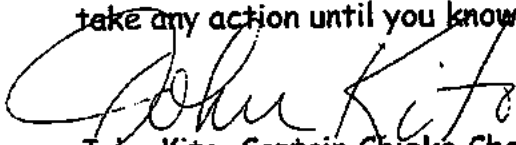
Dear Mr. Chairman,

I am an Alaskan resident operating my own halibut-Sportfishing charter service in Seward, Alaska for the past 15 years. I recommend that you take no action on the Charter industry including implementing the GHL. There is no justifiable rationale to impose an IFQ management scheme on the halibut charter fishery in Alaska. It is an unreasonable program developed without sufficient analysis and is not justifiable, regardless of the momentum behind it. There hasn't even been the "town meetings" generally heralded as the appropriate thing to do before such a major decision is contemplated. The GHL is an inadequate allocation that was imposed on the charter fleet by the council with no representation for either the charter industry or the recreational sector. I am asking you to study the impacts and preserve fishing opportunities for future generations of anglers. I also ask you to prevent the giveaway of a public resource.

The Council has not analyzed the potential impacts on the anglers who go out on the charter vessels. It has been standard practice for other Management Councils to hold Town meetings in many communities to obtain public comment in a less intimidating and more convenient setting than a NPFMC meeting in Anchorage. This has not happened. There has been no effort to inform potential charter operators that restrictive measures would be forthcoming. Only a fisherman astute enough to study the federal register would have known that these measures were coming.

The final analysis fails to present any understanding of the Alaskan Charter industry or recreational fishing in America. Speculating that charters may end up offering a service similar to trout pond, where our clients may pay for their trip based on how many pounds of halibut they retain is unheard of in any other recreational fishery in America. The fact is, no one knows what will happen to the guided halibut charter industry if an IFQ program is implemented. That in itself should be unacceptable for any person in a management position.

If you decide to implement any management measure on the charter industry, you will be doing it without proper research, public testimony and for no reason other than to preserve the historic income levels for certain commercial fisherman, at the expense of everyone else. I ask you not to take any action until you know what the outcome will be.

A handwritten signature in cursive script that reads "John Kito". The signature is written in black ink and is positioned above the printed name and address.

John Kito, Captain Chieko Charters  
12601 Beachcomber Dr.  
Anchorage, Alaska 99515

March 10, 2001

76  
RECEIVED  
MAR 23 2001  
N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Mgt. Council  
605 West 4<sup>th</sup> Ave., Ste. 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton:

I am taking time from my schedule to write this letter urging support for an IFQ Program covering halibut charter vessels in Mgt. Units 2C and 3A.

My family has participated in commercial salmon and halibut fishing for 30 years. During that time we have seen our commercial salmon fishery gradually reduced from a viable commercial fishery to a barely sustainable industry. The reasons for the demise of our salmon fishery in Cook Inlet are many and varied, however, one main reason is the continued taking from the commercial side of our fishery to establish every imaginable new fishery. This should not be allowed to happen to our halibut fishery.

Since our salmon fishery has fallen by the wayside, I have invested heavily in halibut IFQs to help maintain our family income.

I live in Kenai, and as Past Mayor of the City of Kenai and Past President of the Kenai Chamber of Commerce I feel that I can say without a doubt that a very large amount of my fishing income is spent here in my local community. My current investment in the halibut IFQ Program is \$130,000 in IFQs supporting an additional investment of \$145,000 in vessel & fishing gear; therefore, a continued dispute among various user groups should be avoided at all cost.

Therefore, I submit to you and other Council Members that my family and I subscribe to the following points that are endorsed by the Halibut Coalition:

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Thank you for the opportunity to provide my input for your consideration. Please feel free to contact me if I can be of further assistance in your deliberations of this important matter.

Respectfully,

  
Tom Wagoner

MR. & MRS.  
THOMAS H. WAGONER  
4040 Primrose Place  
Kenai, AK 99611

CC: Tony Knowles  
Halibut Coalition



77

**MICHAEL W. McCORMICK**  
12200 West Skyline Drive  
Eagle River, Alaska 99577  
(907) 694-2846

March 5, 2001

North Pacific Fishing Management Council  
605 W. 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 22 2001  
N.P.F.M.C

Re: Halibut Sport Fishing Charter IFQ's

Dear Sirs:

It is my understanding that, on March 12, the Council will begin final action on the implementation of a federal program to include the halibut charter fisheries into the existing IFQ (Individual Fishing Quota) commercial program. You are essentially considering two options:

1. Maintain the status quo, or
2. Implement this IFQ system giving this public resource to existing charter operators who operated in past years.

I strongly object to you giving away this public resource. Currently there is no shortage of fish and, since 1994, there is a declining trend in numbers of charter businesses. I realize many existing halibut charter operators see this as a way to own a valuable public resource, stifle competition and achieve a higher rate for their services. They are being encouraged by commercial halibut IFQ holders who want the sport fish catch limited. Therefore, you probably have some strong voices supporting implementing an IFQ program.

But, if implemented, the result will be that the public will pay more and have fewer charter businesses to choose from. How can this happen? You say you've received few negative comments from the public. Who knew? Certainly not our out-of-state visitors. Certainly, few Alaskans unless you're a commercial fisherman or halibut charter operator. There is no organized campaign against it. The public cannot vote on it. It could simply pass by the council (dominated by commercial fisherman) and become law.

I ask you not to do this. It is bad public policy.

Very truly yours,

  
Mike McCormick

cc: Senator Ted Stevens  
ADF&G

78

Grey Eagle Charters, Inc  
Seward, Alaska

PO Box 2023  
Seward, Alaska 99664  
18207 Clear Falls Circle  
Eagle River, AK 99577  
Phone: 907-694-6688  
Cell: 907-227-6983  
Seward: 907-224-2382  
Email: ghiller@ptalaska.net

North Pacific Fishery Management Council  
David Benton, Chairman  
605 West 4th Avenue, Ste 306  
Anchorage, AK 99501-2252

Dear Chairman Benton,

I am a charterboat operator fishing out of Seward. I qualify for any proposed IFQ given to charter operators, however after studying the proposal before the Council, I am opposed to this program. The proposal before the Council does not belong in the guided fishing sector, it clearly should remain in the commercial fishery only.

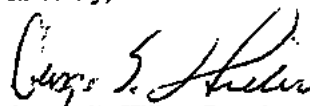
The majority of charter operators who represent us at the AP and the Halibut Charter Working Committee, who favor the IFQ concept, will substantially gain themselves if the quota share program is enacted. Therefore, I can only conclude they truly do not represent the majority of guided fishing operators.

My primary concern is the cost and fiscal impact associated with this program. Certainly there will be fees passed on to the charter sector to implement and administer the quota share program. These fees will be passed along to clients. It seems there is always some fee or another added to our costs, which are passed along to clients, however our income depreciates due to inflation and increased associated business costs.

Contrary to popular belief the majority of guided fishing operators do not make a lot of money. The proposed quota share program only rewards those who currently qualify for an IFQ and receive a substantial quota. Those who have to purchase quota shares to get into the guided fishing business or increase their shares will suffer, and in a lot of instances will not make enough money to continue in the business.

I urge you and your fellow council members to table the proposed guided fishing IFQ program and continue support for the GHL which has been forwarded to the Secretary of Commerce. I would ask you to consider establishing a limited entry program in conjunction with the GHL to calm worries that the guided fishing fleet is increasing out of control.

Sincerely,

  
George E. Hiller, Captain

RECEIVED

MAR 22 2001

N.P.F.M.C



79

# SOUTHWEST CALF RANCH, INC.

◆◆◆  
18903 W. Hwy 85 ◆ Buckeye, AZ 85326 ◆ U.S.A.  
Phone 623-386-5610 ◆ Fax 623-386-2816

15 March 2001

RECEIVED  
MAR 20 2001  
N.P.F.M.C

David Benton – Chairman  
North Pacific Fishery Management Council  
605 W 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

SUBJECT: IFQ Program for Halibut Charter Operators

Dear David Benton,

I am a non-resident of Alaska, but I spend several weeks each summer fishing the waters of Cook Inlet for Halibut and Salmon. I spend many thousands of dollars every summer fishing with Halibut Charters fishing out of Nimitchik and I have been spending my summers this way for many years. Why am I writing to you, as Chairman of the North Pacific Fishery Management Council? You need to know how I feel about this issue as I'm sure many other non-Alaskan residents feel and most likely many Alaskans as well, but many are too timid or too busy to tell someone how they feel.

I learned about this IFQ issue from one of my friends in Anchorage, who happens to be a Halibut Charter Operator. We were making arrangements for my summer fishing adventures, when he told me that things might be very different if this IFQ issue is forced upon the Alaska Halibut Fishery. As I understand the issue, the Commercial Halibut Long Line Fishermen are afraid that too many fish are being caught by Charter Operators and they want to limit how many boats can fish for hire, but they don't want to allow any reduction in their catch limits or the amount of fish they are allowed to throw-a-way each year as by-catch.

My concerns are many, but I'll attempt to address some of extreme concern to me and I would like to think anybody who has a stake in Halibut fishing in Alaska. First of all, as I understand the IFQ program, it was established to monitor troubled fisheries to limit entry of "Commercial Fishermen" so as to ensure "Public Access" to the resource for the future. If we apply this definition to the IFQ program being considered in Alaska for the Charter Operators, does this mean that all Halibut caught will then become the property of the boat operator? That's what Commercial Fishermen do. They own all fish brought aboard the vessel. I don't believe that is the intent of the IFQ program, since the Alaska Dept of Fish & Game have assured me that the Halibut caught on Halibut Charters will continue to belong to the fisherman, who hooks the fish and that all "Sport Fish" regulations will continue to apply. If that is true, then IFQ should not and cannot legally be applied to Charter Operators. Secondly, since IFQ was designed to protect "Troubled Fisheries", and the Annual catch limit has been increased this year and is at an all time high, then it could not be considered "Troubled".

If in the future a problem occurs, then a more logical approach would be to limit annual limits. First and foremost should be a major reduction in wasted by-catch by "Commercial" fisherman, those who already own an IFQ permit. Secondly, a minimum size limit should be implemented to reduce the take of undersize chickens. The beaches are littered each summer with fish as small as 12"-18". These are our future fish and must be saved. Thirdly, a slot limit could be instituted. Take no fish over 100 pounds, since all of these fish are female and breeders. Their loss must surely be having an impact upon the overall fishery.

My last concern is that the way the IFQ is proposed, my friend sent me a copy of the proposal, it will limit the number of Charter Operators to those in business and fishing during the 1998 and 1999 season. They would be capped at approximately 70% of their average catch for those two years. Those other long-term charters would gain an additional 10% share for every year they fished all the way back to 1994. This type of system takes care of the "Good Ole Boys", but limits any new business and in this case limits those who have gotten into the game within the past few years regardless of their investments. What

does this mean to me? With limited access to charter operators, it can only lead to higher prices and fewer seats on the boat for us non-residents.

Please think seriously about the legitimacy or fairness of taking a "public resource" the Halibut and making it personal property of a few "Good Ole Boys", who have been busy trying to create a future monopoly for themselves at the expense of everyone else! Clearly, this is not needed or wanted by most Halibut Fishermen. There ain't a problem with the Halibut Fishery in Alaska, according to the Alaska Dept of Fish & Game and the International Pacific Halibut Commission Annual Report for 1999. The fishing is the best it has ever been. If a problem develops in the future, then fix the problem; don't create a bigger one. Eliminate or reduce wasted by-catch by forcing the commercial fleet to find a better way of fishing. Set a minimum size limit and quit taking the little ones and stop taking the breeders. A picture will make a fine trophy without killing the future generation of Alaska's Halibut Fishery.

Thank-you for the opportunity to express my concerns. Please don't allow a group of Long-term Halibut Charters to change the future of Halibut fishing in Cook Inlet. If you do, I and many others will be forced to carry our dollars elsewhere and spend them where we are better appreciated.

Respectfully,

A handwritten signature in cursive script that reads "Don Byler". The signature is written in black ink and is positioned below the word "Respectfully,".

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

3/18/2001

RECEIVED  
MAR 20 2001  
N.P.F.M.C

Dear Mr. Benton,

I am a halibut charterboat owner operating out of Homer. I have participated in the charterboat issue since it's beginning and am familiar with the details.

The crux of the charter/commercial allocation problem stems from the pending implementation of the GHL. Under a declining GHL the charter fleets, with no restriction on growth, will implode in a short time to a very short season where the public will have a restricted access to the resource. When Southeast commercial fishermen asked for restrictions the charter fleets asked for status quo. When we saw that some type of restrictions were going to be implemented whether we liked it or not we asked for a moratorium. When we saw that a moratorium was a very slim possibility because commercial fishermen thought it only delayed the problem we asked for IFQs, but only when we were backed up against the wall. Now we have come to this point. With an IFQ system we are trying to salvage a season of historic length. Personally I don't think there is even a problem. Southeast Alaska had a problem develop because of the increasing cruise ship traffic dumping out hundreds of tourists in local waters to fish for halibut. Commercial fishermen there wanted to restrict the growth of halibut charter fishing because they saw it eroding their allowable catch. The SE commercial fishermen wanted to see their proposed restrictions imposed on all of coastal Alaska even where there were no problems. The IPHC made a huge mistake in their projections that the charter fleets would eventually overtake the commercials in catch if they grew at the rate they were growing in the early 90s. In some areas like Homer we actually have declining growth. Now we are in a situation where no one can seem to back up. I want to go on record as saying that my company can definitely live and prosper with status quo. That is where the charter boats compete in the free marketplace for their clients. Any good company will do just fine. However the commercials want a GHL and without restrictions on growth we charterboat operators (and the public) will be hurt terribly. We don't need IFQs or a Moratorium but if we get a GHL we will need one or the other to have a healthy fishery where the public will have the maximum access to the resource.

In light of the GHL, the alternatives in the final industry analysis 2/26/2001 in order of importance to me are:

1. status quo
2. a moratorium on new growth
3. a generous and workable IFQ system

I think a properly crafted IFQ program could address my primary concern that I always have a season of historic length and the public have historic access. My family has made its entire livelihood in the halibut charter industry for 23 years and a shortened season

would create a financial hardship. Adequate quota shares (QS) and IFQ would allow us to fish a season of historic length while addressing resource conservation issues and making sure the public has maximum access to the resource. If there are more clients than boats then an operator can buy or lease more IFQ to accommodate them. If you are concerned that the charter prices will go up you should consider that halibut fishing is a luxury not a necessary like gasoline for you car. I believe the public will only pay what it is worth to them to go fishing and when the price goes above that they will not come. When commercials were given private ownership of the public resource the value of halibut over the dock didn't suddenly go up. Our price is market driven just like theirs.

If the IFQ issue is considered I think initial QS should be based on Option 1. 125% was originally proposed by commercial fishermen so that under a GHL charterboats would be assured of a season of historic length and have room to grow. 125% was decided as the GHL amount under Option 1 at the April 2000 meeting. Since then options 2 and 3 have been added to increase the commercial quota and decrease what was promised to the recreational fisherman.

The charterboat industry is unique in its use of the resource in that the businesses compete for clients not fish. In Homer we actually co-operate with each other to find the schools of fish. Over all the years my vessel, the "Irish" has averaged about 110 days each year and averages about 80% of full passenger capacity. During the Atlanta Olympics the average went down and during the two years just after the Exxon oil spill the averages went up. The TAC could be increased by millions of pounds and we couldn't get them because we would still be taking just our average number of passengers. The problem is that when the TAC is increased, as it is this year there is NO benefit to the charter fleets. But when the TAC is lowered we will definitely share in the catch reduction through a reduced GHL. Since we can't share in the increases it is only fair that we don't suffer as greatly during the declines. The 125% would help protect us during the declines. If the financial markets continue in their decline we could very easily be in a situation this summer where we actually lose revenue because of less travelers with disposable income in a year of halibut abundance.

Under IFQ issues: Issue 1 - Yes to the suboption. 50% of individuals QS would be fixed and the remainder would float with abundance. This for the same reason that we cannot benefit from greater abundance so we should not suffer as much from the declines.

If conservation is a concern in the above two issues then rather than letting the commercials fish the greater abundance why not bank a certain percentage and perhaps the resource will not decline as greatly when it eventually does.

No to the Kodiak proposal. This proposal would take from the top producing boats and give equal QS to the least producing boats. This will actually reduce the public access to the fish because the top producing boats provide the most access through better advertising, more streamlined operations, better maintained boats and they just flat do a better job. Why should the better operators subsidize the poorer quality charter boats? Poor quality operations eventually tend to sink (pun intended) because they are poor

quality operations. Don't prop them up. You will actually be reducing the public's access to the resource.

Under issue 10 reporting:

Option 2. ADF&G logbooks – yes If an operators book isn't filled out at the end of each day then they should be held in violation and some point system be put in place so that if an operator accumulates x number of points he loses QS. This fishery must be protected.

Option 4: Charter IFQ fish tags. Yes. If these tags were required to be put in each fish as they were caught or put one tag with every 4 fillets I think it would be a visible record of compliance in the amount of IFQ used. Also it would be easier to lease fish tags rather than fish to operators that need them. When an operator ran out of tags it would be very visible that he would either not be able to fish anymore and he could either quit for the year or lease or buy more fish tags.

Issue 11. Community set-aside. No. It is true the commercials give up 10% of TAC for CDQs in Western Alaska but the villages hire commercials to fish the CDQs. There are no charters in these outlying rural communities now because the access makes it cost prohibitive. You would actually be reducing the publics access by taking away resource from the producing communities and giving it to non producing communities. People aren't going to go to rural villages to fish halibut because they suddenly have quota share. We would be creating direct competition with our neighboring villages and towns in the pursuit of fishing clients and contributing to over capitalization of charter fleets.

I have gone through the Final Analysis and highlighted in each area the options etc. that I think are important to my business.


There are people in the charter industry who feel that if it appears that commercial fishers are trying to reduce the sport catch only to enhance their own fishery rather than build a fair IFQ program then they are prepared to support the anti IFQ crowd and take their grievance to the Secretary of Commerce and point out to him that this is just a land grab by commercial fishermen and that the public will be the losers. I can see that if there is no support whatsoever from the charter industry it will have a much harder time in Washington. I don't know about you but I am getting tired of dealing with this.

I think the GHL and local area management plans are probably a good idea from a resource point of view. Keep in mind when you make your decisions that the charter catch increase that was to have had devastating consequences for the commercial halibut fishery never materialized. The charter catch has remained roughly the same at 2.8 million pounds in area 3A and doesn't look to change in the foreseeable future.

A tempest has been created in a teapot.

Sincerely

Sean Martin



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P.O. Box 1559  
Valdez, AK 99686  
March 27, 2001

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

RECEIVED  
MAR 27 2001

N.P.F.M.C

Dear Chairman and Council Members:

I support a properly designed IFQ plan for the charter industry and would like the council to consider my circumstances, which I am certain, are reflective of others in the charter fleet.

I have been a charter boat operator in Valdez, Alaska for the past 9 years. Chartering provides a livelihood for myself and my family, as well as, a vital service to the public and the tourism industry in Valdez.

We sold our vessel in 1999 to downsize to a smaller boat and will begin chartering again this season. All options that require 1998 *and* 1999 logbooks put us at a distinct disadvantage. I think it unfair that I should be penalized for downsizing. Longevity should have equal worth with 1998 and 1999 logbooks when factoring the quota.

I encourage you to support Issue 3, Option 2 - with no suboptions. Concerning Issue 4, I support Option 1; I feel this is the fairest for the majority because it provides the current amount of resource to the boats that are responsible for catching it.

In April 2000, the council decided the GH. amount of 125% in Issue 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small measure of growth for our business; we wish to see you respect your decision.

The initial allocation should have a fixed 50% poundage and not float with abundance- the TAC changes too much for our business to compete. A 50% fixed percentage will soften the negative impact to our business and help maintain public access considering this program is being implemented during the natural decline cycle of the halibut.

Thank you for your consideration.

Sincerely,

  
David A. Tousignant  
Northern Magic Charters

Cc: Gov. Tony Knowles  
Cc: US Sec of Commerce



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MAR 26 2001

N.P.F.M.C



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March 1, 2001

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

Chairman Benton, Council Members:

My name is Larry McQuarrie. My family and I operate Sportsman's Cove Lodge, on Prince of Wales Island, in Southeast Alaska. We employ a staff of up to 32 people from April to October, and maintain 8 employees year around. We operate five 37' six-pack charterboats. Our Lodge accommodates 30 guests in a full service sportfishing package format.

I have held a USCG Master's ticket for nearly 30 years. My family has been in the charter and guided lodge business in Alaska for the past 17 years. My two sons have held USCG licenses for 15 and 18 years respectively. I have testified before the Council on many occasions over the last five years, and more recently, was privileged to serve on the Council's GHL Committee, as well as the Charterboat IFQ Committee.

With regard to the Halibut Charter Management issues currently before the Council, I would like to speak against Alternative 1. Status Quo and Alternative 2. Moratorium, and in favor of Alternative 3. Include the Halibut Charter Sector in the Existing Halibut IFQ Program.

Industry members of the IFQ committee, with input from representatives of the charter industry, and others, have worked diligently in recent months and weeks to flesh out a consensus position that the charter and guided lodge industry can live with. It has not been easy. But I believe the agenda that is outlined following, represents the best interests of the industry, while taking into account the concerns for the affordable public access to the resource, the "open-ended allocation" dilemma of the directed longline industry, and the other issues cited in the Problem Statement. However, please be aware that the options cited following are the only acceptable options in the plan for the guided halibut industry. If you select other options, they may adversely affect the desired outcome of this management measure and serve to cripple the charter industry.

Please keep in mind that thousands of Alaskan jobs and millions of dollars of revenue are hinging upon your decision.

Alternative 1. Status Quo: As of April, 2000, Status Quo means placing the charter fleet under the Council approved GHL. Many hours of testimony before the Council have been heard from the industry in opposition of the GHL. Paramount among the concerns are that Status Quo - a GHL alone - does nothing to restrict entry. A cap (GHL) without restricted entry is a recipe for disaster.

Alternative 2. Moratorium: On the surface it would appear that by combining this Alternative with Alternative 1. an acceptable solution could be found. Unfortunately such is not the case. The moratorium would apply only to halibut. Many, if not most of the fleet, fish both halibut and salmon, and other species as well. A moratorium for halibut alone would be an enforcement and regulatory nightmare. In addition, a moratorium does nothing to address the *already* overcapitalized fleet (would reward speculators and would not appreciably reduce the fleet) and does not *quantify* the level of future participation by those granted permits under the moratorium.

Alternative 3.

Include the Halibut Charter Sector in the Existing Halibut IFQ Program: There are many Issues and Options that have been analyzed and offered for review under this Alternative. The following is a synopsis of the consensus choices that the industry members of the IFQ committee, in conjunction with the charter industry, and others, have selected. In reviewing this *consensus position from the industry members of the IFQ Committee* the reader is reminded that there may be conflicting recommendations from the Advisory Panel. It would be prudent to remember, that the AP *was never intended to, and does not represent the charter industry or the interests of the recreational angler who will be affected by this action.* The composition of the AP is such that it's interests are very divergent from those of the sportfishery, and AP opinions in conflict with those presented here should not be unexpected.

Issue 1. Initial QS may be based on:

Option 1. 14.11% in Area 3A and 13.05% in Area 2C of a combined charter and commercial quota.

Discussion: These are Council numbers, derived after considerable deliberation and debate. The Council decided upon this amount, in the form of the GHL in April 2000. The commercial sector embraced these numbers during the discussion leading up to the Council's Final Decision on the GHL in April, 2000. There is an attempt now, from the commercial sector to repudiate the Council's action and to renounce the percentages decided upon previously. The Council should stay the course. Option 1., the GHL numbers, should be the base amount for the charter IFQ allocation.

Suboption: 50% of an individual's QS initial issuance would be fixed and the remainder would float with abundance.

Discussion: The initial allocation should have 50% fixed in poundage and not float with abundance for the following reasons:

1.) Annual variations in the Total Allowable Catch are often far more than the charter fleet can accommodate. The industry simply can't gear up and gear down the way the commercial fleet can. This option would soften this negative impact to the charters and provide stability to the industry from season to season, as only half of an individual's shares would be subject to annual fluctuations of the TAC.

2.) In years of high abundance the commercial sector would be able to access additional quota that the charter sector would be unable to harvest.

3.) In years of low abundance it would reduce demand-driven inflation of charter share values. Overall it would have a stabilizing effect on the values of charter QS/IFQ.

4.) By reducing the annual IFQ swings, the need for the charter fleet to buy/sell/lease shares will be reduced, with corresponding economies of management.

5.) The recreational anglers have expressed concerns that the IFQ program will restrict their access and increase the cost of charters. This will add a measure of assurance that they won't lose access, especially if the fixed quota is restricted to the charter sector only and always remains available to the public through the industry.

6.) The timing of this issue to the natural decadal cycle of halibut leaves the charter industry in a losing position for the next 5 to 9 years according to the IPHC forecast. To fix a portion of the charter quota helps to mitigate this natural timing impact.

Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis:

b) 75% ownership

Option 1. Charter vessel owner - person who owns the charterboat and charterboat business.

Option 2. Bare vessel lessee - person that leases a vessel and controls its use as a charterboat for this fishery.

Discussion: The problems with multi-national corporation and foreign ownership of our natural resources are well known. The industry feels that quota shares should be held to the most stringent American ownership rules possible.

The inclusion of both options under Issue 2. has universal support within the industry.

Issue 3. Qualification Criteria

Option 2. Initial issues who carried clients in 1998 or 1999 and who submitted ADFG logbooks for an active vessel (as received by ADFG by February 12, 2000)

Suboption: Require that initial issues be currently participating (meeting all legal requirements including filing a logbook) during season prior to final action (currently May-Sept 2000) and claimed trips must have been under the operation of a person holding a U.S. Coast Guard license.

Discussion: Option 2. allows the greatest number of operators into the system. Although this would dilute the QS pool, the industry feels that this option is necessary for a wide support base for the program, and to address the concerns of public access and affordability of charters.

The suboption is necessary to help eliminate speculators, of which there are many, who would further dilute the pool and affect legitimate, invested operators.

Issue 4. Distribution of QS may be based on:

Option 1. 70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-97 (longevity reward).

Discussion: Option 1. was developed to protect the operators who had the most invested in time (and often in capital). Commonly called the "Homer Option" it was cultivated from within the industry and is generally preferred over the existing Option 2 that has been offered for analysis.

In the analysis there is a discussion regarding methods to redistribute the remainders under each option. It is possible that some portion of the remainder could be best utilized to resolve hardship cases and/or grievances. Otherwise the methods favored by the industry representatives on the IFQ committee were equal distribution of the remainder if Option 1 is chosen, and proportional distribution if Option 2 is chosen. Equal redistribution in Option 1 provides additional quota to the smaller/newer charter operators and would provide a means of mitigating some hardship circumstances for them. If the existing Option 2 is chosen (which is not recommended) the preferred redistribution for the remainder would be a proportional distribution to help offset some of the adverse effects of the plan.

Option 2 under this issue has been called the Modified (now referred to as the "original") Kodiak Proposal. Under this plan the top volume businesses would have to buy/lease quota to maintain their original volume. Also, some charters would receive quota for fish they never caught and may never have the business volume to harvest in the future. It would also remove fish from the busiest ports (the ports where there is the most demand) and send them to ports away from the people. In effect it would decrease existing access to anglers and would put market forces in place that would increase the cost of shares. The result would negatively affect the affordability of access by guided recreational anglers. Option 2, the Modified (original) Kodiak Proposal failed to receive widespread industry

support, and in the end it was described as "indefensible" by its proponents (Who, incidentally, described Option 1 as "indefensible" as well) . A new "Revised" Kodiak Proposal has been prepared for consideration. The "Revised Kodiak Proposal" has not been analyzed and is not discussed here, other than to say that it solves many of the concerns found in the original version, enjoys better acceptance in the industry than the original, and is worthy of consideration. It has even been suggested that a melding of the two, applying the "A" factor to the 70% in Option 1 could be the compromise that will find more universal acceptance.

A suboption under this issue related to the counting of released fish as a component for determining the distribution of QS. The suboption should not be considered. There is no way to allocate un-retained fish if they are not to be harvested. Catch and release is at no cost to the IFQ holder. If it doesn't count towards the IFQ, it makes no sense to count it at all.

Issue 5. Transferability of QS (permanent) and IFQs (on annual basis [leasing])

Option 1. Two types of Charter QS/IFQ:

- a) Leasable
- b) Non-leasable

Discussion: The suboption under Issue 1 would provide for 50% of an individual's quota being fixed. That fixed portion of quota must remain in the charter sector and further, would not be leasable, even within the charter sector. The remaining 50% that floats with abundance would be leasable, subject to various leasing restrictions.

A suboption under this option would require the quota holder to have some percentage of ownership in a vessel before his quota could be fished from it. This relates to the "owner on board" provisions that the commercial sector felt was necessary in their IFQ program. The charter industry does not have those concerns, and in fact such a provision would eliminate common practices now in existence in the charter fleet. Also, the argument has been made that the resource belongs to the public, and in that light, the owners are on board during charter operations. The industry would recommend that the "owner on board" suboption that attempts to define leasing be dropped from consideration for charter

operations. It is cumbersome, unnecessary, and in conflict with current practice.

If unused charter IFQ is to be fished commercially, as alluded to in the draft analysis, at the point when the left over charter fish is transferred to RAM for conversion to pounds which will be fished and sold, the charter operator (if so qualified) then becomes a different entity, and would be subject to the "owner on board" provisions of the commercial IFQ program. The difference in treatment occurs at the moment of transfer.

Option 2. Transfer of QS (permanent) and/or IFQs (leasing):

b) allow transfers between charter and commercial sectors

2. one way transfer from commercial to charter during the first 3 years.

Discussion: Both the commercial and sport sectors desire to have transferable shares and/or IFQs. Both sectors need to be able to accommodate swings in abundance. However, the charter sector has no experience living under a quota program and has no idea of the value of charter quota. On the other hand, the commercial sector has lived for 6 years under their quota system and they have established a value for it. In addition, a concern has been expressed that there could possibly be a commercial "run" on the charter QS, resulting in a permanent decline of public guided recreational access to the resource.

This option would allow transfers from commercial to charter but not from charter to commercial for the first 3 years. (Transferred quota could be bought/sold and leased within the charter sector however. See Option 4 under this issue.) This would protect our industry and the recreational access at the current levels until such time as we are better prepared to deal with the market forces affecting charter QS/IFQ.

At the end of the 3 year trial period, there are at least two possible scenarios: an automatic opening of transfers; or a Council review of the issue based on the experience gained during the 3 year trial period.

Suboptions under Options 2. b) 1-3:

iv. A range of 10% leasing of Charter IFQ to charter from charter for the first 3 years

Discussion: This suboption would parallel the one-way transfer restrictions from commercial to charter in Option 2. b) 2. above. It would restrict charter-to-charter leasing within the fleet to 10% of the individual's entire continual holding for the first 3 years. If the suboption under Issue 1 Option 3. is adopted such that the 50% fixed quota is non-leasable, then only the floating 50% would be available to lease, to other charters only, up to the limit of 10% of the individual's entire QS.

This requires the initial issues to fish their quota or sell out to other charters and leave the industry. They can only lease 10% - and only to charters. They cannot sell it to commercial.

There are several other suboptions in this section that are either unnecessary or redundant to other recommended provisions, and should not be considered.

Option 3. Block restrictions

a) any initially issued (i.e., unblocked) charter QS once transferred to commercial sector shall be:

3. unblocked

b) allow splitting of commercial blocks to transfer a smaller piece to the charter sector

Discussion: Option 3. a) 3. would maintain the unblocked status of initial issue charter quota when it is transferred to the commercial sector, and helps to retain the enhanced value of the unblocked charter shares. Option 3. b) would lift some restrictions on blocked commercial quota to allow it to leave the commercial sector in small, affordable segments.



Option 4. Vessel class restrictions

a) from A, B, C, and/or D commercial vessel category sizes to charter sector

1. Leasable

Discussion: If the "50% fixed" option is adopted, only half of the charter shares will be leasable, and during the first three years (possibly longer) only 10% of charter shares will be leasable intra-charter. Quota Shares from any class of commercial vessel should be transferable to the charter sector, and once transferred they should be leasable. This will help the industry deal with the fluctuations in TAC and will preserve the opportunity for new entries to acquire affordable access through leasing.

From an industry point of view, the fewer restrictions on our QS, the wider the market, and the more valuable they become. The caps should resolve any concerns over consolidation (large operations) that are often associated with the concept of unrestricted leasing, and further, there is value in being able to lease shares, or acquire more for leasing, up to the caps, in the event of an injury, or to supplement a retirement plan. It would require prior participation in the industry to qualify, but that could be designed into the system eventually. This provision of the IFQ program alone could add lifelong benefits and security for our operators.

b) from charter to commercial

3. B, C and D category only

c) initial transfer from undesignated charter to a particular commercial vessel category locks in at that commercial category

Discussion: There are concerns from both sectors that "A" vessels could manipulate the system by either buying up and consolidating charter shares and/or "laundering" B, C or D commercial shares via transfers in and out of the charter sector onto A class vessels. This provision addresses those concerns.

Option 5 under this issue relates to a minimum size on transfers. This would be an unnecessary complication to the system. Why restrict access to small amounts of quota holdings simply because they do not meet some arbitrary minimum size? In conversations with Phil Smith at RAM he

confirmed that there would be no problem with transferring any amount of quota, no matter how small.

It is recommended that the council not adopt Issue 5. Option 5.

Issue 6. To receive halibut QS and IFQ by transfer

Option 1. For the charter sector, must be either

- a) an initial charter issuee or
- b) qualified as defined by State of Alaska

requirements for registered guides or businesses\*

\*this would require a change in the commercial regulations to allow transfer of commercial QS/IFQ to charter operator

- c) fulfill all legal obligations of the charter sector

Option 2. For the commercial sector, must have a commercial transfer eligibility certificate.

Suboption: all commercial rules apply to any provision that may permit the use of commercial QS/IFQ for commercial purposes by any entity in the Charter IFQ sector.

Discussion: All of these housekeeping provisions are logical and practical for reducing speculation and maintaining the existing nature of the charter industry, and for compatibility with the commercial IFQ system.

Issue 7. Caps

Option 2. Caps:

a) use cap for charter QS owners only of 1%(approximately 100,000 pounds) of combined QS units in Area 2C and 1/2%( approximately 123,230 pounds) of combined QS units in Area 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

b) use cap for charter QS owners only of 1/2% (approximately 172,860 pounds at current TAC) of combined QS units for combined Areas 2C and 3A (for all entities, individually and collectively) and grandfather initial issues at their initial allocation

Discussion: The caps issue is not an ownership cap on how much charter quota an individual can own, it is a cap on how much can be used for chartering. Option 2. a) is a use cap for each area for operators who charter in either 2C or 3A but not both. Option 2. b) would apply to operators that maintain charters in both areas concurrently. If an operator is going to use quota for chartering in either 2C or 3A it can only be up to a maximum of 1% of all the charter and commercial QS in 2C and 1/2% in 3A. If the operator charters in both 2C and 3A, then he can use no more than 1/2% of the combined commercial and charter shares for both areas.

Percentages greater than 1% were not offered for analysis, however there are several operations, notably in 2C, that are either approaching the Cap figure or are already well over it. At first glance, grandfathering would appear to take care of them. However, in the declining biomass scenario we are now experiencing, these larger, well established businesses would be in trouble immediately upon instituting an IFQ program. The Caps provisions as presented are very rigid and do not offer any relief. Some flexibility must be built into the system to preclude hardship on these longstanding businesses with extensive investments and large employee workforces. *The Council should revisit the Caps issue to protect those long term operations already invested, while simultaneously providing the safeguards that are desirable to prevent any additional consolidation.*

#### Issue 8. Miscellaneous provisions

Option 1. Maximum line limit of 12 in Area 3A (remains at 6 lines for Area 2C), grandfather initial issues

Discussion: This option relates to maintaining the current complexion of the fleet and quality of the charter experience. It would prevent a large quota holder from starting a charter business with a "cattle boat."

Option 2. 10% underage provision of total IFQs

Option 3. 10% overage provision of IFQs remaining on last trip to be deducted from next year's IFQs

Discussion: These desirable options, taken from the commercial IFQ program, have a history, and would parallel the commercial system. The overage provision amounts to 1 or 2 fish per boat.

Option 4. A one-year delay between initial issuance of QS and fishing IFQs

Discussion: This option will allow the Council a window of time to fine tune the program and to ascertain just how much turnover there is in the industry. It will also help to weed out speculators. If charter quota is issued and the program is not begun until the following season, many operators may no longer be in the business to even need their quota.

Issue 9. IFQs associated with the charter quota shares may be issued in:

Option 2. Numbers of fish (based on average weight determined by ADFG)

Discussion: The original intent of the proposal was to have a charterboat use fish as the unit of measure to assure the angler they would be offered a similar opportunity to catch and retain any size fish they choose. This prevents the charter from taking the customer to a "chicken patch" to conserve poundage. This also better fits the ADFG regulations that the fleet operates under. Monitoring and enforcement needs to be in fish for simplicity and cost effectiveness.

Issue 10. Reporting:

Option 2. ADFG logbook

Option 4. Charter IFQ fish tags

Discussion: Either one of these options is acceptable to the industry, although the ADFG logbook is preferred. It is already in place, requires no additional support and has an existing body of regulations that strictly governs its use. The logbook is relatively simple, enhancing accuracy, and it is familiar to the industry. Option 5 under this issue, which would "Require the operator to log the catch at the time the fish was retained" could be instituted in conjunction with the ADFG logbook with minimum effort if it was deemed necessary.

The fish tags developed recently, although redundant to the logbook requirement, provide some public awareness and enforcement opportunity not available in just the logbook. Issuing tags at the beginning of the season graphically indicates how many fish a charter operator has

to catch. When they are gone he must acquire more tags or close up shop. Drawbacks to the tags include the fact that an entirely new regulatory system must be developed. Tags can be lost, stolen or destroyed causing additional administrative burdens. Different tags will be required for different classifications of quota, such as leasable or non-leasable, blocked or unblocked. Tags could make leasing obsolete, and leasing restrictions very difficult to enforce and administer.

Option 1, which would "Require charter operators to report landings at the conclusion of each trip," and Option 3 which would "Require a reporting station in every city and charter boat location to accurately weigh every halibut caught," are inappropriate spin-offs from the commercial program which are simply not feasible in the remote, isolated locations where lodges, long range charter vessels and others often operate.

#### Issue 11. Community set-aside

##### Option 1. No community set-aside.

Discussion: First and foremost this issue should be recognized for what it truly is. This eleventh hour addition to a crucial industry paper addressing critical allocation issues is tantamount to tacking on a pork barrel amendment to an appropriations bill in the legislature. It is nothing more than an attempt to rectify being asleep at the switch during the CDQ process, and to do so on the backs of the commercial and/or charter fishing industries.

1.) The sport fishery has been, up to this point, wide open. Nothing has prevented anyone from starting up anywhere. So why aren't there thriving charter/lodge operations in every one of these "special" little places. Very simple: For various reasons, there is no demand (need) for many of them. Otherwise there would BE operations already flourishing in all of these locations. What else is there to prevent them from starting up, and succeeding other than the fact that there is not the demand for them that would be necessary to support viable operations?

2.) No amount of QS is going to create the demand (or need) for a charter operation where the laws of economics will not support it. It is a waste of valuable QS that could be put to good use where it would provide a net benefit.

3.) Part of the problem statement addresses the concern for overcapitalization of the industry. Overcapitalization is a problem, without a doubt. If it was not we wouldn't be at this juncture. The very definition of overcapitalization is having too many operators in areas that cannot hope to support them. That is exactly what we are encouraging more of with the set-aside provisions.

4.) Most of these communities are not all that helpless. I am not familiar with all of them in 3A, but I am very familiar with every one of the 23 (yes - 23!) communities targeted in area 2C. At least 15 of them already have established operations. I know many of the operators personally. They are not getting rich, any of them. Are we doing these communities any favors by assisting them to dilute what marginal trade is already there? To what end?

5.) Some of these communities have scheduled daily Alaska Airlines jet service, or are on a road system. All have established communications and transportation systems and various levels of infrastructure. Yet they are deemed in need of assistance. Other established remote operations near these communities, but not in them, have none of the amenities and infrastructure and cost advantages the communities enjoy. These existing remote operations, many of them long-standing, will be further marginalized by the additional capitalization encouraged by the set-asides that is not justified by the need or demand for the additional services.

6.) One of the least understood aspects of charter/lodge operations in remote areas is the cost of marketing to these locations. As I read the set-aside proposals this lack of understanding is painfully obvious. The set-aside proponents assume that if we just give them QS everything will follow. The naiveté of the "If You Build It They Will Come" syndrome is evident throughout the proposal. It doesn't work that way. Small remote operations with no walk-in or spill-over trade CANNOT AFFORD TO MARKET THEMSELVES. There is no economy of scale to compensate for the high cost of marketing for the small remote operation. In other words, small remote operators, for the most part are doomed to failure before they even get started. The high costs of generating a client, coupled with the oppressive overhead of remote operations make the small operation not viable. This experiment will fail and is a waste of QS.

7.) Much has been said about how this set-aside compares to the CDQ set-asides. But they conveniently leave out the many glaring differences. Major among them is the fact that the communities were able to enter into profitable harvesting contracts with the commercial industry, who thereby benefited from the CDQs and who DID have a demand for the communities' product. This arrangement will not be practical for the charter industry.

8.) The GHL is being considered as the guideline for initial issuance of QS to the charter fleet, yet there is no consideration for more fish to be added to the GHL amount to compensate for the set-aside.

9.) If it is the Council's decision to allow the set-asides, all sectors of the halibut industry should share the cost of the set-asides proportionate to their percentage of the overall harvest.

The community set-asides are asking the industry that is already overcapitalized to aid and abet MORE capitalization, and to do so out of its own pocket! The set-asides create many inequities for the operators in and near the targeted villages, does not create demand in the villages, may cost the current providers of access some of their initial issue of quota, and will result in a decrease of available and affordable access.

+++++

**In Summary:**

It is important to understand that the IFQ program being contemplated for the charter industry had its genesis within the competing (for the same fully utilized resource) commercial industry. Contrary to popular perception, this program was not "developed" by the charter industry. It is patterned after the commercial system and is being forced upon the charter fleet via a problem statement drafted by the commercial industry using a venue, the NPFMC, dominated by their interests, not the interests of the guided sportfishery.

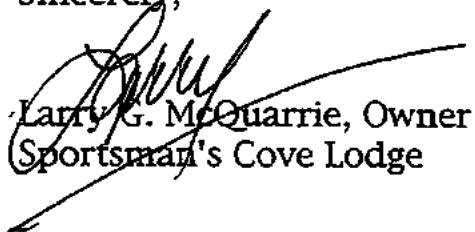
With this in mind, the reader should be fully cognizant of the fact that the foregoing discussions of the acceptable Options under each of the eleven Issues represents the charter industry's *minimum position*. No other options within the analyzed Issues will be acceptable to the charter fleet if the program is to gain any support *whatsoever*. Support for this

*minimum position*, although somewhat broad based, is nevertheless tenuous, and any dilution of these positions will result in immediate disintegration of any industry consensus and support.

An great deal of (volunteer) time, energy and expense have gone into obtaining the IFQ committee industry positions stated here. It is certain reality, that if the involved charter industry representatives, on and off the committee, are not satisfied with the outcome, this entire house of cards will come tumbling down, and the most likely result will not be the desired stability and tranquillity of the halibut fishery, but instead, years of bitter allocation battles - and litigation. After all, that is the only venue left for them that is at least on a level playing field...

Thank you for your consideration.

Sincerely,



Larry G. McQuarrie, Owner  
Sportsman's Cove Lodge



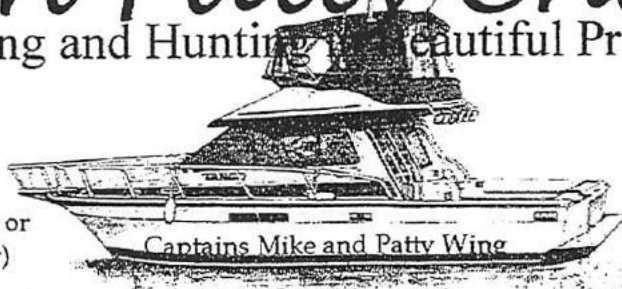
# Cap'n Patty Charters

Fishing, Sightseeing and Hunting in Beautiful Prince William Sound

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PO Box 3667  
Valdez, AK 99686

E-Mail: capnpaty@alaska.net or  
capnpatty@aol.com (winter)



MSCG Five Star Vessel  
**RECEIVED**  
MAR 26 2001

MARCH 22, 2001  
N.P.M.C.

TO: David Benton – Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

cc: Gov. Tony Knowles  
cc: US Sec of Commerce

Dear Mr. Chairman,

Please let us preface this letter by saying we do not feel there is a need to micro-manage the halibut charter fishing fleet in Alaska. We simply provide a platform so the general public has access to their fishing resource. Most of the people we take fishing do not wish to or cannot afford to own their own boat. If this fishery were accessible from shore we would not be needed. That said, we know that you are going to manage my business for me so it is in my best interest to have a say in how it will be operated. We support a properly designed IFQ plan for the charter industry and present the following to the council for its consideration.

In April 2000, the council decided the GHL amount of 125% in Issue 1, Option 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small measure of growth for our business; we wish to see you respect your decision.

The initial allocation should have a fixed 50% poundage that does not float with abundance for a couple of reasons. One, the TAC changes too much for our business to compete. Take our 2000 season totals for example. As with a majority of the charter vessels in Valdez, we do not only provide a platform for halibut fishermen. We also provide for salmon fishermen who prefer to catch their fish fresh from the salt water instead of rivers and streams and sightseeing trips for visitors who are not interested in fishing. This means we do not spend every day in the summer fishing for halibut. In 2000 we had 46 halibut fishing trips for a total of 240 fishermen. We try to go out with a full boat of 6 each time, but sometimes it just doesn't happen. These 240 fishermen caught 384 halibut out of a total allowable catch of 480. This represents only an 80% success rate for our fishermen. With an initial 125% allocation of the allowable catch of 480 (600 fish), if the TAC changes -10% each year, in only two years our allocation would be only 486 fish. This will put our allocation at 2000 levels, not allowing for any growth in our business. That's starting with 125% of our allowable catch. If we look at the numbers for our actual catch, the numbers get scary. There is no room for our business to grow. A 50% fixed percentage will soften the negative impact to our business and help maintain public access considering this program is being implemented during the natural decline cycle of the halibut.

We also feel that all current, legally operating charters should be included in the IFQ program under issue 3. Qualification Criteria, Option 2 would be our preference and in Issue 4 the most fair distribution plan would be Option 1 because it provides the current amount of resource to the boats currently operating. All charter boats would get the same proportion they are currently responsible for harvesting with room for reasonable growth in their respective businesses.

As to the transferability of charter IFQ, all charter quotas should remain in the charter industry for at least 3 years. This will allow time for our industry to learn how to manage our quotas and establish a value for said quotas. The stocks are stable, our visitor base is static and there is enough quota (at 125%) to allow for growth within the industry. Any transfer to or from the commercial system will only dilute the charter quota system and it will be difficult to establish value.

How to keep track of our numbers will need to be addressed. The logbooks are fine for historical data, but do not provide an instant picture of where we are. Fish tags are probably the easiest and most economical method of instant reporting. Logbooks should still be maintained as well to provide for the historical data necessary for long-term management of the resource. With fish tags we will know immediately where we stand at any time during our season.

We also want the community set-aside to be shelved. "Banking" halibut for communities not currently in the charter sector seems unjustified. Without customers, no amount of quota will make a viable business. Operation of a charter service where there is no customer base is not good business and will only limit the access where the customers currently congregate.

If for any reason you do not opt to proceed with the IFQ system, then the GHL that will be utilized MUST be partnered with a moratorium and LAMPs and the qualification criteria option 4 must be adopted. Without the moratorium and more restrictive qualification options, the growth of the charter system will quickly overpower the GHL, severely degrading the access for the general public. Management of the GHL, by its own design, is done by historical data (logbook pages sent in weeks after the catch has been made) and immediate closures of areas would be detrimental to the public. Their access would be restricted near the end of the season when some folks traditionally fish.

One last consideration is the one many charter businesses have asked for since the beginning of this issue. Leave us alone. If a six-pack charter fished 6 rods EVERY DAY from Memorial weekend through Labor Day (traditional halibut season) and every angler caught two fish, the total # of fish caught would be 1212. Translate that into pounds (20# average) and you have 24,240 pounds. In the FIRST 4 DAYS of the 2001 commercial halibut season in Prince William Sound over 45,000 pounds of halibut were caught! The number of charter operators who operate EVERY DAY is far less than 1 percent of the fleet. Weather and mechanical problems set aside, everyone we know takes a couple of days off during the summer if only to recharge their own batteries. In truth, most of us will only be on the water fishing for halibut 50 to 70 days a season. The impact the charter fishing fleet has on the existing halibut stocks is minimal and in light of that, we could and should be left alone. That said, we know that it will not happen. This issue has gone on too long and too many hours have been devoted to it to drop the issue now.

In conclusion, we support the IFQ plan moving forward only if you consider the issues we've outlined above. This plan will go a long ways toward solving the allocation problems, but without generous allocations of stocks and generous access to the fishing grounds, the public angler will ultimately be the one to suffer.



Michael W. Wing  
Owner/Operator Cap'n Patty Charters



Patricia L. Wing  
Owner/Operator Cap'n Patty Charters

March 23, 2001

John Velsko  
Box 2269  
Homer, Alaska  
99603  
235-7836

David Benton  
Chairman  
NPFMC  
605 W. 4th. Avenue  
Suite 306  
Anchorage, Alaska 99501-2252

RECEIVED

MAR 26 2001

N.P.F.M.C

Dear Mr. Benton;

I applaud the efforts of state senators Halford and Donley in opposing the implementation of halibut charter IFQ's in Alaska. The halibut charter IFQ plan being reviewed by the North Pacific Fisheries Management Council is a terrible solution to an, as yet, non-existent problem. It is being foisted on the public by a relatively small number of charter operators who stand to gain financially if it becomes law. Also, some misguided commercial fishing organizations have bought into the plan in the naive belief that it will protect the traditional halibut longline fishery.

Any future allocation problems between the angling public, charter operators and commercial longliners will come about because the halibut charter fishery in Alaska ceased to be a sport fishery some years ago. It now is nothing more than a minimally regulated commercial "meat" fishery that caters to a largely non-resident clientele. One has only to visit a coastal community airport during the summer to verify this - tens of thousands of pounds of "sport caught" halibut fillets being shipped outside on a daily basis. It is high time that Alaskans demand that the halibut charter industry put the "sport" back into their fishery.

Alaskans need to ask why some representatives of the halibut charter fleet are so adamantly opposed to operating under a Guideline Harvest Level based on 100% of historically high landings between 1995 - 1999? Why the refusal to practice traditional sportfishing ethics of catch and release if the need arises? Why do they lobby against daily and seasonal limit reductions for non-resident anglers?

In many true sportfishing destinations throughout the world charter fishermen practice catch and release. Those countries rightfully allow the longtime, traditional commercial fisheries to supply the consumptive market users.

IFQ's for the charter fleet will only result in higher costs for the true Alaska sport fisherman and will legitimize a renegade commercial fishery that will target a resource already 100% utilized by Alaskans.

Sincerely,



John Velsko

85

Vern Jamison  
1527 West 874 St  
McMinnville, OR 97128

Dear Mr. Benton

3-20-01

Im in Favor of a IFQ program For charter Halibut Vessels in areas 2 C & 3A. Last year I borrowed against my boat To purchase Halibut IFQ's Through NMFS, Loan program. AFTER Two disasterous Salmon seasons in Three years, The Halibut Fishery has kept our small Family Fishing business afloat. IFQ's also provide working stability in Fishing communities, providing steady employment in every sector of the community.

I dont agree with a Fixed Quota share system For charter vessels, since a Downturn of Bio-mass would throw The conservation Burden squarely on Commercial Fisherman, allowing the charter industry to continue depleting the resource, IF They want to expand their business make loans available to them For IFQ's.

When I started out I had very few Quota shares, due to 3 day seasons or less, and non fishable weather. I had to purchase most of my IFQ's. The charter Boats on the other hand fished days on end year after year with few restrictions. The initial IFQ's they will receive, will most probably be many times what I was given. The charter QS needs to be based on 100% not 125% average catch between 1995-1999.

Sincerely  
Vern E. Jamison



**RECEIVED**  
MAR 26 2001

N.P.F.M.C

March 20, 2001

Mr. David Benton  
Chairman NPFMC

Dear Mr. Benton,

I would like to take a few minutes of your time to let you and others working on the IFQ issues know I am in favor of such a program for the charter and commercial fishery as long as it is a fair and well thought out program. I do appreciate your efforts and those of others like Mr. Bob Ward who have devoted much to make this a good working program.

A few things for your consideration, I have been an Alaskan resident for over thirty years and like many charter operators I have a great investment in this industry and it is my soul means of support. Some of the issues that are important to me are #2 dealing with allocation, issue #3 dealing with Qualification and issue #4 dealing with distribution. I agree with these issues and would like to see them as a part of the decision process.

When I first started fishing in Homer in the late sixties there were two charter operators, Lands End Marine and Grizzly Charters, now its hard to keep up with the growth, so the time is right for making good plans for the future of our industry. I have always managed my business in a responsible way and if treated equally in this industry I will happily look forward to the future.

Thanks you for your time,

Captain Steve Novakovich  
Cruiser V1-Emerald Pines Lodge

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MAR 26 2001

N.P.F.M.C

March 21, 2001  
Mr. David Benton  
Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave., Ste. 306  
Anchorage, Ak 99501-2252

Dear Mr. Benton,  
I support an IFQ program for charter boats, but only with these stipulations:

No fixed allocation of charter quota (non-biomass based quota)

Community Set Aside quota may only come from charter IFQ.

Charter quota will be based on 100% of charter fleet catch history (not 125%).

There must not be any one-way transferability of quota shares from commercial to charter IFQ, even in the first few years.

Quota shares must be designated as either commercial or charter every year. There cannot be any commercial harvest of uncaught charter IFQ.

Landing reports for charter halibut, such as the debit card program for commercial catches, must be implemented.

Implementation and management costs for charter IFQ program must not be borne by the commercial fleet. Our 3% resource tax mustn't be used to manage their fishery.

I have invested heavily in the IFQ program and I'm as interested as anyone in seeing the allocation battle between charter and commercial fishermen be resolved. However, I don't want you to let the charter IFQ implementation be used to take even more fish away from the commercial side and further devalue my IFQ investments. Please remember, I would still owe the National Marine Fisheries Service the entire amount of my halibut IFQ loan even if you gave all my quota to the charter fleet.

Given these stipulations, and with assurance that everyone is on equal footing, I believe that economics and an IFQ marketplace is a very good way to help resolve the allocation battle between charter and commercial fishermen. It could place everyone on the same side for many issues involving the resource.

Sincerely,

*Rion T. Vanek*

Rion T. Vanek  
P.O. Box 251  
Ninilchik, Ak 99639

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MAR 26 2001

N.P.F.M.C.

March 22, 2001

TO: David Benton – Chairman

North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

cc: Gov. Tony Knowles  
cc: US Sec of Commerce

Dear Mr. Chairman,


As a private citizen and fisherman, I am concerned about my access to halibut. I do not feel I should have to spend thousands of dollars to purchase a boat suitable for halibut fishing when I can instead enjoy one or two days on the water each year with a charter operator. I feel I should be able to fish when and where I want to without outside sources telling me I cannot have access to my fish.

In this light it is very important to me to have my say in how my fish are managed. Since you feel it is necessary to restrict the number of fish I can catch each year, my needs should be considered. The current Alaska fishing regulations say I can retain 2 fish a day. I can also have in my possession 4 unprocessed fish if I fish for two days. In order to keep doing this, my opportunity to fish needs to be protected and I feel the IFQ system can accomplish this if it is managed properly.

I feel that my charter operator should receive 125% allocation of the average 1995-99 charterboat harvest as outlined in your Final Industry Analysis published in Feb of 2001. I also feel that 50% of that allocation should be fixed so that I can be guaranteed to retain at least 1 halibut if the stocks crash and severe management is warranted by the State of Alaska. By having a 50% fixed quota my charter operator can at least provide me the opportunity to put one halibut in my freezer for winter enjoyment. As you are probably aware, if the stocks crash and my limit is reduced to 1, the fish will be harder to catch anyway. My decision to go halibut fishing will be based on economic realities. When I have to pay to go fishing the cost of the fish goes up, too. If I decide not to go fishing, not only does the charter operator miss out on the chance to sell that seat, the local community I fish in is hurt financially. I will not be spending the money on a RV site or hotel room or meals.

In closing, let me say that my access to the fishing grounds is important to me and the friends who travel with me when I go fishing for halibut. I do not want to wake up and find that I cannot go fishing, not because there are no fish or because I cannot afford it but because someone other than me has decided that I don't need to.

Thank you for your consideration.

  
John F. McCarthy  
3887 Kensington  
North Pole AK 99705



March 20, 2001

Mr. David Benton  
Chairman  
North Pacific Fisheries Management Council  
205 W. 4th Ave, Ste 306  
Anchorage, AK 99501-2252

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MAR 26 2001

N.P.F.M.C.

Dear Mr. Benton,

I have a 58' commercial fishing vessel, and I am writing to support an IFA program for charter halibut vessels in Areas 2C and 3A.

My family and I depend heavily on the commercial halibut fishery for a major part of our annual income. The halibut fishery provides sustainable jobs and benefits the businesses in our community. The money brought to our community by commercial halibut fishing flows through all the businesses in town in some way. My partner William Connor and his family have invested, and continue to invest in IFA because of the stability promised by the government. We are encouraging our crew members to purchase IFA also. Continued disputes about allocation between commercial fisherman and charter operators commercial create instability in both industries.

Charter IFA's are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste time and money on allocation disputes.

Any fixed quota share issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFA is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty chinook cap, they immediately went to court to try and overturn the BDF allocation decision.

If the council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDA program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs and is extremely important to our local communities and benefits the state in many positive ways.

Sincerely,

Karen Rosefeld  
F/V Cape Reliant

PO Box 61  
Petersburg, AK 99833

copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001

3-14-2001

Mr. David Benton

Chairman

North Pacific Fishery Management Council

605 West 4<sup>th</sup> Ave, Ste 306

Anchorage, Alaska 99501

RECEIVED

MAR 26 2001

N.P.F.M.C

Dear Mr. Benton,

I would like to express my strong support for the inclusion of charter halibut fishers in the existing IFQ program. I believe anything less will result in continued allocation disputes. This will surely lead to a loss of base quota for commercial fishermen. Further I strongly support all positions of the Halibut Coalition.

Prior to the implementation of the IFQ program in the early 90s, I crewed on a vessel for halibut. After the quota was issued I was no longer able to find a crew job. In 1999 I purchased my first small block of quota. In 2000 I purchased another small block and combined them. It is my intent to continue to accumulate quota as financial and other considerations allow and that someday I will be able depend on it as a significant part of my family's income.

I am presently employed as the harbormaster for the City of Craig, Alaska. The commercial fishing industry is a significant part of Craig's economy. Commercial fishermen utilize practically all services in our community on a year round basis where as the charter fishing fleet operates only about 4 months a year.

I thank you for your time and ask that you give strong consideration to my letter.

Sincerely,

*Michael Kampnich*  
Michael Kampnich

PO Box 119

Craig, AK. 99921

March 3, 2001  
Mr. David Benton  
Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave, Set 306

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MAR 26 2001

N.P.F.M.C

Dear Mr. Benton:

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

I am a third generation Alaskan commercial fisherman. Both of my grandfather's, as well as my father's, support of their families came from halibut fishing. A significant portion of my income comes from halibut fishing as well. With the advent of the IFQ system, I have totally revised my fishing operation. Because of the stability promises by the government, I sold my boat and salmon entry permits and invested heavily in a new boat and more halibut and sable fish IFQs. I now have sizable state fisheries loans to repay. I am one hundred percent dependent on longlining for my annual income. I have three crew members who substantially add to their own fishing income from crew shares earned off my boat.

Charter IFQs are a long-term market based solution that will allow fisheries management to focus on improving management of the resource rather than wallow in allocation disputes.

Any fixed charter QS issuance would violate prudent conservation and is disproportionate in the sharing of the conservation burdens. It also aggravates local depletion.

The initial charter allocation should be based on the 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historical levels.

A charter IFQ is needed to end allocation disputes.

If the Council decides to establish a community set aside program the

allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Thank you for your consideration.

Sincerely,



Nels Becker

PO Box 240838  
Douglas, Alaska 99824

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811--0001

March 10 2001

Mr. David Benton  
Chairman  
North Pacific Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

**RECEIVED**  
MAR 26 2001  
N.P.F.M.C.

Dear Mr. Benton:

I am writing to support the IFQ program for Halibut Charter Boats in areas 2C and 3A.

Implementation of a participant moratorium, while seemingly a viable solution, will only decrease the future charter operator pool, causing market shortages, customer dissatisfaction and bad publicity for the Alaska visitor industry. It will also stimulate future commercial allocation fights between the halibut charter and fishing industry. Industry has turned to you, the North Pacific Management Council for solutions not future problems.

By incorporating the charter industry into the current IFQ system and allowing shares and participants to migrate freely between the competing industries future growth will be forever guaranteed if or whenever there is a demand. Future allocation disagreements between these two industries will cease because they will virtually be the same industry. It would be nice to have this issue off the NPFMC plate and finally settled. Attention can finally be directed to improving management of the resource, rather than wasting precious personal and public funds getting involved in allocation disputes. It is clearly a win situation for Alaska and its visitors. Anything else would not be.

**GROWTH IN THE CHARTER INDUSTRY SHOULD BE EARNED AND NOT AWARDED AT OTHER'S EXPENCE.**

Initial QS allocations should be based on 100% of 1995- 1996 average catch and not 125%. Also a fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. This has been gone over time and time again. Only those who share the low turns in resource abundance as well as the rewards for the high can be called good stewards of the resource. When stocks are low and quotas drop all users need to share in the burdens and rewards of conservation. Only those who share conservation concerns are good stewards of the resource. It is in Alaska's interest to ensure that all participants in the commercial extraction of halibut are good stewards.

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities, especially those communities who are not on or connected to the main transportation corridors. Commercial halibut fishing also benefits the state in many ways.

Sincerely

Otto Florschutz  
PO BX 547  
Wrangell AK  
99929

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau AK 99811-0001

**RECEIVED**

MAR 26 2001

Mr. David Benton, Chairman  
NPFMC  
605 West 4<sup>th</sup> Ave., Ste.306  
Anchorage, AK 99501-2252  
March 19, 2001

N.P.F.M.C

I am writing in support of an IFQ program for charter halibut vessels in area 2C and 3A. As a long time salmon troller in Southeast Alaska, I am very familiar with the problems associated with an open access fishery for the charter industry. As a long time sport fisherman in Southeast Alaska, I am very well acquainted with the problems the unregulated charter industry has caused in the Sitka area for local sport and subsistence fishermen.

It is very important that the management council put a cap on the commercial take of the halibut resource. By initiating an IFQ system and putting all commercial users-present IFQ fishermen and charter fishermen on the same level, the council can eliminate the allocation disputes as witnessed in the salmon fisheries in Southeast. The IFQ fishery would most fairly be implemented using 100% of the 1995-99 average catch.

In reference to the community set aside program, a program I am not in favor of, if one is implemented, the allocation should come from the charter sector. When I received my initial allocation of IFQ halibut, I had a % of my quota deducted to start a CDQ program. Since this program began, I have seen the CDQ villages prosper way beyond what I have earned as a halibut fisherman with a long history in the fishery. If the council, the state or the federal government insists on social programs for some Alaska citizens, it should be funded with state or federal dollars and not with deductions from the few of us who are struggling to make a living as small business men.

My initial allocation was small, about 8,000 pounds. As the salmon fishery continued in a tail spin due to charter allocations and lower prices, my wife and I have purchased additional small blocks of quota. We have done this at considerable financial risk. To subtract further from our quota, would put us in danger of losing our fishing business. Between our IFQ allocation and our salmon trolling, we are able to keep our heads above water. With further cuts, we will be out looking for jobs when we are just about eligible for social security. Judging by what has happened to my friends of similar age when the pulp mill in Sitka closed, our chances are not good!

Put all commercial users on the same plan. Institute a charter IFQ program.

Sincerely,

*Robert D. Schell*  
Robert D. Schell  
F/V Alice Faye

Cc: Governor Tony Knowles

94

3152 Woody Way Loop  
Kodiak, AK 99615  
March 15, 2001

RECEIVED

MAR 26 2001

N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue Suite 306  
Anchorage, AK 99501-2252

Dear Mr. Benton:

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQs because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.


The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local community and benefits the state in many positive ways.

Sincerely,

  
Susan Russell

Sincerely,

  
Steven W. Russell

Pc: Governor Tony Knowles

Pc: Governor Tony Knowles

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Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

MAR 26 2001

N.P.F.M.C

3-18-01

Dear Mr. Benton:

The purpose of this letter is to express support for the development of an IFQ program for charter vessels in areas 2C and 3A.

This is a position that I have embraced and recommended for adoption in the past. Now, as in previous correspondence, I am recommending that the initial charter QS allocation should be based on 100% of the 1995-1999 average catch. It is both prudent and reasonable to consider this percentage as it does not jeopardize the opportunity for sport fishermen to continue to harvest at appropriately high levels, nor would it serve to further erode the base for the commercial fleet.

Should the Council decide to adopt a community set aside program, the allocation for this objective should be derived entirely from the charter quota. The justification for this position is the commercial fleet quota has already been reduced (2%) for the CDQ program. In addition, members of the 2C fleet have recently experienced dramatic cutbacks in quota (approximately 20% of their poundage) as a result of concerns for the health of the stock. Considering the recent cutbacks for the commercial fleet it would appear that the use of fixed QS for the charter fleet would be most imprudent. It is reasonable that all commercial operators share equally in conservation burdens.

It is important to resolve the allocation disputes between commercial fishermen and commercial charter operators because an absence of decision creates instability for both fisheries. At the present time it is difficult to for anyone to make additional financial commitments to their industry as the dollar amount of any investment could be easily erased through Council actions. This action is particularly important as the industry faces future uncertainty as the Council looks to address Native subsistence issues. An immediate imposition of charter IFQ should accomplish the desired objective of stability.

Stability in the industry should ultimately assist in serving another function, which is an enhanced management capability. Considering the apparent need for research related to the biology of the halibut stock it would be more advantageous to use the monies available for this function as opposed to arbitrating allocation disputes.

Your consideration of this information will be greatly appreciated.

Sincerely,



Richard M. Stillman

501 Front Street  
Ketchikan, AK 99901



Date 3/21/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4 th. Ave, Ste 306  
Anchorage, AK 99501-2252

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MAR 26 2001

N.P.F.M.C

Dear Mr. Benton,

My name is Steve Merritt and I grew up commercial fishing halibut. I put myself through college with the help of this commercial fishery. I currently commercial fish for a living and halibut is a major contributor to my family's income. I also have a history of commercial Vs charter disputes because in addition to halibut fishing, I am a full time commercial salmon troller.

During the Alaska State Board of Fish meetings I witnessed testimony from the charter industry that would enrage even the most docile of the commercial fisherman. Testimonies stating commercial fisherman are dinosaurs, a dying species, and have less right to the Chinook resource because the fish are worth more to Alaska through the tourist industry. The Board saw otherwise and restricted the sport /charter catch to 20% of the State quota. During the 2000 season, for the first time the charter fleet had to endure conservation measures enacted by the state to protect the resource. A shocking experience for them and their reaction was to attempt to sue the State. In addition to this they have attacked every board meeting since to demand more King Salmon for this new user group.

It is because of this behavior, that a simple allocation of the halibut quota, not in the form of an IFQ, will not solve the dispute. As long as there is a chance of stealing more fish from the commercial fisheries rather than buy it, they will be at every Council meeting demanding more fish.

A moratorium on halibut guides will not control the take of fish. The number of clients catching halibut will still be allowed to grow. Those guides licensed for halibut will get more and more clients. Charter businesses that lease unguided vessels wouldn't be affected by this.

A fixed allocation that don't fluctuate with conservation constraints to protect the resource is totally unfair and ethically wrong. It will not solve the issue either because of not being in the form of an IFQ.

Any proposals allowing more fish allocated than actually caught are totally unfair. I did not own my own boat soon enough and consequently had two zeros figured in to my IFQ percentage. I would have loved to have been allotted extra fish to make up for this but it wouldn't have been fair. Why should the charter industry be any different? The number that the Council is using for the charter take isn't all that accurate. There is no size limit on their halibut and they have gotten credit for fish that aren't legal for the commercial fisherman to take. So that number is most likely inflated already and to give them more than that is outrageous.

The commercial fisherman should not have to pay for a Community Set Aside program. Any such program for the charter fleet should come out of their allocation not ours.

In closing, the only way to solve this dispute is to award the charter industry and accurate, non-inflated IFQ. An IFQ creates a different avenue for the charter operator to pursue to get more fish, and it forces the charter industry to interact positively with commercial fisheries. When established, the Council can concentrate on managing the fishery as a whole rather than constantly deal with allocation. Otherwise, every Council meeting will be similar to that of the Board of Fish meetings, fraught with allocation disputes.

Sincerely, *Steve Merritt*

Steve Merritt  
Box 332  
Craig, Alaska 99921

3/19/01

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MAR 26 2001

N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave. Ste 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton,

I am writing to strongly voice my support for an IFQ program for halibut charter vessels in areas 3a + 2c.

My family and I invested in the commercial IFQ program in 1996 to help make up lost income due to declining salmon prices in our salmon driftnet business. We now depend on halibut for roughly 40% of our annual income... This year it could be considerably higher w/ much lower salmon forecasts. I have bought every pound of halibut IFQ I own, having received no initial allocation. I am very concerned @ the instability @ present w/ ongoing disputes between commercial and charter industries.

I fully support the IFQ program for the commercial fleet and feel strongly that it would create more stability for the charter fleet.

over →

The initial charter QS allocation should be based on 100% of the 1995 - 1999 average catch (NOT 125%).


These years were very high catch years for recreational fishermen so I feel this would be very fair for them.

A charter IFQ program would bring an end to allocation disputes and allow for you to devote more time to more important issues.

I invest most of my halibut income in the local Mat-Su area where I live. There is great benefit locally w/ the halibut IFQ program.

Your consideration of this letter is appreciated.

Sincerely,

  
BRIAN LEE

HC03 Box 8385

Palmer, Alaska 99645

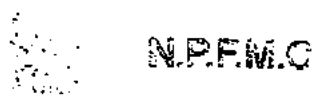
98

RECEIVED

3-19-01

MAR 26 2001

Dennis Gudmundson  
PO Box 931 Haines AK.  
99827



David Benton  
Chairman  
North Pacific Management Council

Dear Mr. Benton

I am writing to support an IFQ program for charter halibut vessels in 2C and 3A.

My family and I depend on all of our income from fishing. I fish in Bristol bay for salmon and halibut in Southeast. With salmon prices down we have been depending on our halibut IFQ's to survive. Our halibut operation is a small one with a good portion of the quota share in my wife's name, our son and daughter help out also. We sell our halibut in Juneau, Haines and Skagway to small local buyers who live in these towns. All of our fuel, groceries, repairs, etc. are done in these towns. We have invested heavily in IFQ's because of the stability it seemed to provide for raising a family. The allocation disputes between the commercial fishermen and charter operators needs to be cleared up, so both groups can go on with their businesses with some sort of stability for planning for the future.

We support Charter IFQ's why should it be any other way, it keeps it simple and fair for management of the resource.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

If the council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ (2% of the quota).

Your consideration of this letter is appreciated. We feel continued allocation disputes are a waste of time and energy for the State of Alaska and its people.

Sincerely,

Dennis Gudmundson

Kathy Madsen

Copy: Governor Tony Knowles

99

**Aurora Charters***Capt. Stacey Mitchell**M/Y Martie Kay**P.O. Box 2142**Valdez, AK 99686**(907) 835-2140***RECEIVED**

MAR 27 2001

N.P.F.M.C.

March 27, 2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear Chairman Benton,

I am a year-round Valdez, Alaska resident and own and operate a small vessel charter business from there. I support the possible implementation of an IFQ system for the halibut charter fleet. However, I believe an IFQ system will be beneficial only if it is designed properly.

First, the Council adopted the GHL last year equaling 125% of the corrected average 1995-99 charter harvest. This figure needs to remain the guideline for initial quota share issuance. This will allow the charter fleet to grow a small amount over the first few years if necessary and also allows for the businesses that for whatever reason, had lower than personal average catches during the critical 1998-99 seasons.

Second, I feel it is fair and logical that 50% of the initial poundage allocation should remain fixed and not float with the TAC. Only if this happens will the charter owners be able to plan for the future and guarantee that they will have enough quota shares to allow their clients proper access to the resource that after all, belongs to the general public.

Under Issue 3, Qualification Criteria, I think option 2 would best serve the needs of the industry. It would allow the most participants in and would be fair for everyone who fished legally.

Issue 5 is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

These issues are at the heart of the IFQ proposal and I feel they are necessary for the successful implementation of such a program. I hope the commercial and charter industries can work together to protect our valuable halibut resource.

Capt. Stacey A. Mitchell  
Aurora Charters  
Valdez, AK

cc: Gov. Tony Knowles  
cc: Daniel Evans, U.S. Secretary of Commerce

3-15-2001

100

MR. DAVID Benton

CHAIRMAN

No. PACIFIC Fisheries Management Council

605 W. 4TH AVE, STE 306

ANCHORAGE, AK 99501-2252

RECEIVED

MAR 26 2001

N.P.F.M.C.

I DON'T KNOW WHAT THE TRUTH IS ANY MORE & MY CONFIDENCE IN THE AMERICAN DREAM IS JUST ABOUT GONE.

WE IN RURAL ALASKA SUFFER THE MOST FROM THIS ISSUE. PUNISHING ECONOMIC RESOURCES.

USED TO GO OUT AND CATCH 6 TO 8 000 LBS ON A GOOD DAY. THERE WERE ONLY 2 (TWO) TO 3 OPENING A YEAR FOR COMMERCIAL HALIBUT. I TRIED TO GET BETTER - MORE IFQS ALWAYS RISKING YOUR LIFE TO END UP W/ MAYBE 3 000 LBS. THOUGHT THIS WOULD RESOLVE THE ISSUE - PRICE WOULD GO UP. WRONG.

THIS IS AN INJUSTICE - THE CHARTER VESSELS FISH EVERY DAY - WE HAD 3 OPENINGS THEIR COMMERCIAL TOO! ITS OVER-BUY OUR IFQS. THEN THEIRS, THE TYSON CHICKEN DEAL! DOES JAPAN NOW OWN 80% OF OUR HALIBUT? I.E. ALASKA HALIBUT

TALK ABOUT A STRONG LOBBY, Buy A President,  
SELL PUBLIC DOMAIN TO A FOREIGN COUNTRY,  
TREASON.

NOT MUCH LEFT IN RURAL ALASKA UNLESS  
you're subsidized.

Sure Leaves A BAD TASTE FOR GOVERNMENT.

I'm Trying To Live in GAKUTAT, as  
A SELF EMPLOYED PERSON. INDEPENDENT & FREE  
BECAUSE OF ALL THE PROBLEMS w/ COMM. FISH

I STARTED HIC TOURS - SPORT FISHING THE AKWE  
RIVER - Hoping To Continue Surviving in Alaska.

I FOUND OUT ABOUT AKWE RIVER BY  
GILNETTING THE MOUTH.

CHARTER FISHING IS COMMERCIAL FISHING.  
(SPORTS FISH)  
BY CHARTER

*John W. Wicks* AK COMM FISH  
51050



March 20, 2001

NPFMC  
605 West 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252

Subject: Halibut Charter IFQ or Moratorium

Dear Council Members,

**I strongly oppose issuing IFQ's to the halibut sport charter industry.**

**I support a vessel moratorium program.**

I have operated a halibut sport charter in area 3A out of Homer since 1990. I have also fished salmon, Pacific cod, rockfish, and halibut commercially since 1986.

The Problem Statement does not address a very important issue, to protect the charter clients' opportunity to access and own fish they historically have harvested.

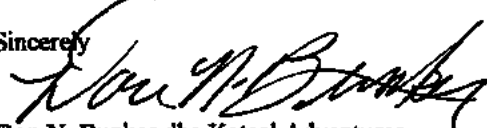
The sport charter operators have always maintained we serve as a transportation medium. We transport clients to and from the fishing grounds. The fish have historically been landed on a sport fishing license and belong to the clients. **The clients have first harvester rights to this resource not the vessel operator.** The IFQ system allows charters to take ownership of fish harvested by their clients with the possible right to either commercially fish or sell these QS to the commercial sector. **If IFQ's are issued to the charters, they must never be allowed to migrate between the commercial and charter fleets. *This will severely disrupt the peripheral services dedicated to either and adversely effect the socioeconomic well-being of coastal communities dependent on the halibut resource and would not concur with areas of concern in the Problem Statement (p.4).*** The clients' opportunity to access and own this resource must be protected.

The charters' right should be limited to transporting a certain number of clients annually. This cannot be implemented because it is not included as an Alternative, Issue or Option listed in the Public Review Draft.

Enforcement is another issue. Who will pay for enforcement? The charter fleet has basically no enforcement at the present time. The GHL program would likely require a huge additional burden on enforcement personnel and their associated costs (p.311). Any program implemented will require additional enforcement. The IFQ program would be very costly and difficult if not impossible to enforce. The possibility of losing a USCG license as a deterrent for noncompliance with Federal regulations is naive, IFQ's must be forfeited as in the commercial sector. Commercial halibut are landed at a few ports where transportation facilities are available facilitating enforcement whereas sport caught halibut will be landed at remote sites.

Thank you for the time and effort you have invested with this project.

Sincerely



Don N. Bunker dba Kateel Adventures  
PO Box 604  
Anchor Point, AK 99556

Dear Sir:

This letter is in reference to the proposed IFQs being imposed on the SPORT FISHING industry.

Please consider that the North Pacific Fisheries Management Council is working for the personal gain of the commercial fisherman and not in the best interest of the sport fishing industry. In the past years the sport fishing industry has had the daily limits on halibut cut from 4 down to 2 fish per day. The continued cutting into the sport fish industry is going to have a grave impact on all of the tourist industry in Alaska.

Commercial fishing has long been known to be a very wasteful business and with the tons and tons of "by-catch" that is thrown away each year it is a small wonder that the halibut fishery has a problem. It would seem that the greatest problem and the most sure way to gain control is to limit the commercial fishing industry. Why should one industry have control over another when it comes to a public resource such as this? I think you and the Government will be doing the general public a great disservice if we allow the IFQs to be placed on the sport fishing industry. To continue to allow the commercial fishing industry to over-harvest the fish that are a public resource is a crime and must be corrected as soon as possible. Please give this matter your direct attention and do what is right for all the public, not just a select few. Thank you for your time on this matter of great importance.

Don Lietzau

Don Lietzau  
18943 Man O War rd.  
Eagle River, Ak. 99577

**RECEIVED**

MAR 27 2001

N.P.F.M.C

March 24, 2001

From: Harold Hale  
P. O. Box 687  
Anchor Point, Ak. 99556

RECEIVED

To: North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Ave.  
Suite 306  
Anchorage, Ak. 99501

MAR 27 2001

N.P.F.M.C

Subject: Halibut Charter Boat IFQ Proposal

As a year round Kenai Peninsula resident I strongly oppose the proposal to give IFQ's to the Charter Boat Industry. This fishery is a valuable public resource and should not be handed in perpetuity, free of charge to a select group of businesses and individuals.

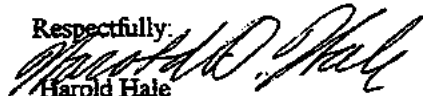
The Alaska State Constitution reserves fish, wildlife and waters for the common use of everyone. This proposal is totally at odds with this provision of the Constitution.

If this proposal is passed and allows the sale of these quotas this would invariably lead to consolidation, less competition, higher prices, absentee ownership and foreign ownership with cruise lines such as Holland -America starting to build full service lodges for their passengers. There is also the possibility that these IFQ's would end up being sold to the commercial long line fleet notwithstanding the proposed 3 year moratorium on such sales. A good example of absentee ownership is the recent articles in the Anchorage Daily News concerning taxicab licenses. These licenses were given to individuals in the 1980's. This has resulted in a windfall for the mostly absentee owners of these licenses. We now have higher prices, share-cropper drivers and shoddy cabs for the customers. We can expect no less from the charter industry if this proposal is approved.

I believe that the NPFMC should be focusing their attention to other problems brought on by the halibut charter industry, such as local area depletion. This problem is forcing local residents who fish from small skiffs to travel farther offshore in more dangerous water to get their freezer fish. A charter industry, a high percentage of which is owned by non-local or non-residents and caters to outside tourists should not be favored at the expense of local and state resident. A system that would more widely disperse the charter fleet from areas such as Cook Inlet would be one approach.

I am in general agreement with NPFMC member Bob Penney's views on this issue. I would urge you to back off from the fast track approach on this flawed proposal. If not outright rejection then at least postpone action until other than commercial interests are allowed more input on this matter.

Cc Governor: Tony Knowles  
Senator: John Torgerson  
Representative: Andrew Scalzi

Respectfully,  
  
Harold Hale

James R Lee  
8340 E 11th Court  
Anchorage, AK. 99504  
907-333-4715

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RECEIVED 3-25-01  
MAR 28 2001  
NPFMC

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4th Ave. Ste 306  
Anchorage, AK. 99501-2252

Dear Mr. Chairman

I am an Alaskan resident operating my own Halibut Sportfishing charter service in Seward, Alaska for the past 8 years. I recommend that you take to action on the Charter Industry including implementing the GHF. There is no justifiable rationale to impose an IFQ management scheme on the Halibut Charter fishery in Alaska. It is an unreasonable program developed without sufficient analysis and is not justifiable, regardless of the momentum behind it. The GHF is an inadequate allocation that was imposed on the charter fleet by the Council with no representation for either the industry or the recreational sector. I am asking you to study the impacts and preserve fishing opportunities for future generations of anglers. I also ask you to prevent the giveaway of a public resource.

The Council has not analyzed the potential impacts on the anglers who go out on charter vessels. It has been standard practice for other Management Councils to hold public meetings in many communities to obtain public comment in a less intimidating and convenient setting than that of a NPFMC meeting in Anchorage. This has not happened. There has been no effort to inform potential operators that restrictive measures would be forthcoming. Only a fisherman astute enough to study the Federal Register would have known that these measures were coming.

The final analysis fails to present any understanding of the Alaskan Charter industry or recreational fishing in America. Speculating that charters may end up offering a service similar to a trout pond, where our clients may pay for their trip based on how many pounds of Halibut they retain in unheard of in any other recreational fishery in America. No self respecting recreational fisherman will accept this possibility. The fact is, that no one knows what will happen to the guided Halibut Charter Industry if an IFQ program is implemented. That in itself is unacceptable.

In conclusion, if you decide to implement any management measure on the Charter Industry, you are doing so without proper research, public testimony, and for no reason other than to preserve the historic income levels for certain commercial fisherman. This comes at the expense of everyone else. I ask you not take any action until all the research and studies are done, and there will be a real picture of what the outcome will be.

Sincerely

  
James R. Lee

**Luck of the Irish Charters**

**P. O. Box 55194  
North Pole, Alaska 99705  
907-488 9890 winter  
907-835 4338 summer**

RECEIVED  
MAR 28 2001  
N.P.F.M.C

March 26, 2001

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

Chairman Benton, Council Members:

My name is Patrick M. Bookey. My wife and I have owned and operated *Luck of the Irish Charters* for 20 years. We employ a small staff and operate the vessel *Misty Isle*.

I have testified before the council and its various panels several times before. Each time I have encouraged an IFQ program for the charter sector. The Status Quo with a GHL and Moratorium with a GHL are unfair to those of us that have worked long and hard to build a successful, professional charter business. My business has been located in Valdez, Alaska since before the Oil Spill and before that time in Homer. I must point out those charters in Valdez, Alaska will not survive without an IFQ. Homer, Deep Creek, and the Kenai Peninsula have the Anchorage population, (over one half of the entire state) to call upon. They start fishing over a month before the Valdez area, which depends on Fairbanks people and tourists from the lower 48. A Moratorium will allow the "Homer Fleet" to take the entire GHL catch within the next few years without Valdez ever getting to wet a line. The fish our vessel has caught for over 10 years will not be reserved for my clients but given to others in an area where fishing starts much earlier. I will then lose my vessel, and possibly my home to the bank because my source of income has been taken away by your council. I have not have a method for appeals, nor the money to fight in court, and all I can do is go broke. I must have a supply of fish for my clients later in the season.


I must call upon the council to accept Alternative 3 with the following provisions:

1. 14.11% in 3A and 13.05% in Area 2C of a combined charter and commercial quota.

2. A minimum of 50% fixed and the remainder to float with abundance.
3. The Qualification criteria should include 1998 and 1999 logbooks, carried clients four out of five years 1995-99 evidence to include IPHC, CFEC, and ADF&G.  
Basically option 4
4. Distribution based upon 70% of 1998 & 1999 Logbooks, with an additional 10% added for operation in 1995 - 1997.
5. The permits must be transferable and leaseable.
6. We must be able to buy QS from the commercial sector and be able to sell QS to the commercial sector.
7. Maximum line limits of 12 per vessel with grandfather rights to existing vessels.
8. A full ten per cent of your total QS to be able to rolled over into the following season and 10% of the individuals QS taken from the next seasons QS if necessary.
9. We must deal in numbers of fish and not poundage for reporting purposed.  
Base this on the ADF&G's average weight.
10. Require fish Tags
11. No Community set aside program
12. No sunset provisions

**Please include the existing charter vessels and the fish each individual vessel have harvested into the existing IFQ program. Do not play Robin Hood and take business from those that have been providing the service to the public for years.**

Sincerely

  
Patrick M. Bookey  
owner

March 26, 2001

Peter D. Udelhoven  
640 Rangeview  
Homer, Alaska 99603

North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Ste 306  
Anchorage, Alaska 99501-2252

RECEIVED  
MAR 28 2001  
N.P.F.M.C

RE: Halibut Charter Management

First, my name is Peter D. Udelhoven my wife is Linda and we operated Silver Fox Charters in Homer, Alaska, from 1988 thru 1998. We attended most of the NPFMC meetings during this period.

For the record, I would like to make a few statements on how this all started.

Alaska Longline fishermen's Association, out of Sitka, referred to as ALFA, brought a proposal to the NPFMC to limit the guided sports fisherman which was viewed as having an unlimited growth!

With the aid of their representatives on the NPFMC and other commercial fishing interests on the council, they were able to convince the NPFMC to implement a procedure to limit the access of the guided sports fishermen to the halibut stock.

The NPFMC should have never given this proposal serious consideration. It is a case of the tail wagging the dog!!

The charters are there only because of a demand from the public to access the halibut resource.

It should also be noted that this proposal wasn't because the halibut stocks were in trouble. It was a move by the commercial fishermen to allocate to the public a portion of the resource. The public should have unlimited access to this resource as long as the halibut stock is healthy.

I have always believed that the situation should have been left as it was in 1993 and many charters have the same feeling. Status Quo, to me, does not include the Guided Harvest Levels which were proposed later.

Once the NPFMC took the proposal to limit access, a proposal of no restrictions was never a serious consideration! It became clear early on that there were going to be restrictions put in place.

The Charter Industry was "encouraged" to participate in the process, but with no representation on the NPFMC, it was only an exercise to legitimize the process!

The charter Industry tried to get the public involved, as they were the ones who would be affected by limited access. However, ALFA was very clever not to include the independent Sport fisherman in this allocation issue.

The following are comments on the halibut charter management appendix 1 that was included in the February, 2001, NPFMC newsletter:

**Alternative 1. Status quo**

Would prefer this if it was pre-GHL.

**Alternative 2. Include the halibut charter section in the existing halibut IFQ program.**

**Issue 1. Initial QS may be based on:**

Option 1. 14.11 % in Area A and 13.05 % in Area 2c of a combined charter and commercial quota Equal to 125% of corrected average 1995-99 charterboat harvest

**Issue 2. Initial allocation of QS would be issued to U.S. citizens or to U.S. companies on the following basis:**

Option 1. Charter vessel owner-person who owns the charterboat and charterboat business.

**Issue 3. Qualification Criteria**

Option 2. Initial issues who carried clients in 1998 or 1999 and who submitted ADFG logbooks for an active vessel (as received by ADFG by February 12,2000)

Suboption: claimed trips must have been under the operation of a person holding a U.S. Coast Guard license. Cancel the requirement for activity in May-Sept. 2000. As a reference, commercial fishermen were allowed three years of inactivity before the IFQ's were issued and still were eligible for IFQ's.

**Issue 4. Distribution of QS may be based on:**

Option 1. 70% of 1998 and 1999 logbook average with an additional 10% added for each year of operation 1995-97 (longevity reward).

**Issue 5. Transferability of QS (permanent) and IFQs (on annual basis leasing)**

Option 2. Transfer of QS (permanent) and/or IFQs (leasing)

a) prohibit transfers between charter and commercial sectors

Suboption: no QS transfers between sectors for 2-5 years.

**Issue 6. To receive halibut QS and IFQ by transfer**

Option 1. For the charter sector, must be either

\*Suboption: and hold a USCG license

c.) fulfill all legal obligations of the charter sector.

These are the issues that I have the best understanding of and I will limit my comments to the above issues.

Thank you

*Peter D. Udelhoven*

Sincerely,  
Peter D. Udelhoven

CC: Homer Charter Association

Drew Scalzi



SESSION ADDRESS:  
State Capitol  
Juneau, Alaska 99801-1182  
Phone (907) 465-2693  
Toll Free 800-463-2693  
Fax 907-465-3835



INTERIM ADDRESS:  
35477 Suite 101-B Spur Hwy  
Soldotna, Alaska 99669  
Phone 907-260-5236  
Fax 907-260-3044

Representative Ken Lancaster  
District 8

March 26, 2001

RECEIVED  
MAR 28 2001  
N.P.F.M.C

David Benton, Chairman  
North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Avenue Suite 306  
Anchorage, Alaska 99501-2252

Dear Chairman Benton:

I have had a couple of constituents contact my office concerning Individual Fishing Quotas for charter boat operators. The concern has been the effect your proposed regulations will have on the charter business and the possibility of the elimination of some of these businesses. I cannot believe the intent of the North Pacific Fisheries Management Council is to eliminate charter businesses.

It would be greatly appreciated if you would review the regulations in great detail and work towards a goal that will benefit everyone. I am sure you have seen the attached newspaper article Representative Scalzi wrote which I believe is an explanation of what should be done.

Your consideration is greatly appreciated. If I can be of further assistance or provide further information, please let me know.

Cordially,

  
Ken Lancaster, Representative

Cc: Board Members

IFQs -- Why they don't belong in the Charter Industry by Rep. Drew Scalzi

The North Pacific Fisheries Management Council (NPFMC) is moving toward a decision that will effectively incorporate the halibut sport charter industry into a "fishery" limited by individual quotas. This action was prompted by a need to limit growth of this rapidly expanding industry.

As a holder of commercial IFQ shares, I consider myself to be a "privileged harvester." That is, a person with a right to catch and sell a finite amount of the resource based on past performance and/or purchase of transferable quota shares. I am however, not the owner of the resource; this distinction belongs to the people of the United States who also own the sport and subsistence halibut in the 200-mile Exclusive Economic Zone and should have reasonable access to this portion as well.

The commercial IFQ system provides the best method of harvest by spreading it out over the longest period possible, and is in the best interest of the owners. Some Americans choose to purchase their fish in a store, while others opt to take a chance on catching it themselves. For those who like to purchase fish in the stores, my family and I thank you. For those who like to catch it themselves, good luck.

The action by the NPFMC to limit harvest by the charter industry was brought about due to complaints received both from SE Alaska related to an increasing number of charter fish being caught by customers of the expanding cruise ship industry and from local sport fishermen regarding "local stock depletion."

The NPFMC worked on putting in place a "guideline harvest limit" or GHL. The GHL roughly represented the historical sport charter catch plus a percent for estimated biomass growth. In response ideas began to circulate through the industry and a management scheme developed.

State documented fish tickets made a very solid and legally defensible validation process for the commercial halibut IFQ system. However, the proposed IFQ plan for the sport charter fishery will be based entirely on self-reported "log books." That is, the individual charter skipper will submit a document that he/she filled out and swore to. Hmmm?

If IFQs are transferred between the sport and commercial sectors, several things can happen -- and all of them are bad. Whether the IFQ is used by the charter captain to catch and sell his quota or to sell the quota outright to a commercial harvester, neither is in the best interest of the charter industry. Any shift of quota from the sport to commercial sector will mean a loss of opportunity to individuals wishing to pay for a charter to catch fish. Also, if a charter captain has a quota, will there be

pressure to release the larger fish to make his quota go further -- that is -- to "low grade" his catch? Doing so is currently illegal under the rules of the International Pacific Halibut Commission.

Currently in the commercial fishery, fish tickets are still issued, pounds are calculated and validated, and a paper trail tracks the fish through retail sales to insure the integrity of harvesting and biological management. However, an accurate monitoring of a sport fishery would be virtually impossible to achieve. The Homer Harbor alone may have 100 charter vessels with catches hitting the docks in one afternoon -- Deep Creek and Ninilchik maybe 25 to 30. How and by whom will this monitoring effort be validated and enforced?

Again, we must go back to the "owners" of the resource. What is in their best interest? A limitation on guided sport fishing is a good idea when necessary. The methodology is in debate. The reasons for limitation should be to protect the resource, to solidify allocation, and to sustain the economic viability of an existing industry.

The solution could be a three-tiered license limitation plan. An "A" license could be issued for early entrants who fished prior to 1995 and are still fishing. Then a "B" license would be issued for those who started after 1995, and a "C" license for all new entrants. Not eliminating anyone from future participation is prudent. However, "C" applicants would be notified upon application that in the event of a biological need their participation in the fishery would be closed first. The "B" licensees would be next in line for closure if further restrictions are needed, but they would have some stability of the status quo. Of course the "A" licensees would be the last to receive any cut backs because of their longevity in the industry.

In summary, it's the industry itself that will be most affected by how the charter business is regulated, and I hope to be able to support a plan that is industry driven. However, everyone needs to be at the table for this decision because the resource does belong to us all.

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**RECEIVED**  
MAR 28 2001

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

To: North Pacific Fisheries Management Council

March 27, 2001  
Jim Franzel  
339 Wortman Loop  
Sitka, AK 99835

Subject: Comments about NPFMC Guided Sport IFQ proposal:

I remain firmly opposed to the guided sport Individual Fishing Quota (IFQ) halibut proposal that is being "fast tracked" by the North Pacific Fisheries Management Council. I have philosophical, process and legal reasons for opposing your proposal as outlined below:

Philosophical:

I believe that IFQ's are inappropriate for recreational fishing. IFQ's basically privatize a public resource and charter operators are neither commercial nor recreational fisherman. Charter operators are service providers - not fisherman. They provide the transportation and local know-how for citizens to access and harvest their own public halibut resource. It is unfair to the public to separate guided from unguided sport fishing and that is the effect of this program. Citizens that either don't own their own boats, can't afford to, or don't have fishing skills will be penalize by this IFQ program. It will result in a situation where guided sport fisherman effectively (if not legally as well) won't own the halibut they catch on a charter vessel. Since IFQ's are basically treated as property rights, the sport fisherman will have to either have to buy their catch from the charter owner or initially pay more to fish because a charter operator that has to buy IFQ's will have to amortize this cost as a business expense and pass it on to the sport fisherman.

Why don't we give out IFQ's to non-guided sport halibut fisherman as well? The NPFMC could divide the 1998 and 1999 unguided Alaskan harvest component equally and award IFQ's to sport fisherman based on fishing license records. Sport fisherman could subsequently sell these IFQ's to future generations (including their offspring). This is effectively what you are proposing to do by awarding IFQ's to the guided charter operators. The only difference is that you are giving it to the charter operator instead of the sport fisherman that caught it. Every U.S. citizen has ownership of our public halibut resource with the right to access and harvest by simply buying a sport fishing license. IFQ's for guided sport halibut are flat wrong!

Process:

Since the NPFMC is trying to "fast track" this proposal, they have omitted many key procedural steps as outlined below:

- 1) There has been insufficient time for public comment and review because of the fast track schedule. What is the rush? I see no reason to "fast track" the proposal.

in remote areas, much less in populated areas. Charter operators that saw this IFQ program coming (and many did) could easily log fish that were never caught after

I believe public review is needed throughout Alaska and especially in Washington State and Oregon. As you know, these southern States are part of the NPFMC zone of influence. Many sport fisherman from these states visit Alaska to fish and will be very affected. Washington and Oregon State sport fishing groups are totally unaware of this IFQ program. It is very unfortunate that the NPFMC meeting schedule employed during the development, debate, and approval of the final rule (scheduled for April NPFMC meeting in Anchorage) will result in this issue having never been discussed in a Council setting in Washington State and Oregon and this is where most of the affected people reside. The Advisory Panel and charter-working group also did not include adequate sport fishing representation from these States.

- 2) The total sport harvest of halibut in Alaska has dropped from 1996 to 2000 from 6.9 million pounds to 6.7 million pounds. Meanwhile, the total commercial halibut harvest has grown from 35 million pounds to 58 million pounds (and will be over 60 million pounds in 2001). The NPFMC is concerned about the growth of halibut sport fishing? Are you folks even listening? Do you even read your staff's analysis? Clearly what is needed is for the NPFMC to reduce the commercial harvest and increase the sport harvest - not embark on giving away public fishery resources with a misguided IFQ program!
- 3) There has been no adequate economic analysis and public disclosure of the increased costs to guided sport halibut fisherman that would result from the implementation of this program. There is no analysis on dependant communities and the tourism industry. I believe this should occur immediately, before you approve anything.
- 4) An IFQ program will certainly result in higher guided sport fishing costs as outlined above. Sport fisherman that can't afford these higher costs will utilize bare boat charters to a greater extent in an effort to avoid the higher costs. Sport fisherman that don't have the skill, equipment, and sufficient size boat to handle the rough North Pacific waters will attempt to harvest fish on their own. This is an enormous public safety concern and could result in the loss of human life. The NPFMC needs to comprehensively analyze this issue and disclose the results. There has been no analysis conducted.
- 5) The NPFMC proposes to use the 1998 and 1999 Alaska Department of Fish and Game logbook program as a basis for the initial allocation of IFQ's to the qualifying charter operators. I don't believe this charter logbook program can be used as a fair allocation process. Unlike the documented halibut landings used in the 1995 commercial longline program, these logbooks were essentially unverified. ADF&G did not have the capability nor personnel in place to check logbook landings at remote lodges and sleep aboard charter vessels that operated in remote areas, much less in populated areas. Charter operators that saw this IFQ program coming (and many did) could easily log fish that were never caught after

the fact. Operators had an additional week to mail in the form after the fishing trip and there was no way to tell if additional fish were added to the form. Two years is not a sufficient span of time to use as a fair allocation basis. Many operators would be left out. Because of public comments and concern, the NPFMC expanded the 1995 commercial IFQ program to a six-year period (1985-90) during the rule making process. Of course, the 1995 program also utilized documented, actual weight, verified landing as a basis for awarding IFQ's to commercial longliners.

Legal:

The Recreational Fishing Alliance (RFA) will be submitting a comprehensive analysis of legal concerns associated with this program. I fully support their comments. I ask you to immediately drop this IFQ proposal from any further consideration, as it is clearly not in the public interest. Remember your oath of office "to protect and safeguard the public interest". The procedural deficiencies and legal issues associated with this IFQ program are very serious. I recommend you consider other ways to manage recreational halibut fishing such as charter operator moratoriums (where needed), season and bag limit restrictions, and local area management plans.

Thank you for the opportunity to comment.

Sincerely,



Jim Franzel  
Sitka, Alaska

RECEIVED  
MAR 28 2001  
N.P.F.M.C

March 26, 2001

Mr. Dave Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave. Ste 306  
Anchorage, AK, 99501-2252

Dear Mr. Benton,

As a resident Sport Angler in Alaska, I have come to appreciate the good sense of sustainable fisheries management in Alaskan waters, and feel that sensible allocations are key to responsible management.

The unbridled proliferation of the "sport guided" charter fishing industry is a serious threat to the health of our fisheries for all user groups, including the "sport guide" fisheries themselves. Due to the limited distance of these operations and the centralization of their bases to a handful of small towns, they have demonstrated the ability to cause serious local depletions. I am concerned with halibut and the populations of rockfish that are threatened as by-catch, which as a more stationery species are not quick to rebound.

With the resource limited, there need to be limits in the fishery quota systems for the charter operators, on the quantity of boats, anglers, catch, and locations where they can harvest fish.

Specifically, I feel that basing Charter Halibut IFQs on 125% or even 100% of recent harvest levels is a dangerous and arbitrary allocation. The elevated charter fishing pressure of recent years has already resulted in smaller average size of halibut and opportunities are almost gone for catching halibut within a close and safe proximity to the angler who is confined to a small skiff. The allocation should be flexible based on sustainable harvest, and not at the expense of existing resident sport and commercial users.

I welcome visiting anglers and recognize their contributions to our economy. It is important that they enjoy a quality fishing experience. I fear that if not managed carefully, the fishing that they come here for, and the dollars they bring will be only a depressing memory.

I wish you the best success in your management of our exceptional fisheries.

Sincerely,



Mark Vinsel  
Angler Artist  
Juneau, Alaska  
www.vinsel.com

Murray R Hayes  
224 Grant St.  
Port Townsend, WA 98368  
FV Sylvia

3/25/01

RECEIVED  
MAR 28 2001  
N.P.F.M.C

Mr. David Benton  
Chairman - North Pacific Fishery Mgmt. Council  
605 West 4<sup>th</sup> Ave, suite 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing regarding the sport charter halibut allocation for 2001 season in 2c and 3a. As a commercial fisherman who trolls and fishes halibut for 25 years I would like to see this handled fairly.

I personally would not favor ifq's for the charter industry at this time but favor a quota based on their average production from 1995 to 1999 and preferably one that tracks up and down based on stock analysis.

I know there is a constant push for more quota for the charter industry but if it keeps coming out of the commercial fishers quota like myself it hurts my income. We are already having a tough time with poor salmon prices and halibut and my little black cod are the fisheries that have enabled me to remain a viable fisherman.

Besides my personal feeling regarding my income, I feel ifq's for the charter industry would be very hard to allocate fairly as records are probably fairly poor. It has also been an incredibly fast growing industry so all the newer entrants naturally would not be in as good a position for quota as the longer established fishers and lodges. . Another question is whether the boat owners or the actual charter guides would get the quota. I am sure there are lots of other issues that would make it difficult and cause lots of problems.

I closing, I am hopeful that the sport industry quota will be based on an average of the last few years (95-99) and that you don't seriously consider the ifq program for that group.

Thank you,

Murray R Hayes





**CRA-ZEE'S II CHARTERS**

3500 North Point Drive  
Anchorage, Alaska 99515

Phone (907) 243-5084  
Fax (907) 243-2958  
Email modex@gci.net

RECEIVED  
MAR 28 2001  
N.P.F.M.C

March 19, 2001

Mr David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. Fourth Ave. Ste 306  
Anchorage, Ak 99501

Dear Mr. Chairman,

I am an Alaskan resident operating my own halibut sports fishing charter service in Seward, Alaska for the past eighteen years. I recommend you take no action on the Charter industry including implementing the GHL. There is no justifiable rationale to impose an IFQ management scheme on the halibut charter fishery in Alaska. It is an unreasonable program developed without sufficient analysis and is not justifiable, regardless of the momentum behind it. The GHL is an inadequate allocation that was imposed on the charter fleet by the council with no representation for either the charter industry or the recreational fisherman.

The charter industry is already limited as to the number of fish caught by the regulation of two fish per person per day, and is controlled by the number of fisherman taken out. Most boats do not just fish for halibut but also target salmon and other species. I am asking you to study the impacts and preserve fishing opportunities for future generations of anglers. Do not give away a public resource. I ask that you get input from the public, the ones that use the charter fleet, as they are the ones that are affected.

No one knows what will happen to the guided halibut industry if the IFQ program is put in force. Perhaps it will drive some out of business, and/or make money for the larger operator.

Sincerely,

  
Dexter C. Zermia

Ron Somerville  
4506 Robbie Road  
Juneau, AK 99801

RECEIVED  
MAR 28 2001  
N.P.F.M.C

March 25, 2001

David Benton, Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501 -2252

Dear Mr. Chairman:

I am writing as a lifelong Alaskan resident that operates my own sportfishing charter service in Juneau, Alaska. I have chartered off and on for over 15 years in southeast Alaska for salmon and halibut.

I am opposed to the IFQ plan for the charter industry. It is my belief that the proposed IFQ plan will benefit most of the latest entries into the charter business, many of them outside transfers from our sister states from the south. Most long time Alaskans that have built the charter business in Alaska will not benefit from the years spent in the industry. The only years of service considered will be those years from 1995 - 1999 rather than considering all Alaskans that chartered in previous years and registered with the IPHC, CFEC or ADF&G. Why are years of service to the industry from 1980 - 1995 not considered, for instance?

The proposed plan is going to benefit the larger vessels that have targeted halibut rather than the smaller vessels that have promoted a more diversified salmon and halibut industry. Specifically to Juneau, it will punish Juneau small vessel charter fishermen that couldn't make the daily trips to Icy Strait for a variety of reasons - particularly weather. In recent years, many of the small boat charter operators I know have refused to charter in local waters for halibut because of the conflict with local personal use resident fishermen. As a result, the only truly effective halibut trips were ones that could be made to Icy Strait. Obviously, these are limited for many operators. As a result, many of us will be punished for avoiding conflicts with local fishermen while rewarding those who chose to either ignore the conflict or had larger boats that could fight the weather.

I also oppose the IFQ plan because I feel it will discriminate against residents who charter for halibut. One option would be to exclude resident halibut fishermen from the quota.

I know it isn't going to be popular to oppose an IFQ plan as most of those on the Council have personally supported IFQ allocations or the industries they represent monetarily benefit from this appropriation of a public common property resource.

Thank you for considering these comments. Although I truly doubt that opinions from Alaskans like myself will have any impact on the Council's decision. It is clear from my standpoint that the Council only considers that its mission is to protect the commercial fishing industry and little or no consideration is given to the general public. I am only writing because it gives me the right to complain and search for ways to break the grip held by the industry over Alaska's fisheries resources.

Sincerely,



Ron Somerville

Sandhills Surgical, P. C.  
807 North Ash Street  
Gordon, Nebraska 69343

James F. Panzer, III, D.

March 23, 2001

Practice limited  
to surgery  
282-1164

RECEIVED  
MAR 29 2001  
N.P.F.M.C

To Whom It May Concern:

I am just an ordinary sport fisherman who would far prefer to use a charter to fishing in my own boat. It is not that I don't have boats. I have a 22' whaler which would be quite satisfactory for fishing halibut. However, as much as I have fished Cook Inlet the last 10 years for halibut, I feel that it is much safer for me and my friends to fish with a charter which is obviously closely regulated regarding issued of safety and law. I also note that when fishing that charters "hang together." They always help each other out. I think that is Cook Inlet is not a place for many inexperienced boaters. Individual experienced boaters can easily enough run into trouble. For these reasons I prefer to fish with a charter.

Now you are speaking about quota systems for sport fishermen. I do not understand the purpose of this. You say you want it in place in case the halibut biomass is reduced. You indicate that the quota system would be appropriate for sport fishing charters as for commercial. I totally disagree. The quota system in pounds of fish should be applied only to commercial fisherman. The reason is because they take most of the fish. If you want to reduce the amount of fish taken then should you should reduce the amount allocated to the commercial fisherman. They destroy more halibut in bycatch than the sport fishermen catches.

If for some reason you need to have participation of sport fisherman in a reduction of take, you could easily cut the limit in half and you could do it by emergency order. But this is going to be very impractical as long as 80 and 90% of the fish are taken by the commercial fisherman. Of course this system has lots of difficulties...grandfathers get the quotas and they pass them on. This is wrong. Quota system shouldn't be passed on...it should be possessed only by the fisherman as long as he uses it and then it should revert not to his children but to the state where it can be sold again on a yearly basis to whomever would like to utilize it. The public resource of halibut is just that...it is public. It does not belong to the commercial fisherman despite attitude.

Mark my word, Cook Inlet will be a sport fishing paradise within the next generation and the commercial fisherman will be excluded. More bang for the buck will be obtained by the residents of Alaska by recognizing the sport fisherman.

March 23, 2001

If there were a quota system that means the best fisherman would catch their quota first and leave only worst sport fishing boats to take customers out at the end of the year. Prices would rise and already they are fairly high. Those trying to keep the prices down and provide economical fishing for the sport fisherman are being always pressured to raise their prices. Of course if all the fishing boats have their quota and then one would be forced to fish with someone who is not as qualified. That would be the choice other than, of course, of not fishing. Obviously if even more austere requirements are needed in the year that is determined, a moratorium on new charters could be issued.

However, I think that all these questions about sport fishing and limits and quotas should not even be of concern until control of the commercial fisherman and his bycatches is first addressed. In other words, in summary, I am opposed to quotas of sport fishing. I think that adequate control of the amount of halibut harvested should be addressed entirely of the commercial fisherman and his bycatch.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Jim Panzer".

James Panzer

RECEIVED

MAR 29 2001

N.P.F.M.C

114  
Leisure Fishing Charters  
George Wm. Wiese  
356 Le Ann Dr.  
Fairbanks, Ak. 99701

March 27, 01

David Benton - Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave. Suite 306  
Anchorage, Ak. 99501-2252

Chairman Benton & Council Members:

I have owned and operated Leisure Charters since 1995 , out of the Port of Valdez.

I am in support of an IFQ program for the charter fleet. The Moratorium w/GHL and Status Quo w/ GHL would both be unfair to the operators that have been in the industry for a long time. With 3A boundaries we have under the GHL the Kenai Peninsula area will have the GHL limit caught before the Port of Valdez gets started. At Valdez their are few people that want to go fishing before Memorial Day weekend, but most people don't show up until after the 15th of June.

We need a system that provides fish for the clients through out the summer.

I would like the Council to approve Alternative 3 with the following provisions:

1. The qualification criteria should include 98-99 logbooks, carried clients four out of five years 95-99 evidence to include IPHC, CFEC, & ADF&G.
2. 14.11% in 3A & 13.05% in Area 2C of a combined charter and commercial quota.
3. Minimum of 50% and the remainder to float with the abundance.
4. Distribution based on 70% of 98&99 logbook, with an additional 10% for operation in each year 95-97.
5. We must be able to buy & sell QS to & from the commercial sector.
6. Permits must be transferable and leaseable.
7. 10% of your QS to be able to roll over into the following year and 10% of your QS can be taken from the next year if needed.

8. Maximum line limit of 12 per vessel w/grandfather rights to existing vessels.
9. We must deal in number of fish and not pounds for reporting purposes. This should be based on ADF&G's average weight.
10. Use fish tags.
11. No community set aside program.
12. No sunset provision.

Sincerely

A handwritten signature in cursive script that reads "George Wm. Wiese".

George Wm. Wiese  
owner



**A-WARD CHARTERS**

P. O. BOX 631 ANCHOR POINT, ALASKA 99556  
(907) 235-7014

March 28, 2001

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

**RECEIVED**

MAR 29 2001

Chairman Benton, Council Members:

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

My name is Robert Ward and I have owned and operated A-WARD CHARTERS in Homer, Alaska for the past fifteen years. I captain a single six passenger boat taking guided anglers for halibut sportfishing only, I am not involved in any other recreational fishery, I do not fish for any other recreational species so this halibut charterboat management plan makes or breaks my business. My only income comes from my charter business.

I have been involved in this issue since it's inception in May 1993. I have had the privilege to serve the council on the Halibut Charterboat Workgroup, the Charter GHL Committee, the Charter IFQ Committee, and for the past five years I have represented my industry on your Advisory Panel with honor.

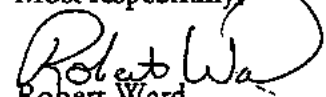
I thank you for the education I have received on the fisheries management in the North Pacific. Many times while talking to my fellow charter industry members I have been able to better inform them of the larger issues the council is involved with and how our management plan will work towards the comprehensive rationalization we are all trying to achieve.

When I am sitting on the AP as well as giving testimony to you I feel I have always been listened to and because of this I feel the council is much wiser about my industry and our needs. I especially want to thank Ms. Jane Dicosimo for the tremendous amount of research she has done and the production of the EA/RIR/IRFA document that has become a very important tool for my industry and the council.

As I look back on the history of this charterboat issue I can honestly say there is active and credible representation of my industry in this process. This is not a simple issue and there are no simple answers but the IFQ program will take my industry into the future with equal benefits from and responsibility for the halibut resource we depend on.

I stand in support of the preferred alternatives that will detail the IFQ program as recommended by the charterboat IFQ committee. Their recommendations came after complete and open discussions with all the members of my industry that wanted to participate, being afforded that opportunity. I am real proud to have represented their concerns to you through this process and I feel the IFQ program will maintain a healthy charterboat industry with available and affordable guided recreational access into the future. I thank you all once again.

Most respectfully,

  
Robert Ward

P. O. Box 631  
Anchor Point, AK. 99556



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MAR 29 2001

N.P.F.M.C

March 27, 01

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4th Ave. Suite 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton:

I am a customer of the charter boat operators and can not afford to purchase a boat to access the halibut stocks. I ask you to include the existing charter fleet into the current halibut IFQ program. I need to be able to fish when it is convenient and meets my family needs.

I believe the IFQ program is the only fair system to the industry and their sport fishing clients.

Sincerely, *Julie Smith*

*Julie Smith  
P.O. BOX 84729  
Fairbanks AK 99708*

March 11, 2001

David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave, Suite 306  
Anchorage, AK 99501-2252

RECEIVED RECEIVED  
MAR 29 2001 MAR 29 2001  
N.P.F.M.C N.P.F.M.C

Dear Mr. Benton:

As an IFQ share holder and resident of Sitka, Alaska, I would like to comment on IFQ Quota Share Program for the charter fleet.

I am concerned about erosion of my investment if a fair and balanced plan does not pass out the Council. My concerns are:

- 1) One proposal I have heard about is giving a charter allocation of 125% of 1995-1999 average catch. This should be 100%. If they want to expand, let them buy in like any other fisherman would have to do.
- 2) Community set asides, again, if they want to go that route, they need to buy in. Why should they be treated any different than any other fisherman.
- 3) I am concerned about the reporting of the charter catch - enforcement dollars and manpower do not exist for this system.
- 4) Charter IFQ's should share conservation burdens, i.e. quota fluctuations. Their quota should be adjusted just like commercial fishermen quotas.

To wrap up, all quota holders need to share conservation concerns. There are no guarantees because fish stocks fluctuate. Future quote holders need to buy in to increase their holdings. That's the way the game is played. Let's bring the charter fleet to the table. They might kick and scream, but for the stability of all other users, they need play by existing rules with no special preference.

Sincerely



John L. Murray, F/V Greta  
224 Observatory Street  
Sitka, AK 99835  
907-747-6212

March 27, 01

David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4th Ave. Suite 306  
Anchorage, Ak. 99501-2252

RECEIVED

MAR 29 2001

N.P.F.M.C.

Dear Mr. Benton:

I am a customer of the charter boat operators and can not afford to purchase a boat to access the halibut stocks. I ask you to include the existing charter fleet into the current halibut IFQ program. I need to be able to fish when it is convenient and meets my family needs.

I believe the IFQ program is the only fair system to the industry and their sport fishing clients.

Sincerely,

*James L. Klepek*

*Klepek  
2592 Riverview Dr  
Fbks. AK 99209*

119

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MAR 23 2001

N.P.F.M.C

Date: 3/26/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

*I lost 32% of my original allocation of 2C to comm. dupat.*

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: *[Signature]*

Address: *Box 8124 Port Alexander*

*S. Rutter  
Box 8124  
Port Alexander (AK)  
49836*

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

RAPPW2

From: BILLY1954  
Sent: Sunday, March 25, 2001 3:44 AM  
To: RAPPW2  
Cc: BILLY1954  
Subject: \*\*\*\*\*none\*\*\*\*\*

RECEIVED

MAR 29 2001

N.P.F.M.C

Chairman David Benton  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK. 99501

Dear Mr. Chairman,


My family has visited Alaska several times in the past few years and the main reason for our trip was to fish for halibut. We understand you are considering a management plan that will include the halibut charterboat fleet in the IFQ plan for the commercial fleet. We support such a move for the charterboats because first the halibut resource must be protected from overfishing, and second the halibut charter business is important to us and many others and we want to be able to continue to return to Alaska and catch some more fish from those very charterboats. As we understand the program the halibut charters will be able to buy more halibut "shares" for us to fish on when the overall stocks go down. We want to make sure we can always fish for halibut and if the charter business we fish with wants our business then he must have halibut for us to catch, we support this. We also understand that you will decide just how this plan will work and to begin the charterboat fleet with enough halibut is most important if we are not to see a price increase because of this plan. Please be very liberal when giving the existing charterboats the first quota so there will be enough. We don't want to see expensive charter trips just because you are trying to protect the commercial fishery, after all we understand they already get 85 percent of all halibut caught each year. We are Americans too and this fish belongs to us just as well as the commercial fishermen, maybe even more. Please consider us when making this decision and please give out enough fish to keep the charterboats fishing. Thank you.

Bill, Diane, and Will Johnson

*William R Johnson*  

---

*William Johnson Jr*  
*Diana Johnson*

 **Bill and Diana Johnson**  
6418 Green Field Dr  
Rapid City SD 57703

Scott Seaton  
Box 6556  
Sitka, AK 99835

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MAR 29 2001

N.P.F.M.C

Chairman David Benton  
North Pacific Mgmt Council  
605 West 4th Ave, suite 306  
Anchorage, AK 99501-2252

Hello:

I am a 23 year commercial halibut and salmon fisherman. I started fishing halibut in 1979 and have loved the stability the IFQ system has brought to the fishery. The income from this fishery provides a large part of my families support.

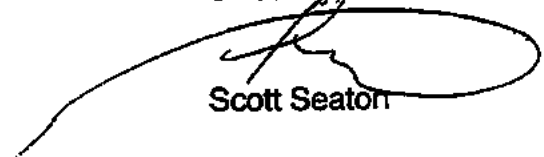
I am writing in support of the charter boat IFQ program in 2C & 3A. I think this will bring stability and predictability to the commercial charterboat fleet. Most important it will give a rational allocation division between charter and commercial fleets. I am thinking if we can stop seeing each other as a threat to our livelihood, then we can concentrate on biology concerns to both of our benefit.

If the IFQ proposal is adopted, I think allocation battles as seen by the Alaska Board of Fish lately, will be contentions of the past. Permitting transfers of IFQ's between charter and commercial fleets avoids taking of each other's livelihoods without compensation.

Please don't treat this matter with less than the gravity its effect on fishing families deserves. I am and hope to continue to be a fisherman. As one, the health of our resource is my highest priority, closely followed by allocation issues.

Thanks for your attention.

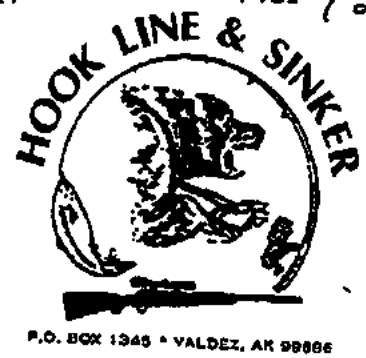
Sincerely,



Scott Seaton

March 28, 2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252



Dear Chairman Benton

I am writing this letter to voice my concerns to the North Pacific Fisheries Management Council regarding the charter boat issue. I am opposed to any new restrictions placed on the charter boat operations and feel that things should be left as is.

Charter Boat businesses bring many dollars into the Valdez community with the current rules and regulations. If the council were to decrease and restrict the limits on sportfishing many charter boat businesses will be forced to go elsewhere, as it is a known fact that the fisherman go where they are able to catch more fish.

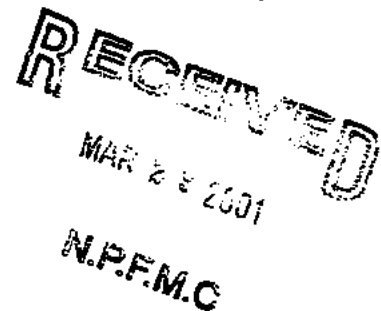
If you feel you must make a change, I would prefer to see the halibut charter sector placed in the existing halibut IFQ program. First, this plan should be the one most favorable in allocation to the Charter Operators, and their customers, to protect their rights to harvest the resource for themselves if they so chose. Second, there should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers; this is a public resource. This 50% should never decrease unless in a time of biological emergency. Until such an emergency, there should be a mandatory minimum of 50% held for the public that use charter boats. Third, you also need to determine who will receive these IFQ's based on some degree of past participation. This will help insure that the vested professional charter operator will be in business, to provide a reasonably priced charter for access to our halibut.

Thank you for your time and considerations.

Sincerely,

David E. Winney

MANAGER OF HOOK LINE & SINKER



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Mr. David Benton  
Chairman  
North Pacific Management Council  
605 West 4th Ave, ste 306  
Anchorage , AK 99501-2252

**RECEIVED**

MAR 29 2001

N.P.F.M.C

Dear Chairman Benton,

As a long term market based solution to halibut resource allocation conflict between the traditional longline sector and the charter sector I support adoption of a reasoned IFQ program for halibut charter vessels in areas 2C and 3A.

I believe in abundance based management of our fisheries(halibut and others). I also very strongly believe that for an abundance based management system to work that all user groups must participate fully(everyone shares in conservation). I therefore can not support any portion of any user group's allocation being fixed as proposed in some options. I find it audacious that such a provision of fixed allocation in an abundance based management system would be proposed. To award such a provision to any user group is contrary to the tenets of the management system. Additionally, an option that would allow a portion of the charter allocation to be fixed would tend to intensify local depletion in times of declining abundance(a certainty in the short term as halibut stocks are at historic highs). Fixing any portion of the charter allocation will negatively affect opportunities for local unguided sport and subsistence users(fixing them at this time of historic abundance guarantees it).

I am a longtime commercial longline halibut fisherman, both as a crew member and vessel owner/operator. Because I was building my business in the halibut fishery as the IFQ program was being forged and my biggest landings occurred after the qualifying period, the adoption of the IFQ program resulted in my quota share being far below my harvest levels in the three years proceeding program implementation. I have since invested in the IFQ halibut fishery more than doubling the quota I was initially awarded. When I look at options under the proposed IFQ program for the halibut charter fishery I can not help but be struck by the "concessions" already made by the commercial longline interests in helping define a proposed system that will resolve allocative battles today and in the future. I recognize that the willingness of longline interests to compromise comes from the desire to avoid a future of continued allocation battles and provide an environment where market forces can operate and help define allocation between sectors. I support an initial allocation to the charter sector based on 100% of the 1995-1999 average actual catch.

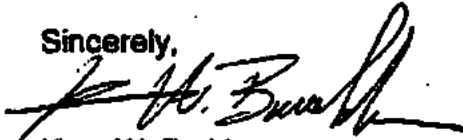
I believe qualifying communities should have a large say in defining any set-aside program for charter vessel IFQ. Individual communities can decide for themselves if they want to encourage the development of a charter industry and these decisions could include the local sport and subsistence users who will likely be most affected. I strongly believe the source of any set-aside program should come 100% from the charter sector. The commercial sector has already paid 2% of quota to establish the



**Community Development Quota Program to promote fisheries development in qualifying communities.**

**In summary, I support council adoption of an IFQ program for the halibut charter industry but only if allocation is solely abundance based in both the longline and charter sectors.**

**Sincerely,**



**Kent W. Barkhau  
123 Riggs RD.  
Sitka, AK 99835**

**CC:**

**Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532**

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# Northern Comfort Charters

P.O.Box 872, Valdez, Alaska 99686 907-835-3070

TO: David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

March 26, 2001  
**RECEIVED**

MAR 29 2001

Dear Mr. Chairman,

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

Northern Comfort Charters is a family run business. My brother, my dad along with myself captain our fleet of 2 six pack, and 1 certified vessels. We are one of the largest charter business in Valdez and Prince William Sound, providing a large portion of the public access to the halibut fishery. To supply the public with access to the halibut takes the right commercial vessels for this fishery, we have invested heavily in these vessels. We hire 3 people from Valdez seasonally to work in our business, along with the full use of local reservation offices. Most of our income remains in Valdez, about 90% of our overhead. With a GHJ and the risks it will represent to our business we find that our statement below is mandatory for our continued public service, and control of our business, for future survival.

We support a properly designed IFQ plan for the charter industry and present the following to the council for its consideration.

In April 2000, the council decided the GHJ amount of 125% in Issue 1, Option 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small measure of growth for our business; we wish to see you respect your decision.

The initial allocation should have a fixed 50% poundage and not float with abundance for a couple of reasons. One, the TAC changes too much for our business to compete. A 50% fixed percentage will soften the negative impact to our business and help maintain public access considering this program is being implemented during the natural decline cycle of the halibut.

We also feel that all current, legally operating charters should be included in the IFQ program under issue 3. Qualification Criteria, Option 2 would be our preference and in Issue 4 the most fair distribution plan would be Option 1 because it provides the current amount of resource to the boats currently operating. All charter boats would get the same proportion they are currently responsible for harvesting with room for reasonable growth in their respective businesses.

As to the transferability of charter IFQ, all charter quotas should remain in the charter industry for at least 3 years. This will allow time for our industry to learn how to manage our quotas and establish a value for said quotas. The stocks are stable, our visitor base is static and there is enough quota (at 125%) to allow for the right sizing or growth within the industry. Any transfer to the commercial system will only dilute the charter quota system and it will be difficult to establish value.

Post-it* Fax Note	7671	Date	3/29/01	# of pages	2
To	Dave Benton	From	Steve Pyle		
Co./Dept.	N.P.F.M.C.	Co.			
Phone #		Phone #			
Fax #	271-2817	Fax #			

How to keep track of our numbers will need to be addressed. The logbooks are fine for historical data, but do not provide an instant picture of where we are. Logbooks should still be maintained as well to provide for the historical data necessary for long-term management of the resource.

We also want the community set-aside to be shelved. "Banking" halibut for communities not currently in the charter sector seems unjustified. Without customers, no amount of quota will make a viable business. Operation of a charter service where there is no customer base is not good business and will only limit the access where the customers currently congregate.

If for any reason you do not opt to proceed with the IFQ system, then the GHL that will be utilized MUST be partnered with a moratorium and LAMPs and the qualification criteria option 4 must be adopted. Without the moratorium and more restrictive qualification options, the growth of the charter system could quickly overpower the GHL, severely degrading the access for the general public. Management of the GHL, by its own design, is done by historical data (logbook pages sent in weeks after the catch has been made) and immediate closures of areas would be detrimental to the public. Their access would be restricted near the end of the season when some folks traditionally fish.

In conclusion, we support the IFQ plan moving forward only if you consider the issues we've outlined above. This plan will go a long ways toward solving the allocation problems, but without generous allocations of stocks and generous access to the fishing grounds, the public angler will ultimately be the one to suffer. This issue has gone on too long and too many hours have been devoted to it to drop the issue now.

Thank you,

A handwritten signature in black ink that reads "Stephen Pyle". The signature is fluid and cursive, with a large loop at the end of the name.

C.E.G.

For Ed Pyle and Randy Pyle,  
By Steve Pyle,

cc: Gov. Tony Knowles  
cc: US Sec of Commerce

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MAR 30 2001

N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suit 306  
Anchorage, AK 99501-2252

Mr. Benton

I feel compelled to write to you concerning one of the issues in front of the fisheries council this year.

I am a 28 year resident of Alaska with a family of five. I reside in Valdez and have so for 26 of these years with two years spent in the community of Cordova. In other words I have spent a lot of time sport fishing in Prince William Sound. I feel that it is important that I contact you and the council to express my concerns about the proposed changes that directly affect the charter fleet in our community.

For your information I have owned my own vessel and for many years have sport and commercial fished for Halibut in the sound too many times to count. I have since sold my boat and for the last several years have relied on our charter fleet to offer myself and my family realistic harvest opportunities to fill our freezer with fresh halibut and have a quality Alaskan experience in the sound.

I understand that from time to time there has to be some regulatory changes to protect our precious resources, however is it the sport fisherman and charter operators whom must bear this in its entirety. I think not.

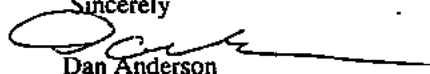
My questions to you is what biological proof do you have that the charter boat industry harvests the resource in excess of what the stocks can handle? What percentage of this harvest does the charter boat fleet use compared to the commercial fleet? Since the implementation of IFQ fishing in the sound it appears that we have a much safer and reliable resource however it appears that there is an existing conflict with the two users for this resource. As a result it seems that once again we as the majority public are being targeted with restrictions that are not only one sided but are implemented to help only the minority users of the resource. By implementing a plan that limits charter operators to an IFQ without true biological proof are you not actually limiting my family's realistic harvest opportunity in this fishery. Also are you not actually showing a direct prejudice against the future of sports fisherman and Charter boat owners in general?

I feel that another serious question you must ask yourselves is are you willing to damage the stability of our communities tie to this industry, our community relies heavily on travelling Alaskans as well as outsiders to come here to be offered the opportunity to experience a charter in Prince William Sound.

I must add that I support the Valdez Charter Boat Associations decision to compromise with a shared IFQ system that would establish a 50% availability of this resource, never to change for sports fisherman except in a proven Biological emergency that would see all users treated with equal cuts to there quotas.

In closing I am in hopes that the council will give this letter its consideration and hopefully find time to respond to some of the questions I have addressed.

Cc Governor Tony Knowles  
Cc US Sec of Commerce

Sincerely  
  
Dan Anderson  
PO Box 1842  
Valdez, AK 99686

RECEIVED PAGE 01  
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MAR 29 2001

North Pacific Fishery Management Council  
605 W 4th Ave Ste 306  
Anchorage, AK 99501

N.P.F.M.C.

Dear Members of the Council,

March 23, 2001

I am writing this letter to support an IFQ program for charter boats in areas 2C and 3A. I believe this would be a long term solution to an allocation dispute between the two commercial user groups, longline and charter. Also this would be a market based system that would allow the American public to determine access to their resource.

On Issue 1, I would support Option 3. I believe 100% of the corrected 1995-1999 average harvest is fair. I have spent \$700,000 buying IFQ's. Any "room to grow" given to the charter fleet would only be "room to shrink" for myself and many other Alaskan fishermen who have tried to work with the system and support their families and local communities. I would not support the Suboption in Issue 1 which would allow a fixed allocation for charter boats. This would not address problems of local depletion. Also I believe all user groups should share in conservation.

On Issue 4, I would support Option 2, Part C. I believe this will support the charter operators who tried to sell the Alaskan experience and sportsmanship rather than the "meat hunters" who disregarded the concerns of local subsistence and personal use fishermen.

On Issue 5, I would support Option 2B - 3. I believe IFQ's should be transferable between the longline and charter fleets allowing the market to determine the allocation.

On Issue 11, I would support Option 1. If a community set-aside is approved I would support Option 2, Suboption 1 - C. If a community set-aside is approved subsistence users should be consulted. If history repeats itself subsistence fishermen will soon lose access to local fishing holes as the charter fleets develop around these small villages. These are areas where subsistence and local personal use is most important.

In my opinion, the IFQ system has worked well for the halibut fleet. Even though I have bought half of my IFQ, I believe it has been the system that has given me my best chance of stability in the fishing business. I also have the opportunity to grow (or not grow) and plan for the future. IFQ's could work just as well for the charter fleet.

Charter boat management has been debated at the council level for seven years. Now is the time to finalize a halibut charter management plan.

Please approve a charter boat IFQ plan based on historic landings and strictly tied to abundance.

Thanks,



Dick Curran  
PO BOX 1336  
Sitka, AK 99835

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03/15/2001

Mr. David Benton - Chairman  
North Pacific Fishing Council  
605 W. 4<sup>th</sup> Ave. (Ste. 306)  
Anchorage, AK 99501-2252

RECEIVED

MAR 30 2001

N.P.F.M.C

Dear Mr. Benton,

I wish to extend my support for a necessary long-term charter vessel IFQ program. An IFQ system for the charter industry is desperately needed to control the indiscriminate harvesting of this resource.

Too many times I have witnessed these operators unload their catch of undersize halibut. Something must be done to protect the future stock of this valuable resource.

There needs to be a charter IFQ program that assigns quota shares based on a 5 year average. Too many smaller halibut are being harvested, which makes it imperative that there must be a size restriction implemented.

Commercial longliners and charter interests need to have parallel IFQ programs that are adjusted annually to take in account current harvestable supplies.

The Council needs to establish an IFQ system for the charter industry and move on to more important tasks, such as resource enhancement and improving management.

I have heard rumors of a Community Set Aside program and would strongly oppose another 2-3% reduction from the existing commercial longline quota. If such a program were established, I would like to see the charter industry support this community program.

Thank you for the opportunity to express my concerns.

Sincerely,

George Mitchell  
Box 5865  
Ketchikan, Alaska 99901  
Commercial Fisherman - 20 yrs.

Cc: Governor Tony Knowles  
P.O. Box 11001  
Juneau, AK 99811-0001

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29 March 2001

**RECEIVED**  
MAR 29 2001  
N.P.F.M.C.

Mr. David Benton  
Chairman, North Pacific Fisheries Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99811-001

Dear Mr Benton:

It has recently come to my attention that efforts are underway to institute a halibut quota for sport fishermen who use charter boats for access to the fish. I am strongly opposed to this action.

While no longer a resident of Alaska, I still return each Summer to fish for halibut and salmon. It remains one of the great thrills of my life. I hope you are aware of the number of sport fishermen a quota would impact. I was not aware of the large number of non-Alaskans who routinely come to the State to fish for halibut until I joined their ranks. I have no idea whether commercial fishermen or sports fishermen generate the most income for the State, but I do know that there is a large number of sport fishermen who enjoy fishing for halibut and who rely on charter boat operators for access to them. This system should be preserved.

I believe we have as much a right to a share of the available halibut as any commercial fishermen do. While I do not want to take away their right to make a living, I also do not want them to take away my right to sport fish for halibut. I am not fully aware of the details of the plans that have been put forth, but wish to ask that in whatever formula is chosen a fair share of halibut be allowed to sport fishermen who utilize charter boats.

Thank you:

  
LLOYD R. SUMMERS  
3597 Yosemite Ave.  
Yuma, AZ 85365

CC: Gov Knowles  
Hon Donald Evans

**RECEIVED**

MAR 30 2001

NPFMC

Glenn W. Rowe  
PO Box 10051  
Fairbanks, AK 99710  
(907) 490-4642  
March 28, 2001  
REF: CHARTER IFQ'S

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear David:

I reside in North Pole, Alaska and I am a long time customer of various Halibut Charter Boat Operators over the years, and most recently, of **SANTY CHARTERS**, out of Valdez, Alaska, Skipped by Ken Larson. I rely on the Charter Boats to provide me reasonable fishing access to the 50-100 lbs of personal use Halibut I try to sports catch annually, since I can't reasonably afford a boat big enough to access them out of Valdez. I travel to and stay in Valdez when I charter and feel I contribute a fair share of my spendable dollars to that local economy.

I have been casually aware of the Commercial vs. Charter issues and controversies over the years and have always been worried about the 85% Commercial - 15% Sports Caught (Guided and non-Guided) allocations of the Halibut **PUBLIC RESOURCE** since the forced implementation of Commercial Halibut IFQ's! I do not think it's fair or equitable to GIVE 85% of the fishing rights in a **PUBLIC Resource** to a select few large commercial operators, especially when they have the high "By Catch" wastage rates they do. I also strenuously object to your establishment of a **GHL** for Charters that provide public access for Sports Fisherman without first reallocating fish from the Commercial Sector! However, I have historically been able to go Halibut sport fishing when I wanted and catch as much as I wanted for my personal use, even though it seems the charter boats out of Valdez have been having to travel farther each year for me to consistently catch my fish. So I haven't been particularly concerned with the issue until now.

Most recently I was made aware of the proposed Charter IFQ program when I attempted to make my summer's charter reservations with **SANTY CHARTERS**. Ken informed me that depending on what happens at the upcoming early April 2001 **NPFMC** meeting, he may be unable to meet my sport caught Halibut fishing expectations using him or any other charter starting in 2003 if certain Council actions aren't taken. It appears that you are attempting to assign more of my **PUBLIC RESOURCE** through some type of **GHL/IFQ** allocation plan for Charter Operators. If you limit the Charter Operators both by numbers of boats in the business as well as by numbers of fish they can catch per operator, that tells me you are limiting my right of access to this **PUBLIC Resource** in favor of the Commercial Fisherman! If your Biologists are right and we are entering a declining Halibut availability then you need to reallocate more of the Resource



from the Commercial to the Sport Fisherman by maintaining public access thru use of private and charter boats.

However, if you feel that there is no option but to implement a Charter Boat GH/IFQ program for Charter Operators, which are my only access, then you must protect and insure my rights as a sports fisherman, to be able to catch the fish to which I am entitled. My individual rights to the fish surely supercede the Commercial Fisherman's so-called rights to this Public Resource! I feel that the historical 2 per day, 4 in possession Sport Caught Halibut limit is and has been a reasonable allocation for the sport fisherman, and should be maintained even at the expense of the Commercial sector due to the nature of this Public Resource! A major part of this equation is the Charter Fleet even though reality says their unconstrained growth could be a detriment.

This Charter IFQ program should be the one most favorable in allocation to the Charter Operators and us customers so it protects our rights to catch the fish ourselves. Although I personally prefer a 75% mandatory minimum availability of the Charter IFQ fish established that will always be available to be caught by charter customers, I can live with a 50% minimum so long as there is reallocation from the Commercial Sector first, in times of biological emergency. This 50% (or 75%) minimum should be fixed in perpetuity unless a time of biological crisis occurs, and even then a one fish per day limit minimum should be maintained by reallocation from the Commercial Sector first!

Since you also seem determined to limit the number of Charter Boats who will receive these Charter IFQ's you need to at least consider their historic past participation. This should insure that the vested professional charter operator will be able to stay in business and newcomers may have an opportunity to buy in as opportunities arise. This will hopefully insure a reasonable number of charter boats available to provide reasonably priced public access to our Halibut Public Resource. Thank you for reading this.

Sincerely,

  
Glenn W. Rowe

CC:

Gov. Tony Knowles  
Hon. Donald Evans, Sec/Com

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**RECEIVED**

MAR 30 2001

N.P.F.M.C.

David J. Geis  
PO Box 70963  
Fairbanks, AK 99707  
(907) 488-6853  
March 29, 2001

**RE: CHARTER BOAT IFQ'S**

Mr. David Benton, Chairman NPFMC  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252  
FAX: (907) 271-2817

Dear Mr. Benton:

I have been a resident of Two Rivers, Alaska for many years and have used Charter Boats to catch my personal use sports caught Halibut for many years. I have used SANITY CHARTERS in Valdez, Alaska from 1996 until last year when I bought my own small 23' Sport boat. I relied on the Charter Boats to provide me the access to the 150-200 pounds of Halibut my family consumes each year. I typically stayed at least two nites in Valdez during my various Charter fishing trips and used the local facilities. I started going on overnite charters when the day trip runs to the better fishing grounds became longer and fishing periods shorter. Those long rides to the consistently productive fishing grounds was one of the reasons I finally bought my own boat, even though it's too small to get to the best fishing areas in any but the best weather. Indeed, the closer in, more sheltered fishing grounds are becoming less abundant every year, most noticeably since Commercial IFQ's went into affect a few years back.

Ken Larson, owner of SANITY CHARTERS has made me painfully aware of your proposed Halibut Charter GHL/IFQ Program and what it could mean to me through decreased public access via charter boats. When you folks implemented the Commercial Halibut IFQ Program a few years ago it really upset me that you GAVE 85% of the Halibut PUBLIC RESOURCE to a relative few commercial operators and left 15% of the Public Resource to the Sports Fishermen (Guided and Non-Guided). And now you're trying to further limit my access to the Sport Fishery through limits on the Charter Boat industry! It really torques me off that the Halibut "By-Catch" wastage by the Commercial Fleet amounts to a much larger percentage than the total sports catch!! And now you want to continue to limit my access to and catch of Halibut during the presently projected Halibut Biomass decline. I believe that is unfair and that the Sport Fishery share of the catch should be increased at the expense of the Commercial Fishery in order to maintain the 2 per day, 4 in possession bag limits during the coming decline. This allocation needs to be equitably made available for use by the Charter Fleet in order for them to provide me with the public access to the Halibut. I am getting tired of hearing from the Commercial Fishermen that they "own" this Public Resource and are entitled to keep it for their own profit! The ultimate consumer of the fish should be counted as the "true" owner, if any one can "own" a public resource.

However, I am a realist and understand that you Public Agencies have a need to regulate the Public Resources for the most good. With that in mind and your apparent decision that there is no choice but to implement a Charter Boat GH/IFQ program for Charter Operators, you must also protect and guarantee my rights as a sports fisherman to be able to harvest Halibut to which I am entitled. My individual rights to the fish surely must supercede the Commercial Fisherman's so-called rights to this Public Resource! A major part of the public access and allocation equation is the Charter Fleet, even if their unconstrained growth could be a detriment to themselves as well as the Fishery, given no re-allocation from the Commercial Fishery.

This Charter IFQ Program selected should be the one most favorable in allocation to the Charter Operators and us customers so it protects our rights to catch the fish ourselves. While I personally prefer a 75% mandatory minimum availability of the Charter IFQ fish established that will always be available to be caught by Charter customers, I can live with a 50% minimum so long as there is re-allocation from the Commercial Sector first, in times of biological emergency. This 75% (or 50%) minimum should be fixed in perpetuity unless a time of biological crisis occurs, and even then a one fish per day limit minimum should be maintained by re-allocation from the Commercial side first!

When you determine who will receive the Charter IFQ's you need to at least consider their past bona fide historic participation as charter operators and their anticipated future participation. You need to insure that the vested professional charter operator will be able to stay in business. Future newcomers should also be able to reasonably buy into a charter business as opportunities arise. This will hopefully guarantee a reasonable number of charter boats available to provide reasonably priced public access to our Halibut Public Resource. Thank you.

Apprehensively Yours,



David J. Geis

CC:  
Gov. Tony Knowles  
Hon. Donald Evans, Sec/Com

# Silver Lining Charters

RECEIVED  
MAR 30 2001  
N.P.F.M.C

March 27, 2001

Silver Lining Charters  
PO Box 55032  
North Pole AK  
99705

TO: David Benton  
North Pacific Fishery Management Council  
605 W.4 th. Ave Ste 306  
Anchorage, Ak. 99501-2252

cc: Gov. Tony Knowles  
cc: US Sec of Commerce

Dear Mr. Chairman,

Please let us preface this letter by saying we do not feel there is a need to micro-manage the halibut charter fishing fleet in Alaska. We simply provide a platform so the general public has access to their fishing resource. Most of the people we take fishing do not wish to or cannot afford to own their own boat. If this fishery were accessible from shore we would not be needed. That said, we know that you are going to manage my business for me so it is in my best interest to have a say in how it will be operated. We support a properly designed IFQ plan for the charter industry and present the following to the council for its consideration.

In April 2000, the council decided the GHL amount of 125% in Issue 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small measure of growth for our business; we wish to see you respect your decision.

The initial allocation should have a fixed 50% poundage and not float with abundance for a couple of reasons. One, the TAC change too much for our business to complete. Take our 2000 season totals for example. As with a majority of the charter vessels in Valdez, we do not only provide a platform for halibut fishermen. We also provide for salmon fisherman who prefer to eat their fish fresh from the salt water instead of rivers and streams and sightseeing trips for visitors who are not interested in fishing. There is no room for our business to grow. A 50% fixed percentage will soften the negative impact to our business and help maintain public access considering this programs begin implemented during the natural decline cycle of the halibut.

We also feel that all current, legally operating charters should be included in the IFQ program under issue 3. Qualification Criteria, Option 2 would be our preference and in Issue 4 the most fair distribution plan would be Option 1 because it provides the current amount of resource to the boat currently operating. All charter boat would get the same proportion they are currently responsible for harvesting with room for reasonable growth in their respective businesses

As to the transferability of charter IFQ, all charter quotas should remain in the charter industry for at least 3 years. This will allow time for our industry to learn how to manage our quotas and establish value for said quota. The stocks are stable, our visitor base is static and there is enough quota (at 125%) to allow for growth within the industry. Any transfer to or from the commercial system will only dilute the charter quota system and it will be difficult to establish value.

How to keep track of our numbers will need to be addressed. The logbooks are fine for historical data but do not provide an instant picture of where we are. Fish tags are probably the easiest and most economical method of instant reporting. Logbooks should still be maintained as fish tags we will know immediately where we stand at any time during our season.

We also want the community set-aside to be shelved. "Banking" halibut for communities not currently in the charter sector seems unjustified. Without customers, no amount of quota will make a viable business. Operation of a charter service where there is no customer base is not good business and will only limit the access where the customers currently congregate.

If for any reason you do not opt to proceed with the IFQ system, then the GHL that will be utilized MUST be partnered with a moratorium and LAMPs and the qualification criteria option 4 must be adopted. Without the moratorium and more restrictive qualification options, the growth of the charter system will quickly overpower the GHL, severely degrading the access for the general public. Management of the GHL, by its own design, is done by

# Silver Lining Charters

historical data (logbooks pages sent in weeks after the catch has been made) and immediate closures of areas would be determined to the public. Their access would be restricted near the end of the season when some folks traditionally fish.

One last consideration is the one many charter businesses have asked for since the beginning of the issue. Leave us alone. If a six-pack charter fished 6 rods EVERY DAY from Memorial weekend through Labor Day (traditional halibut season) and every angler caught two fish, the total number of fish caught would be 1212. Translate that into pounds (20 pounds average) and you have 24,240 pounds. In the FIRST 4 DAYS of the 2001 commercial halibut season in Prince William Sound over 45,000 pounds of halibut were caught! The number of charter operators who set aside, everyone we know takes a couple of days off during the summer if only to recharge their own batteries. In truth, most of us will only be on the water fishing for halibut 50 to 70 days a season. The impact the charter fishing fleet has on existing halibut stocks is minimal and in light of that, we could and should be left alone. That said, we know that it will not happen. This issue has gone on too long and too many hours have been devoted to it to drop the issue now.

In conclusion, we support the IFQ plan moving forward only if you consider the issues we've outlined above. This plan will go a long ways toward solving the allocation problems, but without generous allocations of stocks and generous access to the fishing grounds, the public angler will ultimately be the one to suffer.



Dale Price

Owner/Operator Silver Lining Charters



RECEIVED  
MAR 30 2001  
N.P.F.M.C

March 28, 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Chairman Benton, Members of the Council:

My name is Tim Evers. My wife Jodi and I own and operate Fishward Bound Adventures, the Deep Creek Sport Shop and Big Valley Cabins. We are located in Ninilchik on the Kenai Peninsula. Many refer to our fishery as the Upper Cook Inlet Marine Fishery or the Deep Creek Fishery. This Halibut and King Salmon Sport Fishery is our bread and butter. We employ four local individuals year round and employ 14 others from April 15 to the end of September. I skipper my own vessel and lease space to two other operators who also do a great amount of over flow business for us. We consider them sub-contractors and members of the "Deep Creek Sport Shop Fishing Team".

For the past eight years, I have been the President of the Deep Creek Charterboat Association. This position has given me the opportunity to serve the Council on the GHL Committee and the Charter Boat IFQ Committee, as well as to participate at every Council meeting dealing with halibut and charter boats since 1993.

I support Council action to include the halibut charter sector into the existing Halibut IFQ program. I am opposed to status quo action and also to moratorium action. However, I would like to remind the Council that there was a time when I supported the Moratorium, but now believe that opportunity left when it was not supported by the Council as part of the GHL two years ago. I do believe the time frame to take such action now would just add to the over capitalization and industry instability here in the Deep Creek Fishery and do nothing to solve the problem statement today.

Whatever alternative you select as the future Halibut Charter Management program for us, I would request that you maintain the current Charter IFQ Committee into the future, as I am sure there will be a need for industry input in development and progress of such a plan. (The same as the existing IFQ Implementation Team).

I, for one, have very much appreciated the Council process. I knew nothing about the Council process in 1993. Today, I feel I know it well. The Council has gone out of its' way to educate us and involve us in the progress of this issue. Dr. Dave Hanson and Jane Dicosimo have served the Council well. Their professional abilities and guidance to the IFQ Committee have been the backbone for our accomplishment of designing an IFQ Plan that represents the best interests of our industry. This task has not been easy, but then no plan is when you are dealing with allocation. To make it a little tougher, we even had to take into account the concerns for affordable public access to the resource, something new for the Council also.

Something that most have had a difficult time with, was being re-educated to the term guided angler and unguided angler and accepting responsibility for the guided anglers allocation.

I believe we have designed a plan that will solve the problem statement and one that will protect this resource fairly for all user groups. I also sense that it has the potential to do the same for other fisheries all over the United States. Protecting the fish is a priority and IFQ's can potentially play a part in doing that.

As you go through the Issues and Options laid out before you, may I suggest that some are more than workable, as some are not workable at all. I feel that the Charter IFQ Committee has sorted through them carefully, over and over again, and I would support the Issue and Option recommendations of the IFQ Charter Committee as presented to you from them.

Thank you for your consideration concerning this issue.

Sincerely,



**Timothy R. Evers**  
**Fishward Bound Adventures**  
**Deep Creek Sport Shop**  
**Big Valley Cabins**

RECEIVED

MAR 30 2001

N.P.F.M.C

Date: 3/22/2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

1. My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.
  2. Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.
  3. Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.
  4. The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.
- A charter IFO is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.
6. If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).  
*Based on 100% of 1995-99 Average Catch.*  
 Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely, *Larry L. Van Skyr*

Name: Larry Van Skyr

Address: 53832 Forest Ln, Kenai, Alaska 99611

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

Check these # for the Cook Inlet area: 3 Million pounds of Halibut are harvested by Charter/Sport industry.

700,000 pounds harvested by Comm. industry. That is a ratio of 4:1  
4 lbs Sport charter to 1 lb Comm. harvest.

I can see my skinny butt being pushed further & further off shore in a D category boat (33 Ft). Is that Safety? NO!  
Even in Cook Inlet I am often 20-25 miles from a safe harbor!



Date: 3/23/01

RECEIVED

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

MAR 30 2001

N.P.F.M.C

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Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.


Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap; they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,   
Name: John J. Jock

Address: EX 1312 CORDOVA, AK 99574

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

I apologize for using the form letter but time is becoming an issue. Thank you for your consideration on this matter.



RECEIVED

MAR 30 2001

N.P.F.M.C

Date: March 20, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

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\* Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

↖ The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

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\* If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Brett Zaenglein

Address: P.O. Box 6596 Sitka, AK 99835

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

I oppose any fixed percentage for anyone. How can the resource be managed & pain/gains be shared among all users with a fixed allocation?

**RECEIVED**

MAR 29 2001

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**Members of the Council:****N.P.F.M.C**

I am writing this letter in support of an IFQ/QS program for charter operators in areas 2C and 3A.

In my opinion this would be a long-term solution to any allocation dispute between the two commercial user groups, longline and charter. A market based system allowing the American public access to their renewable resource.

On issue one, I would support option three. 100% of the corrected 1995-1999 harvest is fair. I found room to grow by investing \$400,000 in the IFQ system. All legitimate charter operators can do the same thing. The rest will be paid for their time and can get out of the way.

I would not support the sub option in Issue one. A fixed allocation for charter operators does not address the problem of over fishing. Everyone must share in conservation.

On Issue four, I would support option II, part C. This would be in favor of the charter operator selling the Alaskan Experience and Sportsmanship rather than the MEAT HUNTERS who disregard the concerns of local subsistence and personal use fishermen.

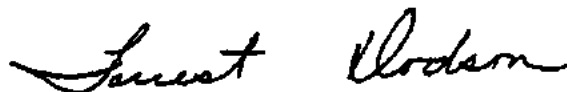
On Issue five, I would support option two-B-three. IFQ/QS should be transferable between the longline and charter fleets. Allowing the market to determine the allocation is reasonable.

On Issue eleven, I would support option one. If a community set aside is approved, I would support option two, suboption C. Subsistence users should be consulted. History tells us, that when a charter fleet develops around a small community subsistence users loose access to the resource. These are areas where subsistence and personal use is most important.

The IFQ/QS system has worked well for the halibut fleet. It has given me my best chance for stability and opportunity for growth in the fishing industry. This plan allows me to plan for the future. It could do the something for the charter industry.

Charter operator management has been debated for years at the Council level. Now is the time to finalize a halibut charter management plan.

I urge you to approve a charter operator IFQ plan based on historic landing and strictly tied to abundance.



Forrest Dodson  
607 Etofin Street  
Sitka, AK 99835



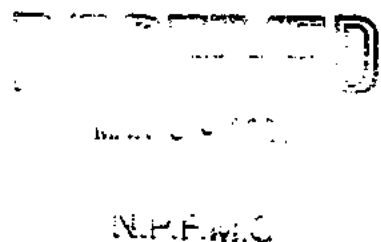
137

P.O. Box 20761, Juneau, Alaska 99802

Phone/FAX (907) 789-2399

March 25, 2001

David Benton, Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501-2252



Dear Mr. Chairman:

The Territorial Sportsmen are writing in opposition to the halibut IFQ management plan being proposed by the North Pacific Fishery Management Council. Territorial Sportsmen, Inc. is a local Alaskan sportsmen/conservation organization with a total membership of over 1200.

Although we can agree that conflicts have grown in the allocation of our fisheries resources between the commercial and sport fisheries, we are opposed to transferring ownership of common property resources like halibut or salmon to a select group of charter captains. Using the most recent 4 or 5 years of data as a basis for allocating these IFQ's is essentially a reward for the large boat charter fleet that has transferred to Alaska in recent years.

Further, the Guideline Harvest Level (GHL) should be repealed. Neither the GHL nor the IFQ for guided sport can be justified based on the very small sportfish withdrawal as compared to the commercial harvest and bycatch. We must remember that halibut is a public resource and America's sportfishing public deserves an opportunity to access more than five or ten percent of the stock.

From the recreational fishermen's point of view, the management of our halibut resources has been a disaster. The commercial IFQ program has resulted in greater competition between the commercial fleet and local personal use fishermen as halibut skates criss-cross local easily accessible fishing holes. The results have been the depletion of local stocks resulting in longer and more expensive and dangerous trips for the small boat recreational fishing fleet.

Surprisingly, the commercial quota for halibut has been increasing in recent years and has resulted in even greater individual quotas for the commercial fleet, which has exacerbated the conflict. At the same time as the commercial quotas have increased, the sport fishery has come under greater and greater threats to limit their use of the resource. During this time of increased quotas for the commercial fleet, no increases in bag limit for the personal use fisherman has occurred. To make the situation even more astoundingly

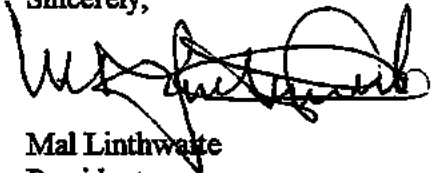
bleak, the North Pacific Fisheries Management Council recently decided to promote racially discriminatory halibut regulations in Alaska. Our organization is opposed to this type of self-serving and discriminatory regulatory scheme.

Establishing charter IFQ's will even further discriminate against Alaskans in an attempt to keep many Alaskans from utilizing their common property resource. Although the bulk of the charter fishermen are non-residents in some areas, there are many Alaskans who utilize the charter fleet as their only means of participating in this fishery.

We strongly suggest that the North Pacific Fisheries Management Council scrap the proposed halibut charter GHL and IFQ program and redesign our halibut management program to benefit all Alaskans—including future generations.

Thank you for considering our recommendations.

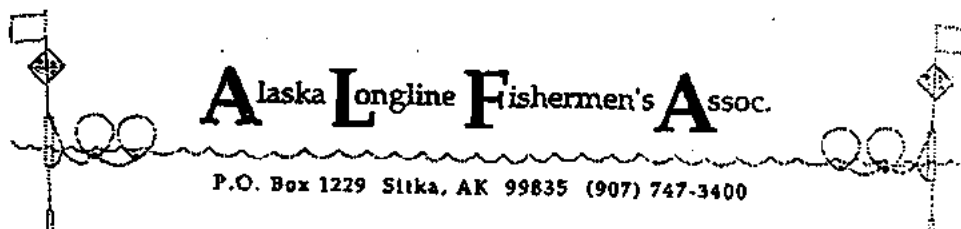
Sincerely,

A handwritten signature in black ink, appearing to read 'Mal Linthwaite', written over a horizontal line.

Mal Linthwaite  
President

Cc: Ted Stevens, U.S. Senator  
Frank Murkowski, U.S. Senator  
Don Young, Congressman  
Tony Knowles, Governor  
Donald Evans, Secretary of Commerce

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North Pacific Fishery Management Council  
605 West 4th Avenue, Ste. 306  
Anchorage, AK 99501

RECEIVED

MAR 30 2001

March 28, 2001

Dear Members of the Council,

N.P.F.M.C

I would like to submit the following comments on the Halibut Charter Management Program to you on behalf of the Alaska Longline Fishermen's Association (ALFA).

As you are well aware, the Council has spent seven years working on a management plan for the halibut charter industry to resolve allocation conflicts between subsistence, sport, charter and commercial sectors and to provide the charter industry with a rational fishery of historic length. When the Council adopted a Guideline Harvest Level (GHL) for the charter fleet last year, the charter industry asked the Council to work expeditiously on a charter IFQ program, recognizing that such a system would rationalize their operations and allow them the flexibility to better meet the needs of their clients. The Council staff, with the assistance of outside contracts, has completed a truly heroic effort in pulling together a very thorough analysis. Including the charter sector in the IFQ program will accomplish the Council's goals, ending the allocation dispute, stabilizing the charter sector, and maximizing benefits to all who rely on the halibut resource, from anglers to processors, consumers and harvesters. **ALFA supports Alternative 2: Include the halibut charter sector in the existing IFQ program.**

In adopting alternative 2, the Council must state up front, for those who are unfamiliar with quota share systems that IFQs are an access privilege, not an ownership right. They may be revoked or suspended at any time. IFQs allow commercial fishermen, and charter operators if alternative 2 is adopted, to harvest halibut; they do not endow anyone with ownership of the fish. By encouraging long-term investment in harvesting privileges, IFQs encourage resource stewardship. IFQs also allow fishermen a unique opportunity to plan their season, rationalize their business, and invest in their future. As the analysis identifies, rationalizing the charter business through IFQs will allow charter operators to maximize the efficiency of their operations, offer diverse fishing trips to meet the need of their clients, and may result in less expensive charter trips (Appendix V)

Below are comments specific to the issues identified in the charter IFQ program. ALFA members will supply additional testimony at the April Council meeting.

**Issue 1: Initial allocation: ALFA supports option 3, 100% of average 1995-1999 harvest for the following reasons:**

The Council has a long history of basing allocation decisions on historic landings, generally averaging landings over a period of time to determine fair and equitable allocations. ALFA members can see no reason to deviate from that practice. As the analysis points out, the '99 charter harvest in 2C and 3A (and 2000 if preliminary numbers are correct) was 36 and 37% (respectively) below the GHL adopted by the Council last year (p. 131). If harvest by charter skippers and crew is subtracted from the total, the '99 harvest is over 40% below the GHL (and therefore option 1 under Issue 1). Council intent in setting the GHL was to set an upper bound, allowing 25% room for growth—primarily room for growth in communities that had not yet developed a charter fishery. **Option 1 under Issue 1 actually allows 40% growth—in fact, it provides a windfall 40% above current catch levels to established charter operations.**

Because the halibut resource is fully allocated, adopting an option that allocates more than historic landings would result in a substantial and costly reallocation. For example, option 1, under issue 2, would reallocate 5% of the 2C quota from the commercial to charter sector. Five percent translates to 400,000 pounds worth \$4 million in capital investments at current IFQ prices (\$10 per pound). In 3A, 1.4 million pounds would be reallocated with option 1, worth \$14 million dollars. Many of the commercial IFQ holders who would lose quota have purchased some or all of the quota they currently hold, and are still making payments on those shares. Some have mortgaged homes or land to buy shares. There is no justification for this reallocation.

From another perspective: allocating IFQ to charter operators 40% above existing harvest levels would either exacerbate existing localized depletion and crowding issues, or result in unharvested halibut if, as charter operators have frequently testified, they can not take advantage of quota increases. If the quota is transferable between sectors, commercial fishermen could buy that quota back--providing charter operators with a double windfall. The Council's problem statement speaks to ending reallocation and rationalizing the halibut industry, not robbing one sector to create wealth in another. Basing the initial allocation on historic landings is the only defensible option.

If the Council is determined to allocate IFQ to the charter fleet above historic landings, the maximum amount that should be considered is 25% above current ('99) levels. This would translate into an initial allocation less than option 1 and more than options 2 or 3. While ALFA can not support such an approach, it is obviously more palatable than option 1.

Issue 1, suboption: 0-50% fixed: ALFA members can only accept 0% fixed, and are disgusted by continued support from the charter sector for a fixed allocation. Any fleet or individual committed to resource conservation should soundly reject management that is not abundance-based. Management that is not abundance-based has had a highly predictable outcome: overfishing and resource depletion. The Alaska halibut resource is healthy after 100 years of commercial exploitation because commercial fishermen have remained committed to conservation and sustained harvest. When necessary, commercial fishermen have forgone harvest to maintain abundance; charter operators should have enough pride and responsibility to do the same.

Other reasons for rejecting any amount of fixed allocation include the following:

1. Biomass level in 2C and 3A are declining--a fixed allocation with declining biomass requires the commercial fleet to pay double--once for the resource decline and once to compensate for a charter harvest disproportional to abundance;
2. Charter harvest disproportional to abundance would also exacerbate localized depletion problems, concentrating non-sustainable effort near towns;
3. At 50% fixed and the option 1 initial allocation, 70-80% of the charter fleet's current catch would be "fixed."
3. Abundance based management is the key to the success of Alaska's fisheries management. Everyone shares in the costs and benefits of conservation.

#### Issue 2

ALFA supports b) US ownership based on b) 75% ownership. Requirement for the commercial IFQ fisheries should also be raised to this higher standard. The reason is clear: U.S. fishermen should harvest U.S. fisheries.

#### Issue 5

option 1: a) leaseable: 10% of annual IFQ- charter operators may lease up to 10% of annual IFQ to charter (suboption iv under option 2) for 3 years unless extended by Council.

also: charter operators may lease up to 10% of annual IFQ to commercial

b) non-leaseable: 90% of annual IFQ- quota share holder must own at least 50% of vessel on which shares are fished or be present during harvesting.

#### Rationale:

Allowing charter operators to lease 10% of their quota will provide flexibility to adjust to end of season short-falls or excesses--e.g., a charter operator with quota remaining after client

demands have been met, can lease quota to a charter or commercial operator who has additional clients or an opportunity to harvest more halibut.

**option 2: 3. two-way transfer between charter and commercial**

**Rationale:** The allocation dispute between commercial and charter fishermen will only be resolved by allowing the American public to determine whether additional charter opportunities or additional consumer access is the "best" use of the resource--i.e., by allowing transfers between sectors. If concern continues to persist that quota will migrate to the commercial sector, then some percentage of initial charter allocations could be designated transferable to commercial or charter while the rest could be limited to charter transfers only. (ALFA finds this concerns somewhat ironic, given the often repeated claims from the charter sector that a halibut is worth more to the charter industry than the commercial.)

**option 3: Block restrictions**

a) any initially issued charter QS transferred to commercial shall be:

2. blocked up to limits of commercial sweep-up

b) allow splitting of commercial blocks to transfer a smaller piece to charter.

Once in charter, QS remains a block, sold back to commercial as block.

**option 4. Vessel class restrictions:**

a) commercial to charter from any size class,

~~except~~ no charter vessel may hold more than 1 D category block

b) charter to commercial (not initially allocated) retain size class and block from time of transfer to charter; transfer to comparable size class.

c) charter to commercial (initially allocated) to catcher vessel of comparable

size class (e.g., under 35' must sell to D class vessel) or within fish-down

regulations

**Rationale:**

The block plan and the vessel size class system have achieved the stated goals of controlling consolidation, maintaining an entry level to the IFQ fishery, and maintaining a diverse, shore-based fleet. It is imperative that the inclusion of the charter sector in the IFQ system does not undermine the effectiveness of the block plan or vessel size class system.

Because small blocks of D category shares sell for less per pound than any other commercial quota, most, if not all of the quota purchased by charter operators will come from this category (p 191). As the analysis states, this increased competition for D class blocks will raise the price per pound of the D blocks, making it more difficult for owners of small boats and new entrants to buy into the IFQ fisheries. To counter this, ALFA proposes the above restrictions on D class ownership, and recommends that quota being sold back to the commercial sector retain initial block and size class designations or, if initially allocated charter shares, be sold to commercial fishermen as blocks.

**Issue 9. Charter IFQs issued in:**

Hybrid option proposed by staff (p. 209). Accounts allocated and maintained in pounds but converted to fish on charter permits; reporting in numbers of fish. Average weight verified annually and adjusted as needed.

**Issue 10. Reporting**

option 1: (modified as recommended by staff): report landings at conclusion of trip or end of each day.

option 4: charter IFQ fish tags

**Rationale:**

Adequate monitoring and reporting is essential to preserve the health of the resource. ALFA members consider the hybrid initial allocation proposed by staff and the combination of fish tags and daily reporting an appropriate system.

**Issue 11. Community set-aside**

ALFA did not take a position on the community QS set-aside, but after reviewing the options



arrived at the following conclusions:

1. Any quota set aside for community-owned charter businesses should come from the charter sector's initial allocation. When the commercial IFQ program was established, quota was deducted from commercial fishermen to fund the CDQ program; commercial fishermen should not have to pay twice for community quota.
2. If the charter sector is allocated more than their historic catch, the only rationale for doing so would be to allow room for charter fleets to develop in communities that currently do not have charter fisheries (public testimony from charter operators has documented that other areas are generally over-crowded). The community set-aside should come out of the charter allocation.
3. The analysis identifies that "start-up" quota amounts for both 2C and 3A are less than those requested in the Gulf Coastal Community Coalition proposal (900-1000 pounds as opposed to the 3,000 requested). Quite clearly, any set aside considered by the Council should be no more than 1% of the combined commercial and charter sector, and again, should come out of the initial charter allocation.

In closing, ALFA urges the Council to move ahead with alternative 2: including the charter sector in the halibut IFQ system. Seven years is long enough to wait for resolution to this issue.

Thank you for the opportunity to comment.

Sincerely,



Terry Perenovich, ALFA



Petersburg Charter Boat Association  
P.O. Box 1507  
Petersburg, Alaska 99833

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MAR 30 2001

N.P.F.M.C

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

March 27, 2001

Dear North Pacific Fisheries Management Council;

On Tuesday, March 20, the Petersburg Charterboat Association met to discuss proposed management actions for guided halibut fisheries off Alaska. We determined that a moratorium would most likely not provide much benefit to our industry at this time because implementation was delayed way too long and there are now too many potential participants.

While there was not overwhelming support within our association for the proposed IFQ program, the general consensus was that the guided halibut charter operators in our area (the internal waters of Southeast Alaska) would most likely fair better under an IFQ program than under a GHL. That is because halibut are not available to our fishery until later in the season and we would run a risk that much of the quota could be taken by fisheries in other areas before we have access to fish in our area. If guided halibut fishing is constrained or closed during July and August, we simply have no other fishing charter options available to us.

That being said, we generally agreed that if an IFQ program is adopted, we could accept it without challenge only if certain options are included. Our preferred options for each of the issues are listed below.

**Issue 1. Initial QS** - We prefer Option 1 or Option 2 and also support the suboption to allow at least 50% of the QS to be fixed with only the remaining portion floating with abundance.

**Issue 2. Basis for initial allocation** - We prefer Option 1 and Option 2 with a US Ownership provision and required Coast Guard documentation.

**Issue 3. Qualification** - We prefer either Option 1 or Option 4 and the suboption requiring current participation.

**Issue 4. Distribution of QS** - We prefer Option 1

**Issue 5. Transferability between sectors** - We can accept all of the provisions listed, but realize that this must be put together as a package. It can not be piecemeal.

**Issue 6. Receipt of QS by transfer** - We prefer Option 1, including sections a, b, c, and the suboption requiring a USCG license, and Option 2.

**Issue 7. Caps** - PCBA took no action on this issue.

**Issue 8. Miscellaneous provisions** - We prefer Options 1, 2, and 3, but do not support Option 4.

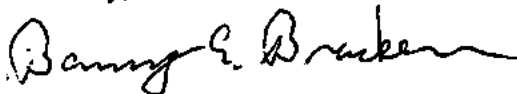
**Issue 9. IFQ issuance** - We do not support Option 1. Pounds.

**Issue 10. Reporting** - We can support Option 2, Option 4, and/or Option 5. We do not support Option 1 because we often have clients who have limited time after returning to port and this provision could cause delays for them and cause problems for our daily operation.

**Issue 11. Community Set-aside** - We support Option 1, No community set-aside.

Thank you for the opportunity to comment.

Sincerely,



Barry E. Bracken  
Secretary



**RECEIVED**

MAR 30 2001

N.P.F.M.C

DAVID BENTON - CHAIRMAN  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
605 W. 4<sup>TH</sup> AVE. SUITE 306  
ANCHORAGE AK 99501-2252

Dear Mr. Chairman,

As an Alaskan resident operating a sportfishing charter service in Petersburg, for the past 12 years and being dependent on access to the halibut resource for a large part of my business, I would support a reasonable and fairly implemented IFQ plan for the charter industry.

An IFQ type of management provides my business with stability, and better opportunity to maintain or increase access to the resource. A GHM form of management, even with a moratorium, will not. A GHM will lead to further allocation battles between user groups as well as within our own industry.

I offer the following recommendations to the council for adoption into the charter IFQ program:

- Issue 1 - Option 1 or 2
- Issue 2 - U.S. ownership at 75% and options 1 and 2
- Issue 3 - Option 1 or 2
- Issue 4 - Option 1
- Issue 5 - As recommended by the halibut task force
- Issue 6 - Options 1 and 2, plus the sub-option
- Issue 7 - As recommended by the halibut task force
- Issue 8 - Options 1, 2 and 3
- Issue 9 - Option 1
- Issue 10- Options 2 and 5
- Issue 11- Option 1

Support for an IFQ type of management for our industry will only come with a fair and reasonable plan, anything less will likely prolong this issue into the unforeseeable future.

Thank you for the opportunity to comment.

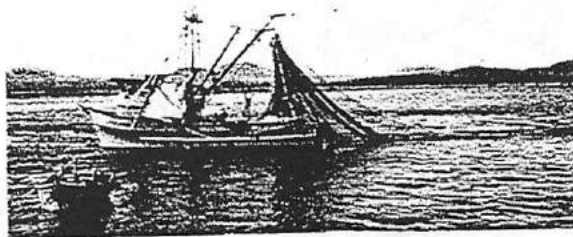
Sincerely,

Stan Malcom

141  
F/V ARCHANGEL

PHILLIP R WYMAN

907-747-5568



P.O. BOX 2507

SITKA, ALASKA 99835

RECEIVED

MAR 30 2001

HONORABLE DAVID BENTON  
NPFMC  
605 WEST 4th Ave. Ste 306  
ANCHORAGE, AK 99501

N.P.F.M.C

DEAR CHAIRMAN BENTON,

I AM WRITING CONCERNING THE PROPOSAL BEFORE THE NPFMC THAT DEALS WITH THE ALLOCATION OF HALIBUT TO THE CHARTER BOAT FLEET. I STRONGLY FAVOR THE OPTION THAT PROVIDES AN ALLOCATION TO THE CHARTER FLEET BASED ON 100% OF THE 1995-99 CHARTER FLEET'S AVERAGE HARVEST. I ALSO SUPPORT THE TRANSFER OF IFQS BETWEEN CHARTER AND COMMERCIAL SECTORS.

AS A FISHERMAN WHO HAS BOUGHT 2/3 OF HIS IFQS WITH ALL OF HIS EARNINGS FROM THE EARLY 90'S AND WITH SEVERAL LARGE LOANS; IT IS VERY DISHEARTENING SEEING MY FAMILY'S INVESTMENT IN STABILITY BEING ERODED BY THE UNCHECKED GROWTH OF THE CHARTER INDUSTRY. MY CREWMEN AND THEIR FAMILIES WHO HAVE ALL INVESTED LIKE MYSELF FEEL THE SAME WAY. WITH THE DEMISE OF THE SALMON INDUSTRY AND THE DOWNTURN OF MANY OTHER FISHERIES; THE HALIBUT FISHERY HAS BECOME OUR MAINSTAY TO CONTINUING TO LIVE IN SITKA YEAR-ROUND.

THE MESSAGE IS SIMPLE; HALIBUT IFQS PROVIDE STABILITY FOR MY FAMILY AND MY CREW'S FAMILIES AND TO OUR COMMUNITY OF SITKA. WE DO NOT NEED ANY FURTHER EXPANSION OF THE CHARTER INDUSTRY. WE NEED YOUR BODY TO STOP THE CHARTER FLEET'S GROWTH AND LIMIT THEIR HALIBUT TAKE TO 95-99 AVERAGE LEVELS. THIS ISSUE HAS BEEN GOING ON FOR ALMOST A DECADE AND I WOULD REALLY LIKE SOME CLOSURE ON THIS MATTER.

THANK YOU

PHIL WYMAN  
F/V ARCHANGEL  
BOX 2507  
SITKA, ALASKA 99835

March 23, 2001

142

Mr. David Benton (Chairman  
North Pacific Fishery Management Council)  
105 West 4th Ave, Ste. 306  
Anchorage, AK, 99501, -2252

RECEIVED  
MAR 30 2001

N.P.F.M.C.

Dear Mr. Benton,

I am writing in support of an equitable IFQ program for charter vessels in area 2C and 3A.

I grew up in Kodiak, AK and have been fishing since 1967, starting at the age of 4. I now fish salmon and Halibut with a 42' boat, but have also fished shrimp and herring for many years. Commercial fishing isn't just my major source of income, but also my way of life. Winters I now live in Edmonds, Wa.

The IFQ program was devastating for small boats and their crews. Most are doing something else now.

Those of us remaining fish with each other and/or have purchased IFQs with long term loans, trying to recover what's been lost. (This program was not designed for small business growth!) I was awarded 8,500 lbs of 3A halibut in 1995. I only had 3 qualifying years at approx 38,000 lbs. average. In 1996 I purchased another 9,000 lbs on a ten year loan at \$14,947 per year until 2006. Here are my 2000 crew settlement figures minus approx expenses:

$$4/19/00 \text{ Gross after tax + cod bycatch} = 38,154.85$$

$$\quad \quad \quad \times .03 \text{ est. IFQ Tax}$$

$$\quad \quad \quad \hline = 1,144.65$$

$$38,154.85$$

$$- 1,144.65$$

$$\hline = 37,010.20$$

$$\times 10\% \text{ crewshare}$$


$$\hline = 3,701.02 \text{ crewshare} \times 3 = 11,103.06$$

38,154.85	Gross	
11,103.06	crewshares (have to pay well for experience)	
1,200	Bait (Variable)	
1,000	fuel (Variable)	
600	Groc. (Variable)	
600	Insurance	
500	Gear (Variable)	
500	Repairs (Variable)	
300	Moorage & Electricity	
- 14,947	IFQ payment	= 30,750.06 Total Expenses
<hr/>		
7,404.79	balance	

As you can see I can't afford to lose IFQ's without being fully compensated either by government, charter organizations, or both at full market value. There are hundreds of other small operations in my position. This combined with salmon industry desperation is the harsh reality. We all fish efficiently and hard with optimistic faith in a brighter future. Most of our hard earned dollars flow back into the coastal communities all year long.

I have requested refinance applications from the NMFS IFQ Loan Program (designed for small IFQ business improvement) since its inception. Applications have arrived in June (w/ a short deadline window) when I'm swamped with critical salmon preparations. This year I finally got my application in because it was available in December. There have been tens of millions loaned by the Federal Government alone that are seriously jeopardized if we aren't fully compensated beyond the 1995 charter catch averages. It is incomprehensible to me that elected legislators and charter organizations can justify these proposals without compensation. I also dread the litigious environment these proposals (in current form) could generate. It is time for everyone involved to work together in a fair, compromising and ethical manner.

CC. Governor Tony Knowles  
CC. US Secretary of Commerce

Sincerely,   
Armin Reimnitz  
Box 2483  
Kodiak, Ak. 99615

**RECEIVED**

MAR 30 2001

N.P.F.M.C

Charles E. Wilber  
705 Etolin  
Sitka, Alaska 99835  
cwilber@gci.net

Mr. David Benton  
Chariman  
North Pacific Fishery Management Council  
605 West 4th Ave. Ste 306 Anchorage, Ak 99501-2252

Dear Mr. Benton,

I am writing to encourage the Council to initiate an IFQ program for the Halibut charter fishery.

Please let me introduce myself. I have been commercial fishing out of Sitka for Halibut, Blackcod, and Troll Salmon for the past two decades. I have been licensed to charter for the past fifteen years. My wife and our two children depend heavily on the long term biological and financial health of all of these fisheries for our family income.

For the past years, I have witnessed the steady reallocation of both Salmon and Halibut from the highly regulated commercial sector to the open entry charter fishery. It makes no sense to me to have one user group tightly regulated while allowing an open entry free-for-all on the same fish stocks by another user group.

I believe that an IFQ system for the Halibut charter fleet is the only long term solution that will bring stability to both the commercial and charter fleet. Some points to consider are:

The initial allocation to the charter fleet should be based solely on historic landings and tied to abundance levels-no fixed poundage allocations please! An initial allocation based on a percentage of abundance is the most responsible way to allocate fish stocks, especially when abundance is on a down cycle.

IFQ shares should be freely transferable between charter and commercial users. Let the market decide the allocation levels. This is the only way to avoid revisiting this issue continually.

Any community set aside for charter use should come out of the



charter allocation. The commercial fleet has already contributed (2% of the quota) to CDQ set asides for coastal communities.

The Council has spent a lot of it's valuable time on this issue. An IFQ system for the Halibut charter fleet is the best course to finally settle this contentious problem.

Thanks for your serious consideration.



Charles E. Wilber

F/V Alexa K

Sitka Sea Charters

144

RECEIVED  
MAR 30 2001  
N.P.F.M.C

**Eric Olsen**  
F/V John Henry  
Box 2713  
Homer, AK 99603  
(907) 235-7087

Mr. David Benton  
Chairman  
North Pacific Fishery Mngmnt Council  
605 West Fourth AVE, STE 306  
Anchorage, AK 99501-2252

March 20, 2001

Dear Mr. Benton,

I write this letter is to express my strong support for an IFQ program for charter halibut vessels in areas 2C and 3A. This is needed to end the on-going allocation disputes between commercial and charter interests once and for all, so the Council can focus its energies on more important matters of conservation.

My family and I have depended on the commercial halibut fishery for twenty years now. It has put food on our table. It promises to afford an employment opportunity to myself, my wife, and my kids for decades to come. It provides a meaningful way of life to all of us, one that we cherish and one that is becoming so very rare in this day of globalization of markets: a job outdoors on the water, where we love to be, and one that allows us self-employment rather than working for someone else. For this reason we have invested heavily in commercial use of the resource and hope to continue doing so, and we depend on the continued stability of the fishery.

Commercial fishing dollars flow through our community in countless ways, all year long. Nearly every commercial fisherman I know is a year-round resident of this area. We spend our money locally on gear and equipment, groceries, repair, etc. We are committed to our community and provide a stable economic base that we hope will last long into the future.

An IFQ Program for the charter fleet would provide an elegant solution to an otherwise complicated and on-going problem—it will allow the free market to decide, on a flexible and ever-responsive basis, about which use of the resource is the most profitable for local operators. Over time, if charter boats generate a larger unit profit from their use of the resource then the system, if it allows quota to transfer between user groups, will allow a free flow of the resource to where it is being put to best use—toward the charter fleet if that is the case—without any political agenda to tie up the Council every year. We the commercial fleet can easily live with this eventuality. And if the reverse is true—that commercial boats make a more profitable use of the stocks, then we will be able to outbid the charter fleet for quota

and the flow of the resource will go toward us. We think that the charter fleet should have no argument with that if that is what the market should dictate.

I am strongly against any plan to allocate a fixed QS to the charter fleet in that it violates the long-standing principle which has governed allocation issues from the beginning, that the burden of conservation should be shared equally by all.

If the Council chooses to establish a community set-aside program, I believe the allocation should come entirely from the charter allocation. The commercial fleet has already paid 2% of its quota for the CDQ program.

The initial charter QS allocation should be based on 100%, not 125%, of the 1995-1999 catch average.

Please give the idea of a charter IFQ program serious consideration. It is a truly fair solution; it solves the problem for good; it's good for the resource; it will be good for our local economy; and it will allow my kids to make a good living in a traditional manner that has all but disappeared from the rest of the world's oceans, a way that we treasure.

Sincerely,



Eric Olsen  
Box 2713  
Homer, AK 99603

cc. Governor Tony Knowles  
State of Alaska  
Box 110001  
Juneau, AK 99811-0001

145  
3/24/01

Mr. Chairman and members of the North Pacific Fisheries Management Council;

I submit this redundant testimony to reiterate the need to establish some limit on the growth of the charter boat fleet targeting halibut and hold them accountable for stock conservation. This is not only in the best interest of ~~the~~ the longline fleet, it is in the interest of the charter fleet as well.

The charter fleet obtains income from utilizing the halibut stocks as do the longline fleet. When the longline fleet was over capitalized their quota was steadily cut until the fishery was rationalized. They were not granted over 100% of what they had been catching prior to the Restricted Access Management Plan but roughly two thirds of what their average annual harvest had been. People, like myself, who did not qualify for initial allocation, because I'd been a ~~crew member~~ crew member, had to borrow money to buy our way back in. I am still paying off my debt and will be hindered in doing so if this other commercial user group gets to skate for free.

The State of Alaska was a major proponent of IFQs. This is a system that I have had to accept at great expense. Furthermore, the State is an advocate for abundance base management in the international fisheries arena when negotiating for salmon stock sharing with Canada. The NPFMC should maintain some consistency ~~Be~~ with halibut and limit the charter boat fleet and have their quota fluctuate with stock abundance, like the longline fleet. IF they <sup>(the charter fleet)</sup> wish to expand, they should chose to have an IFQ system that is interchangeable with the current system so that they can fairly buy out the people they wish to displace. IF this is not done then the Council should realize that many ~~of~~ state, federal and bank loans, made for the purchase of IFQs will not be repaid. Furthermore, small communities, such as the one, I live in (Pelican), will have ever more limited options for those that have historically made a significant part of their livelihood from harvesting halibut.

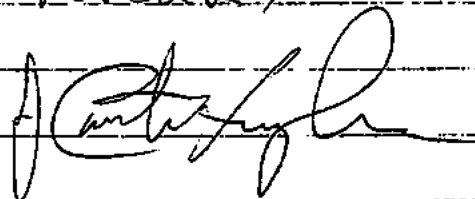
Accountability is what is necessary here  
This problem has been on the table for  
over ten years. It's time the charter fleet  
grew up and accepted some responsibility  
for their impact.

Yours Truly, James C. Hughes  
F.U. RADIO  
Pelican, AK

RECEIVED

MAR 30 2001

N.P.F.M.C



From: Jay Skordahl  
48174 Westlake Rd.  
Westfir, OR. 97492

146  
RECEIVED  
MAR 30 2001  
N.P.F.M.C

## HALIBUT CHARTER IFC

Dear Council Members

Thank you for your perseverance on this issue. I am probably almost as delighted as you that after seven years work to be taking final action.

Yes, I do support an IFC plan for the charter fleet.

I support the option for initial allocation at 100% of the 1995-1999 average harvest.

I do not support any "fixed allocations" and hope you don't either.

I support the option for Transferability that does allow transfer between charter and Commercial sectors.

I do not however support restricting transfers after the initial issuance. Some operators may need to move quickly in acquiring poundage.

I do support a community set aside taken from the Charter sector. The Commercial fleet has contributed significantly in that area.

I support any measures taken that will address regional Distribution to minimize localized depletion around Communities.

When developing criteria for initial issuance of QS I suggest that you be inclusive rather than exclusive.

My final concern is a sound enforcement program.

Jay Skordahl

3-20-2001

Dear Council Members,

I would like to comment on several aspects of the proposed IFQ program for Halibut Charter Vessels. I am totally for such a program with several conditions. First, any allocation for charter boats must be based on a percentage of the quota rather than a fixed number so that all groups share both quota increases and decreases equally. Second, I feel the charter quota should be based on their actual average catches for the 1995-1999 period rather than 125% as has been suggested.

I feel something needs to be done on this issue soon or the problem will only get worse. A moratorium just delays the problem. It's going to have to be settled sooner or later.

I was not issued quota shares when the IFQ program started but chose to purchase quota. I now have around 120,000 invested in quota. It bothers me greatly to see the charter fleet be able to take an ever increasing percentage of the halibut quota with no investment. If commercial fishermen have to pay to enter the fishery then I think the charter fleet should have to pay to enter also. A charter operator is making his living from the fishery just the same as I am. I used to make my living strictly from salmon trolling but this is very difficult to do anymore. One of the main reasons is because of unchecked growth in the charter industry. Now at every Board of Fish meeting where Southeast Alaska proposals are heard, the trollers share of the King Salmon quota is under attack by the charterboat industry as their numbers continue to grow. The same thing is going to happen and continue to get



Worse if the halibut charter fleet continues to grow unchecked. Many charter operators that I have talked to seem to have the attitude that they have a holy right to as many fish as they can catch, and that if their numbers continue to increase their catch should also increase with the poundage coming from the commercial quota. As far as I am concerned a charterboat operator is making his living from the halibut resource just like I am and should have to invest in IFQ's to increase his production just like I did rather than getting in for nothing and having the increase come out of my share.

Thank you,  
Dennis Northrup  
Box 1159  
WARD COVE AK  
99928

148

CHARLES FRANKE  
BOX 3511 SOLDOTNA ALASKA 99669

4/2/01

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave. Ste 306  
Anchorage, Ak 99501-2252

RECEIVED

APR - 2 2001

N.P.F.M.C

Dear Mr. Benton,

I am writhing to support an IFQ program for charter halibut vessels in areas 2C and 3A. I depend on the commercial halibut fishery for a significant part of my annual income. This is a major part of the economical stability of our community and the State of Alaska.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%)

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your kind attention to my concerns is greatly appreciated.

Sincerely



Charles Franke

Box 3511

Soldotna, Ak 99669

3-20-01  
MR DAVID BOSTON (CHAIRMAN)  
NPFMC  
605 West 4th Ave Ste 306  
ANCHORAGE AK 99501 - 2252

RECEIVED  
APR - 2 2001

NPFMC

I am writing to not support an IFQ program for Charter halibut vessels in area 2G. Charter Captains maintain they are not commercial but 'sportmen or guides' therefore they should not be given commercial IFQ quotas. They have other options: when entertaining clients. My husband and I are both commercial fishermen and involved in Charters so we know both sides of the issue. Charter Captains on the whole are greedy individuals not caring about the Resource and not exercising good judgement in their conquest of dead fish amounts regardless of size. Its an ugly business particularly in Sitka and not to be rewarded. Even if you allocated them to have a certain share I find it hard to believe you could enforce it. Charter clients are already limited to a certain amount of fish and when the Resource is low, they should be the first to go. Tourism is an ever evolving commodity not limited to the need to catch a fish. WE hope the council will show some wisdom when taking final action at your April meeting.

Good luck,  
Jan Zylstra-Clark  
FO & small charter business owner

EZC Transfer Company  
500 Lincoln St %Sheep Island  
Sitka, AK 99835  
(907) 747-5044



Dave & Peggy Cloninger  
Post Office Box 121  
Seldovia, Alaska 99663  
Phone: 907-234-7417, Fax: 907-234-8444  
www.fishhalibut.com e-mail: fishfun@xyz.net



APR - 2 2001

N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Dear Chairman Benton and Members of the Council:

I operate a halibut fishing lodge in Seldovia, Alaska and I want to take this opportunity to let you know that I support the work and representation by the Charterboat IFQ Committee, and I feel they have presented a workable plan.

We need your decision on this very important issue once and for all. The GHL does not allow for the guided fishermen to obtain more access, at any price, and the harvest constraints under the GHL will prevent me from operating my full season in the traditional manner. The customers I usually take in the late season will not patronize my business under a single fish bag limit. The GHL favors those who do not depend on the charter business for their total income, leaving the full time operators unable to provide a full opportunity to be profitable.

I have operated this business since 1986, providing jobs for my family and for teenagers in Seldovia. This uncertainty that is being proposed by the GHL will hurt Seldovia's already poor economy. Also, we book our overflow at other hotels and B&B's in town. This will end, if we cannot operate the whole season, as we will not be able make enough money to live here anymore. Tourism seems to be the only future for Seldovia, because we have very little commercial fishing here anymore and only a few businesses related to tourism.

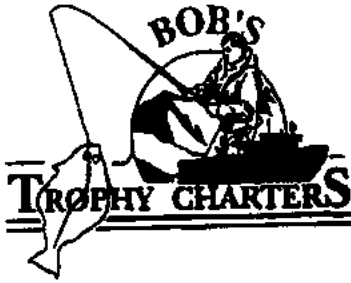
The IFQ plan would allow my business to operate, as I deem necessary, without the GHL being filled before my season is completed. My late season customers should be offered an equal opportunity to fish and retain two fish per day. They should not be in competition with the early season customers.

I encourage you make a final decision on the IFQ program in support of the recommendations made by the Charterboat IFQ Committee. Thank you for your time.

Sincerely,

David R. Cloninger

cc: Governor Tony Knowles

151  
PO BOX 1775  
HOMER, ALASKA 99603

1-800-770-6400

RECEIVED  
APR - 2 2001  
N.P.F.M.C.

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Chairman Benton, Members of the Council:

I am a charter operator from Homer, Alaska and I want to take this opportunity to let you know I support the work and representation by the charterboat IFQ committee and I feel they have presented a workable plan. We need your decision on this very important issue once and for all. The GHL does not allow for the guided fishermen to obtain more access at any price and the harvest constraints under the GHL will prevent me from operating my full season in the traditional manner. The customers I usually take in the late season will probably not patronize my business under a single fish bag limit. The GHL favors those who do not depend on the charter business for their total income leaving the full time operators unable to provide a full opportunity to be profitable. The IFQ plan would allow my business to operate as I deem necessary without the other operators interfering. My late season customers should be offered an equal opportunity to fish and retain 2 fish per day, not be in competition with the early season customers. I recommend you make a final decision on the IFQ program and I support the recommendations by the charterboat IFQ committee. Thank you for your time.

Sincerely

Capt Diane Caso-Morris

152

# Cordova District Fishermen United

Celebrating 65 Years of Service to Commercial Fishermen in Cordova, Alaska  
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

April 4, 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave, Suite 306  
Anchorage, AK 99501-2252

RECEIVED

APR - 4 2001

N.P.F.M.C

Dear Chairman Benton,

The Groundfish Division of CDFU is submitting the following comments to the EA/RIR/IRFA for the halibut charter IFQ program. The Division supports Alternative 2, to include the halibut charter sector in the existing halibut IFQ program. In addition, we support the following components for the program, which have a direct impact on the commercial sector or are important policy issues to comment on.

Issue 1: Support Option 3, which would base the total initial QS allocation to charter operators on the 1995-1999 average harvest. The Division believes the burden of conservation should be shared among all user groups and does not support a fixed allocation of any percentage to the charter operators.

Issue 5: Support for immediate transferability of quota share between the charter and commercial sectors, rather than have an initial waiting period. The Division does not support leasing of QS or IFQ either within the charter sector, or between the charter and commercial sectors. We believe that this would encourage ownership by individuals who are not active participants in the business, and that this is not in the long-term interest of Alaska's coastal communities.

Issue 7: Support meaningful ownership caps (Option 2b) not to exceed 1% of combined QS for combined Areas 2C and 3A to prevent consolidation that could negatively impact coastal communities, the charter industry, and access and opportunity for people who use charters.

Issue 10: Support either Option 4 (require charter IFQ fish tags) or Option 5 (require operators to log catch at the time the fish is retained) for catch reporting requirements to make sure that IFQ catches are not exceeded and that enforcement is feasible.

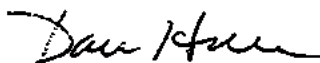
Issue 11: We do not support a community set-aside of charter IFQ (Option 1). However, if a set-aside is approved, the source of the QS should all come out of the

charter sector's allocation. The Division recognizes that it is important for the Cordova economy to have a viable charter fleet. It's possible, but not certain, that Cordova would qualify under a community set-aside provision. However, the Division believes that there are other more efficient and effective ways to meet the needs of communities like Cordova that have fledgling charter fleets through the other options in the IFQ program. These include such options as the Modified Kodiak proposal (Issue 4, Option 2) which would distribute an equal percentage of the QS pool to each qualified individual, and the availability of loans from the State of Alaska, the Federal IFQ loan program, and CFAB.

We will provide additional testimony at the Council meeting in favor of including the charter sector in the existing IFQ program.

Thank you for the opportunity to comment.

Sincerely,



Dan Hull, Co-Chairman  
CDFU Groundfish Division

153

March 28, 2001

RECEIVED

APR - 2 2001

N.P.F.M.C

David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK 99501

Dear Chairman Benton and Council members,

I am a halibut charter operator out of Sitka, Alaska. I am opposed to the inclusion of the halibut charter fishery in the existing commercial halibut IFQ program. An IFQ program is a commercial longline fishery management scheme that will not work well in a recreational fishery. We cannot simply run more or less skates of longline gear, we are serving clients who book months in advance. The increased costs associated with this system will encourage myself and others to start offering bare boat charters for our customers, which will not be subject to the IFQ program. It is ironic that a program that was implemented to increase safety for commercial fishermen will actually create a less safe environment for sport halibut fishermen.

I am not against management of our industry, and do support the Moratorium alternative currently before the Council. A Moratorium in conjunction with the GHM already passed by the Council will provide a workable management scheme for charter fishermen, while also protecting longliners from unlimited growth in the halibut charter harvest.

If the Council does decide to include halibut charters in the IFQ program, then please give deference to the recommendations of the halibut charter IFQ committee, especially on the non-allocative details of the program.

Sincerely,

*Jim Roesch*  
Jim Roesch

Jim Roesch  
Harbor Mountain Charters  
149 Price St.  
Sitka, AK 99835



Chairman David Benton  
North Pacific Fishery Management Council  
605 W. 4th Ave. Ste 306  
Anchorage, AK. 99501

154  
RECEIVED  
APR - 2 2001  
N.P.F.M.C.

Dear Mr. Chairman,

We are the typical Alaska tourists that are dependent on halibut charterboat services to go out and catch some halibut when we visit your state. We want to keep doing this in the years to come and we understand you are deciding on a management plan that will let the charters control their own businesses and how much halibut they can catch. We are in favor of any plan that will make sure that we can always come up and catch some fish and take it home with us to eat. The IFQ program has been working for us that buy some halibut in the Portland stores and now we see it can work for us when we come to catch our own fish. The charters should be treated equally to the commercial fishermen because in a way they both do the same thing, provide halibut to us. When you decide the halibut charterboat plan be real generous so we won't see a big price increase, there is enough fish for everyone and we shouldn't have to pay more than we are now. It costs a lot to come to Alaska and then we must spend a lot of money on everything we do and everywhere we stay and our play money will only go so far. If charter prices can be held down by this plan please try to do this. We want to keep coming back to Alaska and halibut fishing is always a big reason that we do. Please keep the charterboats available for us to use and keep lots of halibut for us to catch. We like fishing from Homer the most because it is easy to get to and there are lots of places to stay, not like some places in Alaska where if you can get there at all you may get stuck in for days on end. We don't want to have to spend more on travel than we already are, or else we can't fish too. Thank you for reading this, we will be back.

Billy and Alexandria

*Billy & Alexandria Trachsel*

*Billy & Alexandria Trachsel  
2750 NE Klickitat St  
Portland, OR 97212*

March 28, 2001

David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK 99501

155  
RECEIVED

APR - 2 2001

N.P.F.M.C.

Dear Mr. Benton,

I am a halibut charter operator out of Sitka, Alaska. I am opposed to the inclusion of the halibut charter fishery in the existing commercial halibut IFQ program. An IFQ program is a commercial longline fishery management scheme that will not work well in a recreational fishery. We cannot simply run more or less skates of longline gear, we are serving clients who book months in advance. The increased costs associated with this system will encourage myself and others to start offering bare boat charters for our customers, which will not be subject to the IFQ program. It is ironic that a program that was implemented to increase safety for commercial fishermen will actually create a less safe environment for sport halibut fishermen.

I am not against management of our industry, and do support the Moratorium alternative currently before the Council. A Moratorium in conjunction with the GHL already passed by the Council will provide a workable management scheme for charter fishermen, while also protecting longliners from unlimited growth in the halibut charter harvest.

If the Council does decide to include halibut charters in the IFQ program, then please give deference to the recommendations of the halibut charter IFQ committee, especially on the non-allocative details of the program.

Thank you,



Robert Suarez

Robert I. Suarez  
PO Box 341  
Sitka, AK 99835

RECEIVED

APR - 4 2001

N.P.F.M.C

156  
Keith Peters  
73 Mt. McDonald Rd.  
Port Angeles, WA 98363

Mar 28, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton:

My wife, myself and our two college sons make up a fishing family. We fish the forty six foot longliner, JAEGER. We are full time fishermen. My two sons are in college and earn their tuition and college expenses by crewing on the Jaeger. Eighty percent of our fishing income comes from halibut. We bought seventy five percent of the halibut quota we own which now is just enough to support a family and pay all the vessel expenses.

I am writing to support an IFQ program for charter halibut vessels in Areas 2C and 3A.

I supported the setline halibut IFQ program in the development stages because it brought security and stability to the fishery. Now my harvest is being reduced because of another commercial interprise, the charter boat fishery/industry growing by leaps and bounds. Their financial gain is my loss pure and simple. It's not fair.

A charter IFQ system would be good for the charter industry. I support the recommendations proposed by the Halibut Coalition whose executive director is, Mr. Thomas Gemmell.

Your consideration is appreciated. The future of my family is in your hands, because halibut fishing is our life.

Sincerely,



cc: Govenor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001

157

Date: 3-28-2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

RECEIVED

APR - 2 2001

N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Lars Peters

Address: 73 Mt McDonald Rd Lars Peters  
73 Mt McDonald Rd  
Port Angeles, WA 98363

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

Halibut fishing has to a large degree helped with me through college, I think that the sport fishery should be limited in order to give both the sport and commercial fisheries a fair share of the quota. I have seen the charter industry mushroom over the past ten years. It is ludicrous to think that it should be allowed to keep growing in this unfettered manner. This is not fair to commercial fishermen

158

John Foster  
P.O. Box 537  
Estacada, Or. 97023  
March 27, 2001

RECEIVED  
APR - 2 2001  
N.P.F.M.C

David Benton  
Chair  
North Pacific Fishery Management Council  
605 W. 4th. Ave., Suite 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton,

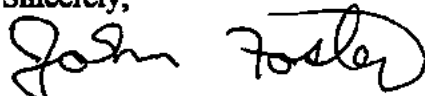
As a sports fisherman I enjoy vacationing in Alaska and fishing on a charter boat for halibut one or two days each trip in Prince William Sound. The current Alaskan fishing regulations in most circumstances allow me to retain two fish per day with a total of four unprocessed fish in my possession.

I consider these trips a privilege and to assure continuation of this privilege I would hope the North Pacific Management Council will allow charter boat operators to receive 125% allocation of the average 1995-99 charter boat harvest which I understand is outlined in the "Final Industry Analysis" published February of 2001. Because of the time and money invested by the charter boat industry, I would further respectfully request that in case the halibut stock should decline to such an extent that precautionary measures need to be taken then a minimum of a 50% fixed quota or one halibut should still be allowed. This would still give me and others incentive to vacation in Alaska and would also help prevent the demise of the local businesses including the charter boat industry until the fishery has a chance to recover.

I have ocean fished off the coast of Alaska, Oregon, Washington, Hawaii, Mexico, and Ecuador. I have to acknowledge that the most successful and fun fishing trips have been out of Alaska. I hope that the Management Council does not arbitrarily take this privilege away from myself and others.

Thank you for your consideration.

Sincerely,



John Foster

Date: 3-1-01

RECEIVED  
APR - 2 2001  
N.P.F.M.C.

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: Kwen Sedbeck

Address: Resurrection Bay Seafoods

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

Dear Mr Benton,  
This letter is exactly how I feel -  
Please read it carefully and consider  
carefully the consequences of the points  
and issues of concern to the resource. Kwen Sedbeck

RECEIVED  
APR - 2 2001

3126101

160

N.P.F.M.C

Dear North Pacific Fishery Management Council,

I am a 23 year commercial halibut fisherman and am writing in regards to your final action on establishing a quota share system for the charter boat fleet. I think you are on the right track in establishing a quota share system. This would be a good solution to the conflicts between our two gear groups.

The allocation should be based on 100% of the 1995-1999 average actual catch. Charter boat fishermen should not receive any form of fixed allocation. This only result in over fishing charter boat areas. I would like to remind the council that it is the commercial fishermen that enable all Americans to enjoy this wonderful white fleshed fish at a reasonable price. We make it possible for all Americans to have a chance to eat halibut, while charter boats enable only people with enough money to enjoy a halibut dinner. The more of this resource we give to the charter fleet, the less the American public will get to enjoy it.

I would also like to see our quota shares and the charter quota shared be allowed to be bought and sold between the two gear groups. Also, the 3% tax on enforcement should apply to all of us. If quota shares are instituted in the charter fleet, I don't see a need for a community set aside. Anyone with enough experience will be able to buy their way into the fishery.

I have invested hundreds of thousands of dollars in IFQs, and was assured by the Federal Government that this would be a business that we could do for many years to come. If I have had to invest money to become more involved in the halibut fishery, why shouldn't everyone in the charter fleet be required to do the same? Why should one group be given what another group has to buy?

I wish you God's speed in your decision making. I hope you come to a fair and equitable solution for all of us involved.

Respectfully,



Jeff Hendricks

f/v Gaff Rk.

907 789 3250



Jeff & Linda Hendricks  
F/V Gaff Rock  
Box 210047  
Auke Bay, AK 99821

161

# SITKA CHARTER BOAT OPERATORS ASSOCIATION

PO BOX 2422  
SITKA ALASKA 99835  
March 28, 2001

RECEIVED  
APR - 2 2001  
N.P.F.M.C

North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue Suite 306  
Anchorage AK 99501-2252

Dear Council Member:

The Sitka Charter Boat Operators Association is against *all* alternatives listed in the halibut charter IFQ proposal before the Council.

We are against any GHL or IFQ program because the initial purpose and need for action is in error. There is no "rapid, uncontrolled growth of the guided halibut charter industry." From 1996 to 2000, the percentage of total halibut harvested by the recreational industry decreased from 20 percent to 11 percent. Commercial bycatch of halibut remains two to three times the total recreational harvest!

The current allocative proposal is promoted by the longliners, for the sole benefit of longliners. There is no concern for conservation.

We continue to believe IFQs are inappropriate for recreational fishing. Charter IFQs will result in the privatization of a public resource and by creating an artificial cap on the charter fleet, provide less opportunity for the public to fish for halibut.

It is ironic that a main impetus for the establishment of commercial halibut IFQs was to increase the safety of fishermen on the water. With halibut charter IFQs, bare boat charters (without a captain onboard) will become much more attractive and put sport anglers, who are unskilled in Alaskan waters, in a much more precarious situation.

We feel the analysis is lacking a bonafide economic analysis on the charter industry in Alaska, and recreational fishing demands in Washington and Oregon.

We continue to believe there are other means to manage recreational halibut fishing. We are regulated by bag and possession limits, and season closures. We have a Local Area Management Plan (LAMP) for Sitka Sound, and we are open to local charter moratoriums. Thank you in advance for your time.

Sincerely,



Dennis Cook  
President



March 28, 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave. Suite 306  
Anchorage, Alaska 99501-2252

162  
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APR - 2 2001  
N.P.F.M.C.

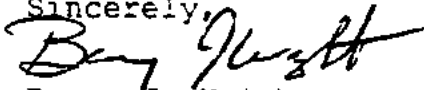
Chairman Benton and Members of the Council,

My name is Barry Wright, I own and operate Saltwater Adventures and Yukon Jewelers in Ninilchik, Alaska. For the past four years I have operated the charter business and launched out of Deep Creek and have been a member of the Deep Creek Charterboat Association.

I support the Halibut IFQ program. However, I have a real concern with the distribution of the initial quota Option submitted to you from the Charter IFQ Committee. Between 1997 and 2001 I have spent close to \$40,000. for advertising building my charter customer base. I feel the distribution should be based on the average of the catch data from all of the logbooks turned in since 1998. I am also against any bonus percentages given to any other charter for operating between 1995 and 1999. The distribution should be equal if a charter qualifies for the initial quota share.

Thank you for considering my concerns.

Sincerely,

  
Barry C. Wright  
Saltwater Adventures

SALTwater ADVENTURES  
PO Box 39328  
NINILCHIK AK 99639

**RECEIVED**

APR - 2 2001

N.P.F.M.C

Alaskan Adventure Charters &amp; Connections

Tel: 1-907-262-7773

Fax: 1-907-262-7765

## FACSIMILE COVER PAGE

To: North Pacific Mangement Council

From: Mike &amp; Jerilue Hopley

Fax #: 19072712817

Fax #: 1-907-262-7765

Company:

Tel #: 1-907-262-7773

Subject: Sport Charter IFQ proposal

Sent: 4/2/2001 at 12:39:58 PM

Pages: 1 (including cover)

**MESSAGE:**

North Pacific Mangement Council Members,

I oppose any plan at this time to implement IFQ'S for the halibut sport charter fishing fleet in Alaska. We have a GHM in place to deal with halibut allocation. In addition, we also have the LAMP'S process that was developed to deal with any allocation problems, near-shore depletion in local areas, overcrowding, overcapitalization, etc. I believe we should deal with local problems that are affecting our halibut fisheries with the LAMP'S process. Again, I would oppose any such action at this time that would divide our sport charter halibut fleet into IFQ allocations. Thank - You

Regards,

Mike Hopley



164



# Fantasy North

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APR - 2 2001  
N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Chairman Benton, Members of the Council:

I am a Charter operator from Homer/Seldovia, Alaska. I have been in business for 19 years. I want you to know that I strongly support the work and representation by the Charterboat IFQ committee and I feel that they have presented a workable plan. We must have a decision on this very important issue, once and for all. The current GHL will not work over an extended period of time unless there is at least a moratorium on additional entrants in the fishery. A one fish limit is the worst thing that could be done to the fishery as there is virtually no one that will pay to go out and land one fish, this would be the end of a huge tourism cash flow into the Alaska economy. We are already seeing huge drops in bookings for 2001 due to the current economic slowdown, a change in bag limit will be disastrous. A one fish limit will only encourage huge amounts of over limit catches, and will be virtually unenforceable. I see many, very many, violations of the two fish limit every summer in Seldovia. I am on record as having filed numerous complaints with all of the law enforcement agencies about this. The common reaction is, we don't have enough funds to enforce these rules. How on earth do you propose to enforce something that will anger virtually every sport fisherman that comes to Alaska?

I have recently seen several comments in the news that indicate giving the Charters an IFQ is somehow giving a public resource to a private group of individuals. How is an IFQ for the Charters any different than an IFQ for the commercials. The mere fact that you are trying to regulate us puts us in the exact same category. Many of us have hundreds of thousands of dollars invested in a long time business. Changing the rules on us will amount to a taking of these assets without compensation. By not imposing an IFQ I surely see the threat of class action law suits in the immediate future.

IFQ is the only way that I can see a future for the Charter industry in Alaska, any thing else is a stop gap measure that will not solve any problems, only create new ones. Please make a final and fair decision on this matter now, not years from now.

Thank you for your time on this.

Sincerely,

Kenneth Cope, Owner/ FANTASY NORTH

ATTN. MR. Benton.

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APR - 2 2001  
N.P.F.M.C 165

### GHL WITH A MORATORIUM!

My name is Gary Ault and I own and operate Inlet Charters out of Homer. I believe the only way to sustain the recreational guided halibut fishery is to implement a moratorium. The GHL plan without a moratorium is a recipe for disaster to the halibut charter industry. It will result in an unpredictable situation that will leave the charters wondering if they will be in business the following season. We will not know what we will have to offer the clients in upcoming seasons.

The GHL without a moratorium will send the charters on a race for fish that will become dangerous for the fishermen. This management tool was not suitable for the longliners and will achieve the same result for the guided sport fishery.

The following Plan seems reasonable.

#### Alternative 2. Moratorium.

Not allow any new entry into the charter industry.

#### Moratorium Alternatives

##### Issue - who gets the moratorium permit

Option 1. owner/operator or lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity)

Option 5. Initial issues who carried clients four out of five years between 1995-1999

#### Evidence of participation

mandatory

CFEC number (for all years)

1998 logbook

supplementary:

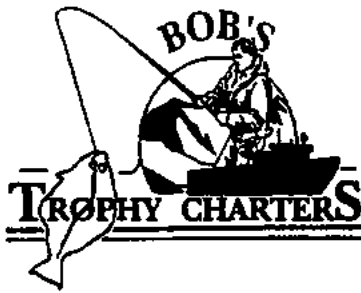
Alaska state business license

sportfish business registration

insurance for passenger for hire

ADF&G guide registration

enrollment in drug testing program (CFR 46)



166

PO BOX 1775  
HOMER, ALASKA 99603

1-800-770-6400

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4th Ave. Ste 306  
Anchorage, AK 99501-2252  
29 Mar 2001

RECEIVED  
APR - 3 2001  
N.P.F.M.C

Dear Mr. Chairman,

I am an Alaskan resident operating my own halibut sport fishing charter service in Homer, Alaska for the past eleven years. I am in support of a properly designed IFQ plan for the charter industry as well as the commercial fishery. I recommend the following to the council for consideration in your deliberations.

The council decided the GHL amount in April 2000; this amount is represented as Issue 1 Option 1. and it should be the base amount for the charter IFQ allocation. I want to see the council respect that decision, after all my industry fought hard for that decision, and you should hold to it.

The initial allocation should have 50% fixed poundage and not float with abundance for a couple reasons. The total allowable catch changes too much for the charter fleet to take full advantage of their allocation and this option would soften this negative impact to the charters. The recreational anglers want to see this council assure them that they won't lose access and this helps maintain this amount of public access, especially if the fixed quota is restricted to the charter sector only. The timing of this issue to the natural decadal cycle of halibut leaves the charter industry in a losing position for the next 5 to 9 years according to the IPHC forecast. To fix a portion of the charter quota helps to mitigate this natural timing impact.

I feel that all current, legally operating charters should be included in the IFQ program under Issue 3. Qualification Criteria, Option 2 would be my preference and in Issue 4 the most fair distribution plan would be Option 1 because it provides the current amount of resource to the boats that are responsible for catching it. All charter boats would get the same proportion they are responsible for harvesting which is the most equitable way to respect their individual business development.

I am concerned about the immediate transfer of quota out of the charter sector. I am opposed to any transfers out of the charter sector for a period of one year in order to let the charter industry learn how to manage their businesses under the quota system, let the charter fleet consolidate the fleet size and effort and let the charter fleet establish a quota value for their industry first before any out of charter sector transfers are allowed. The charter quota should find a value to the charters industry without the commercial quota value influence.

Any and all block and transfer restrictions should help preserve the current make up of each fleet and the easier it is to fish quota just means more will be fished. The charter fleet should be allocated pounds that are converted to number of fish for charter use, back to pounds for commercial use. The logbooks are working for reporting the harvest, but the fish tags have a good value for enforcement also, I would go with whatever NMPS enforcement recommends.

I wish to see the community set-aside not move forward. The charter industry is not resource driven and providing halibut where the general public is not interested in going will not make a viable charter business. Without the customer support infrastructure in place in the communities being considered, no amount of quota will make a charter business. The problem statement acknowledges the overcapitalization problem in the charter fleet but the community set-aside will create more charters and at a cost of those providing the public access now. Many of the communities included have or are very near lodges and charter services that already service the available customers at a marginally profitable level, the community set-aside will only reduce the profitability even more. This is different that the Community Development Quota in that the commercial fishermen gets to fish those CDQ's for the communities, the charter fleet will only be in competition with the set-aside charters, not getting anything from it.

I support the IFQ plan moving forward only if you consider the issues above. I know this plan will go a long way towards solving the allocation to the charter boat fleet and the guided recreational angler, but without the above considerations I do not want you to consider including my business in the IFQ program.

Sincerely,



David Morris  
Owner  
Bob's Trophy Charters  
President  
A.H.H.C & CO.  
Homer Alaska

167

April 1, 2001

RECEIVED  
APR - 4 2001  
N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave, Suite 306  
Anchorage, AK 99501-2252

Dear Mr. Benton

I ask you to vote in favor of the proposed IFQ program for the commercial charter boat fleet. After seven years of studying the problem of uncontrolled growth in the commercially guided charater fleet, it is time to close this issue.

The 2C and 3A halibut areas are very important to my family.

When you implemented IFQs for us, we never received 125% of our best years. The council never gave the commercial troll industry 125% of its best troll catch, either.

I ask why the North Pacific Fisheries Management Council is so pro commercial charter industry. Are not the socio-economics of the commercial halibut fleet important? What of the importance of the American public being able to buy fresh Alaskan halibut?

The commercial halibut fleet needs some stability, also. Every year the commercial charter fleets "needs" more fish, whether halibut or king salmon. When will it all end?

Please help in stabilizing the commercial halibut industry.


Thank you,

*Walter C Pasternak*

Walter C. Pasternak  
Box 830  
Sitka, AK 99835

cc: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

Name	Address
Walter C Pasternak <u>Walter C Pasternak</u>	<u>Box 830 Sitka, AK 99835</u>
<u>DENNIS HICKS</u>	<u><del>726</del> SIGINAKA WAY</u>
Elisa Mattson Jay Skordahl Jay Swardahl Mike West 	<u>Box 6089 Sitka 99835</u> <u>48174 west oak rd. Westfir, OR 97492</u> <u>1720 HPR Sitka AK 99835</u>
David C Eniswiler FOREST Dodson	<u>PO Box 2027 Sitka AK 99835</u>
<u>Forest Dodson</u>	<u>607 ETOBIN ST SITKA, AK 99835</u>
<u>Jeff Farmer</u>	<u>439 Versteria, Sitka, AK 99835</u>
Diane Holt - Doree Adette	<u>406 Baranof Street Sitka, AK</u>
Robert D. Schell Robert D. Schell ERIC SWANSON	<u>2214 Hal. Pt. Rd. Sitka, AK 99835</u>
<u>MELAN PASTERNAK</u>	<u>Box 6330 SITKA AK 99835</u>
<u>MELAN PASTERNAK</u>	<u>Box 830, SITKA AK 99835</u>
<u>David Diamond</u>	<u>Box 2625 SITKA AK 99835</u>
<u>Bruce Birna</u>	<u>1064 O'Leary St., Sitka AK 99835</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____





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Mr. David Benton  
 Chairman  
 North Pacific Fishery Management Council  
 605 West 4<sup>th</sup> Ave, Ste 306  
 Anchorage, AK 99501-2252

RECEIVED April 1, 2001  
 APR - 2 2001

N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

I am a resident of Cordova and a twenty-three year veteran of the Area F salmon gillnet fishery. My family and I have invested in IFQ because of the stability promised by the government and the ability to effectively use my thirty-one foot gillnet boat to fish halibut under the IFQ program. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

*William Lindow*

William Lindow  
 P.O. Box 1612  
 Cordova, AK 99574 (907) 424-3132

Copy: Governor Tony Knowles  
 State of Alaska  
 PO Box 110001  
 Juneau, AK 99811-0001

FAXED  
10:25 PM  
30 MAR 01

Steven D. Clarkson  
1945 Laura Ann Ave.  
Fairbanks, AK 99712  
(907) 488-9088  
March 30, 2001

169  
RECEIVED  
APR - 2 2001  
N.P.F.M.C.

RE: HALIBUT CHARTER IFQ

Mr. David Benton, Chm, NPFMC  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252  
FAX: (907) 271-2817

Dear Mr. Benton:

I have been a resident and sport fisherman out of Fairbanks, Alaska, for over 30 years. I primarily use Charter Boats for fishing Halibut and Salmon out of Valdez, Alaska. I am very concerned with your upcoming April 2001 NPFMC Meeting, which may impose a Halibut Charter GHL/IFQ Program starting in 2003. I am concerned this may affect me through potentially decreased public access and higher fees via charter boats. I rely on the Charters to get me to the 50-100 lbs of sport caught Halibut my family consumes each year, primarily because I can't afford the big boat needed to get to the productive Halibut fishing grounds. A few years ago I switched from the day charters to overnight charters when the day runs to the most successful fishing areas became longer and the fishing time shorter. It has become very evident to me that since the Commercial Halibut IFQ program went into effect about five years ago, the closer in and more sheltered fishing areas in Prince William Sound have become less productive every year.

I have been following the Commercial and Charter Halibut issues for the past several years through the papers and with friends on both sides of the issues.. When you started the Commercial Halibut IFQ Program it concerned me that you could somehow GIVE 85% of the Halibut Public Resource to a relative few commercial fishermen and just leave 15% of the Public Resource to us Sport Fishermen (guided and non-guided). Now it certainly appears you're trying to further limit my access to the Sport Fishery through GHL and/or IFQ limits on the Charters. This flies in the face of reason and common sense when it's publicly acknowledged that the Halibut "By-Catch" wastage by the Commercial Fleet is a much larger percentage than our total sports catch!! If my memory serves me right, over fishing by Commercial Fleets on both the East and West coasts of the Lower 48 has already caused major problems that I believe can and must be avoided here in Alaska! If your Biologists are right and we are entering a Halibut Biomass decline, then you need to re-allocate more of this Public Resource away from the Commercial and give it to the Sport Fisherman. The use of charter boats for continued public access in this regard is critical for us sport fishermen! I also believe that during this projected decline, the Sport Fisherman's share of the Halibut Public Resource should be maintained at the 2 per day, 4 in possession bag limits through a reduction

ONLY in Commercial IFQ's. This allocation needs to be equitably made available for use by the Charter Boats in order for them to provide me continued access to the Halibut during our normal Memorial Day to Labor Day Sport Fishing season. Having stated my opinions above, I understand that you Public Agencies are required to regulate our Public Resources for the most good for the most people. If this means you feel there is no option but implementation of a Halibut GHL/IFQ Program for Charter Boats, which are my only access, then you must protect my rights as a sports fisherman, to catch the fish I'm entitled to. Surely my individual rights to the fish as a sports fisherman supplant the Commercial Fisherman's rights to this Public Resource! A major player in this public access and allocation issue are the Charter Boats, even if their unconstrained growth could be a problem for their business viability as well as the Fishery, given no re-allocation from the Commercial Fishery. If a moratorium on new Charter Boats is required to control their growth, do so, but with reasoned judgment.

The Charter Halibut IFQ Program you select should be the most favorable in allocation to current Charter Boats and us clients so it protects our rights to catch the fish ourselves. I personally favor a 75% mandatory minimum availability of the Charter IFQ fish established that will always be available to be caught by Charter clients. However, I can probably live with a 50% minimum so long as there is a re-allocation from the Commercial Sector first, in times of biological emergency. This 75% (or 50%) minimum should be fixed forever unless a biological crisis occurs, and even then a one fish per day limit minimum should be maintained for us sports fishermen by re-allocation from the Commercial side first!

If you decide to somehow allocate Charter IFQ between the various boats you need to at least consider their past verified historic participation in the industry as Charter Boats. Their anticipated future participation in the industry should also be examined in terms of capital committed to their respective operations. You need to make sure that the truly professional charter operator will be able to stay in business, which will be difficult if he doesn't know from year to year what his fish allocation will be. Future charter wannabe's should also be able to reasonably buy into a charter business as opportunities occur. This will hopefully guarantee a reasonable number of charter boats available to me to provide reasonably priced access to our Halibut Public Resource. Thanks.

Sincerely,



Steven D. Clarkson

CC:  
Gov. Tony Knowles  
Hon. Donald Evans, Sec/Com

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David Benton-Chairman  
North Pacific Halibut Council  
605 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK 99501-2252

**RECEIVED**

APR - 2 2001

Dear Council Members,

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

First of all, let me state that I am opposed to the quota limitations imposed upon any person Sportfishing for halibut – whether or not they are fishing on a Charter Boat. Sport fishermen take such a small amount of the biomass that they should be able to continue with the 2 fish per day limit without any cap.

If there is going to be a mandatory limitation plan, then I am in favor of the IFQ plan. To structure the IFQ plan to eliminate some charters (as suggested by some options) is just plain wrong and reflects the greed of those who are self-serving-not working in the best interest of all charter captains. Therefore, the following Options are mandatory to incorporate a fair plan for everyone.

1. All existing charter boats should be allowed to participate in the IFQ plan that have turned in logbooks for the year 2000 by the deadline dictated by Fish and Game.
2. Initial quota amount can only be based on the GHIL amount decided upon in April 2000. 14.11% in Area 3A and 13.05% in Area 2C of a combined charter and commercial quota (Equal to 125% of corrected average 1995-1999 charterboat harvest).
3. At least 50% of the individual's QS initial issuance needs to be fixed with the remainder floating with abundance.
4. Qualification criteria should be based only on those charters who carried clients in 2000 and who submitted ADFG logbooks for an active vessel. Those initial issues should be given 100% quota chosen from either the 1998, 1999, or 2000 logbook. The unused quota would then be divided equally among the participants. This would not punish those skippers who have been building their charter, nor would it punish anyone who had a "down" year. There are many reasons that a charter might have had a "down" year (illness, complete restoration of boat, blow-outs) and the fairest way to distribute IFQ would be to let the charter choose their most productive year.
5. Transferability of IFQ's (permanent or leased) should be limited to within the charter industry to protect the integrity of the charter fleet.
6. There should be a one year delay between the initial issuance of QS and fishing IFQ's and any unclaimed quota should be allocated evenly among participants. It would be mandatory that any participating charter continue to be an active charter and to continue to file logbooks with Fish and Game to qualify for the initial issuance.
7. IFQs associated with the charter quota shares should be issued in pounds.
8. Charters should report their landings by the ADFG logbook or Charter IFQ fish tags that would be furnished by the Halibut Commission.

Thank you,



Donna C. Bondioli  
PO Box 66  
Homer, AK 99603

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APR - 4 2001

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

David Benton-Chairman  
North Pacific Halibut Council  
5 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK 99501-2252

Dear Council Member,

I previous wrote to you concerning the options that I felt were imperative to insure fairness to everyone concerning the IFQ plan. I misstated one of the options and it should read as follows:

It is imperative to issue the IFQ's associated with the charter quota in numbers of fish, not pounds.

Thank you for noting this correction.

Donna C. Bondioli  
PO Box 66  
Homer, AK 99603-0066

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APR - 2 2001

David Benton-Chairman  
North Pacific Halibut Council  
605 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK 99501-2252

Dear Council Members,

N.P.F.M.C

It is my understanding that the function of the NPFMC is to manage and regulate commercial fishing. It has never been demonstrated how this authority extends to sportfishing in a shared natural resource. Every sportsman who catches and keeps halibut (regardless if it is caught from the shore, a neighbor's skiff or a charter boat) does so with the privilege obtained through the purchase of a state fishing license. The State Department of Fish and Game regulates and limits sport caught fish!

Boats do not catch fish! People catch fish! Charter boat companies should never have "limited entry" participation any more than snowplow trucks, sandwich shops or mechanics. They are a "service" business-a transport "service" only! And, they have never operated with harvest limits -only their clients are limited! The industry should sustain itself through free enterprise and healthy competition. Clients should have the opportunity to research available charter companies and choose the boat and service that suits their preferences.

One of the options stipulates '95-'99 as "Qualifying years" for Charter IFQ participation. This has to be unconstitutional! Three of those seasons preceded the June '98 official declaration by the NPFMC that some regulatory action may be pending. Those qualifying years were expressly chosen to eliminate as many existing charter operations as possible-guaranteeing "full" charters and extra quota for the "good old boys." The charter support for the IFQ's that limit existing charters comes from the self-serving minority interest only!

It should be noted that 100% of the halibut that are sport-caught are both appreciated and utilized. In total, this percentage of the biomass is far less than the commercial by-catch of halibut, which is 100% wasted! Clean up the commercial fishing industry first! If your concern is truly for the health of the species, that should be your concern- regardless of the expense!

Sincerely,



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

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3/30/2001

Mr. David Benton, Chairman

Fax: 907-271-2817

North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 30 2001  
N.P.F.M.C

Dear Chairman Benton,

I am a sports fisherman in Valdez, and I hire charter boats to fish for halibut. I feel that the North Council is putting limitations on me without good sound reasoning. Sport fishing for halibut is one of the major economic drivers in tourism for Valdez.

Myself and other sports fishermen have received information from our local Charter Association on this issue of the GHL/IFQ, and what it can mean to Charter businesses, our community, and my access to my publicly owned halibut. I agree with the Valdez Charter Association on the danger of a Guideline Harvest Level in Prince William Sound, and I support the Valdez Charter Association in their efforts for a correct Charter IFQ plan.

If you feel you have no option but to implement some type of IFQ plan for Charter Operators, you must also protect and insure my rights as a sports fisherman.

This plan should be generous in allocation to the Charter Operators, and their customers, to continue to harvest the resource for themselves if they so chose.

There should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers; this is a public resource. This 50% should remain in place unless the halibut stocks crash entirely.

You need to make sure that the charter operators will be in business, to provide access, to me, the local Alaskan, to my halibut.

Thank you,

*Marci Cornell*

Marci Cornell  
P.O. Box 634  
Valdez, Ak 99686

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK. 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230



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APR - 2 2001

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

Alan Amoth  
8194 NW Wynoochee  
Corvallis, OR 97330  
(541) 757-9984  
March 30, 2001

**SUBJ: HALIBUT CHARTER IFQ'S**

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear Chairman Benton:

I am a long time resident of Corvallis, Oregon who has been coming to Alaska for at least the last sixteen years to enjoy hunting and fishing in your great state because of the excellent opportunities to access your fish and game. I consider it a privilege.

With specific regard to Halibut fishing, I have been fishing with my good friend, Ken Larson, since 1985 while he was meeting his USCG Master's License experience requirements. I have chartered with him every year since 1995 when he started SANITY CHARTERS, out of Valdez, Alaska. Imagine my surprise when I called to book this coming summer's charters and Ken informed me that starting in 2003 he may be subject to restrictive limits on numbers of Halibut his clients can catch and length of seasons, depending on actions that the NPFMC takes at their next meeting in early April 2001. He then described the various Charter Issues and Options to me regarding the establishment of Charter IFQ's.

The one thing that stands out most in my memory is the current allocation of the Halibut Public Resource of 85% to the Commercial Fleet and 15% to the Sport Fisherman (Guided and Non-Guided). That hardly seems fair in light of the Biomass decline alleged by your Biologists and the tremendous "Bi-Catch" waste associated with the Commercial Fishery. It would seem more equitable to reduce Commercial IFQ during declining Biomass periods in order to retain the current "2 and 4" bag limits for us sport fishermen. There are a large number of us out-of-state fishermen that spend big bucks in your state to pursue our fishing passions, and we depend very heavily on your Charter Fleet to get us to the fishing grounds. If you limit the Charter Fleet both by numbers of boats in the industry as well as by numbers of fish they can catch per boat and season, that sends me the message that you want to limit or even eliminate my access to your Public Fishery, in favor of the Commercial Fishery! I.e., you are inviting me NOT to come to Alaska! I prefer to catch my own fresh Halibut, for a total experience premium price, rather than pay by the pound for Commercially caught, days or weeks old, "fresh frozen" fish.

I know Ken has worked very hard over the years to build a quality charter business, mainly on weekends and summer vacations, in order to go into the industry full time when he retires from his "other full time job" in 2004. He has invested in a safe, new boat with top of the line fishing gear. He now faces a possible limit on his future


ability to provide access to enough Halibut to maintain a viable Charter Business, depending on how/if you implement Charter GHL/IFQ's.

If you feel you do have to implement this IFQ program, please protect and insure my access rights as a sport fisherman, to be able to continue catching the Public Resource fish to which I believe I'm entitled. My individual rights to the fish surely outweigh the Commercial Fishery's Fish-For-Profit rights to this Public Resource. A major consideration in this public access and allocation issue are the Charter Boats, even if their unconstrained growth could be a problem for their business viability as well as the Fishery, given no reallocation from the Commercial Fishery. A moratorium on new Charter Boat entrants may need to be implemented to control growth and may possibly be done with Charter IFQ's.

The Charter IFQ Program you select should be the most favorable in allocation to current Charter Boats and us clients in order to protect our rights of access to catch the fish ourselves. I prefer a 75% mandatory minimum availability of the Charter IFQ fish established that will always be available for catch by Charter clients. I could live with a 50% minimum IF there is a reallocation from the Commercial Fishery first, in times of biological emergency. This 75% (or 50%) minimum should be fixed in perpetuity unless a biological crisis occurs, and even then a one fish per day limit should be maintained for us sports fishermen by reallocation from the Commercial side first! Otherwise, it would be too iffy and unpredictable for us to even consider any more Charters in Alaska.

Please consider the individual Charter Operator's historic participation in the industry if you decide to allocate Charter IFQ between the boats. You need to insure that the vested professional charter operator will be able to stay in and grow his business if conditions permit and that newcomers may have an opportunity to buy in as opportunities arise. This will hopefully insure a reasonable number of charter boats are available to provide reasonably priced public access to our Halibut Public Resource. Thanks for your consideration.

A Very Concerned Sports Fisherman,

  
Alan Amoth

Cc:

Tony Knowles, Gov

Donald Evans, Sec/Com

**Capt.**  
**Alaskan Experience**  
**Pete's**

www.captpete.com

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April 2<sup>nd</sup> 2001

David Benton – Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue Suite 306  
Anchorage, AK 99501-2252

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APR - 3 2001

NPFMC

Dear Mr. Chairman:

I have run my own sport halibut charter business out of Homer for the past five years. The previous five years I ran a boat out of Deep Creek for another company. Prior to that I was salmon gillnet and seine crewmember and owned and operated a small halibut longliner out of Homer. I know the history of these fisheries and have watched the opportunities dry up as more and more people enter the fisheries.

Although not totally in favor of limited-access schemes in the fisheries, I see no better alternative to the IFQ proposal before you today. I feel that all fish and game are public resources and that hindering access to these resources is not right. I do see the need to conserve these resources so that all user groups will benefit in the long run.

We need stability in the charter industry in order to maintain our client base. As you decide this issue, keep in mind that without a fixed amount of allocation, we will not be able to maintain the access that the public demands for this resource. As this subject was discussed with our clientele over the past few years, 99% of our clients believe that if there is a shortage, fish should be transferred from the commercial side to the sport side.

During this debate, it has become clear that there are many in my industry that would cut me out of the pie. I have attended the local meetings and kept up with this issue the best I could. There probably are a few out there that are speculating on some sort of windfall here, but by and large, most of us just want to make a living and remain in business. I think anyone that is presently in the halibut charter business and practicing legally should be included in the IFQ program under Issue 3. Qualification Criteria, Option 1 would be my preference, because I feel that because we were legally compelled to fill out and turn in the logbooks, that should carry some weight. Because there was a control date published in the Federal Register, anyone entering the fishery after that date was well aware there may be some sort of curtailment. For distribution (Issue 4) Option 1 represents the most fair method presented. I think those that have been in business longest have earned what they would get under this option.

The Community Set-Aside proposal should not be included in this plan. If there was a need and a market in these communities, there would already be a fishery. In the future, these areas could buy quota like the rest of us.

As far as buying and selling and transferring these quotas, I would just say that first and foremost we should preserve, that at the very least, the present make up of the charter fishery and provide for some growth. It's a public resource and if the public in the future prefers to pay me to go out and catch *their* fish, then so be it. Many people say that only the rich can afford to go halibut fishing now....tell that to most of my clients! It's just not true. True, some of these folks save for a couple of years and come here on a shoestring, but to go home with high-quality fillets for their freezer, they do it.

I cannot continue in business unless I can book my season in advance. If the GHL is put into effect with the present and unhindered level of participation, there is no way I can assure these clients their right to retain two halibut per day.

I would like to thank all of you on the Council for all of your time and consideration to this issue. I would especially like to commend your advisory member, Bob Ward for helping to steer this issue through to fruition. Along the way, there has been many of us that were skeptical, but in this final hour, I see no other viable alternative for the Council to consider.

By doing the right thing, you will bring stability to my business and to our industry.

Sincerely,



Pete Wedin

Capt. Pete's Alaskan Experience  
Homer, Alaska

4/2/01

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Dear N.P.F.M.C.

I've longlined for halibut in area 2-C since 1975. I've invested heavily in IFQ's because of the stability promised by the government.

Allocation disputes between commercial fisherman and charter operators creates instability in both industries. I feel the council needs to finalize and adopt a halibut charter management plan that leaves allocation to the market place. This would allow fisheries management agencies to put more effort on managing the halibut resource instead of spending money on further allocation battles. A charter IFQ can end these allocation disputes. For example in 2000 the S.E. charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the B.C.F. allocation decision.

I support an initial charter QS issuance be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational and personal use fishermen to harvest halibut at historically high levels.

Any community set aside program allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the C.D.Q. program, 2% of the Quota.

Thanks for your consideration,

Sincerely, Marty Remund

P.O. Box 8147

Port Alexander, AK.

99836

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APR - 2 2001

N.P.F.M.C

176

**BRENT M. WESTERN**

813 West 80<sup>th</sup> Ave.  
Anchorage, AK 99518  
Email: bmwfish@alaska.net

RECEIVED  
APR - 3 2001  
N.P.F.M.C

April 2, 2001

Mr. David Benton, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

**RE: PLEASE SUPPORT A CHARTER IFQ PROGRAM FOR AREAS 2C & 3A**

Dear Mr. Benton:

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A. Since the 1960s, my family and I have depended upon the commercial halibut fishery and other fisheries for the majority of our annual income. We take great pride in providing a quality product for the silent majority—the American consumer. These consumers, angler and non-angler alike rely upon commercial fishermen to provide seafood for their consumption. We need to protect the consumer's right to quality seafood and sustain the economic diversity of Alaska's communities by regulating the charter fishery and providing wise long-term resource management.

Fishing families and coastal communities rely on a mix of fisheries to sustain a stable economic base and propagate economic growth. The commercial-fishing sector relies on a mix of various fisheries such as salmon, halibut, herring, and other species. If one of the key parts of this mix is taken out, it will cause a disastrous domino effect on Alaska and its people. I like many other fishermen rely on this fishery mix, and I need to work multiple fisheries to remain economically viable. With the commercial salmon industry in the financial doldrums, we cannot survive the derailment of the commercial halibut fishery. A charter IFQ program needs to be implemented, to do otherwise will only create socioeconomic problems and instability.

The halibut fishery provides sustainable jobs in our community and benefits many ancillary businesses such as grocers, trucking firms, shops, airlines, and restaurants. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries. The economic synergism and multiplier effects of a diverse and stable economic base are furthered by long-term resource management principles, such as a charter IFQ program.

Pro Charter IFQ  
April 2, 2001  
Page 2 of 2

Charter IFQs are a long-term market based solution that will allow fishery management agencies to focus their efforts on improving management of the resource, rather than waste precious funds, effort and time being involved in allocation disputes. Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

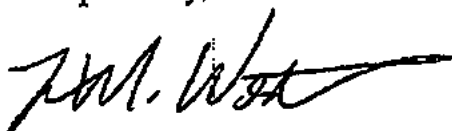
The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels. A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet or US consumer has already paid once for the CDQ program (2% of the quota).

Also, I would like to support the position taken by the Cordova District Fishermen United in a letter dated April 2, 2001 to Governor Tony Knowles regarding the recent statements of BOF Chairman Dan Coffey.

I appreciate your time and efforts taken in the betterment of our fisheries and respectfully ask for your approval and passage of the proposed charter IFQ program. We need to manage our resources wisely and promote economic stability for all Alaskans.

Respectfully,



Brent M. Western & Family

Cc: Governor Knowles  
Senator Stevens  
Senator Murkowski  
Representative Young  
Rep. Rokeberg  
Sen. Pearce  
Rep. Porter  
Sen. Halford  
NPFMC members  
BOF members  
Tom Gemmell, UFA

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MAR 21, 08

APR - 3 2001

Mr. Dave Berton  
Chairman N.P.F.M.C.

N.P.F.M.C.

Dear Mr Berton

I am an 2-c halibut  
fisherman. I make 100% of my liveli-  
hood from fishing. My halibut fish  
is what I'm paying my bills with  
salmon fishing is just filling in  
time any more. I have qualified  
for about 16,000 lbs & have bought  
another 13,000 lbs so you can  
see I'm heavily invested in the  
IEQ fishery. My crew & son have  
also bought IEQ

I very much support an IEQ  
program for charter boats in 2-c

I hope the IEQ program is opened  
up for their can be trading between  
charter & commercial, & the size or  
classes of IEQ are discontinued.

Please consider our investment in this  
fishery.

Thank You  
Len Leach F/V Towaco



178

*Gregory M. Sutter*  
Captain Greg's Charters  
PO Box 2202  
Homer, Ak 99603-2202  
(907) 235-4756  
captgreg@alaska.net

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RECEIVED  
APR - 3 2001  
M.F.F.M.C.

April 3, 2001

*Mr. David Benton, Chairman*  
*North Pacific Fisheries Management Council*  
*605 West 4<sup>th</sup> Avenue, Suite 306*  
*Anchorage, Ak. 99501*

*Dear Mr. Benton,*

*I support the proposed I.F.Q. programs for the charter industry. It is the only option under a litany of ideas your members have developed over the last eight years that is somewhat viable. If you adopt any other of the options, it will make doing business in this industry highly unpredictable, making the failure rate of proprietors extreme high. Thus harming local and state economies and causing other related tourist/recreational industries to suffer as well. It will also harm many other marine related providers such as mechanical, boatyards, tackle shops, electronical, fuel suppliers, insurance, lodging, food services and many, many more businesses. The small business owner and the general public will bear most of the negative effects of your actions. Once again the little guy is being set up to lose.*

*The I.F.Q. proposal is not the best solution for the council's concerns over the charter industry, but it is the least harmful option you have developed. If you must limit the public's sportfishing access to the halibut resource, then do it with I.F.Q.s and not any other of the ludicrous options.*

*Sincerely,*

  
Gregory M. Sutter

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APR - 8 2001

NPF.M.C.

Mr. David Benton  
 Chairman  
 North Pacific Fishery Management Council  
 605 West 4th Ave, Ste 306  
 Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

Our family depends on the commercial halibut fishery for a significant part of our annual income. We own 50,000 lbs of 3A quota share. With the continuing decline of the salmon industry, our halibut income is more important than ever.

We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

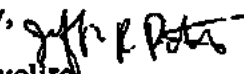
Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,  
  
 Jeffrey Povellite  
 1360 Rimrock Ct  
 Boise Idaho 83712

180

Bruce & Theresa Gabrys  
10229 Baffin Street  
Eagle River, AK 99577  
(907) 694-3874

April 3, 2001

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APR - 3 2001

N.P.F.M.C

Honorable David Benton  
Chairman, North Pacific Fishery Management Council  
605 West 4th Ave. Suite 306  
Anchorage, Ak 99501-2252

**Re: Adopt Charter IFQ and Protect Guided Anglers**

Dear Chairman Benton,

I urge adoption of the Charter IFQ and protection for the guided angler! The Halibut Charter IFQ analysis provides the tools to accomplish both. Broad initial qualification criteria will assure a sufficient number of charter operators are available to give the guided angler ample choices. The implementation of ownership caps will keep it that way. Limiting Quota Share (QS) transfers to one-way only from the commercial sector to charter sector will keep the fish available for the guided angler.

The general public is not aware of the management alternatives thoughtfully integrated into the charter IFQ analysis in order to address their concerns. I am on the Anchorage Fish & Game Advisory Committee. The other members and I heard a great deal of public testimony on this issue. The comments reflected a general lack of understanding of the issues and options currently being considered by the Council. As a result, much of the testimony was critical of implementing a charter IFQ program.

Please allow the time during the April meeting for the public that have recently entered this discussion to review and understand the issues. It is time to focus on the Problem Statement as adopted by the Council and implement a solution that is more than a band-aid on a long term problem.

Sincerely,



Bruce Gabrys

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APR - 3 2001

N.P.F.M.C

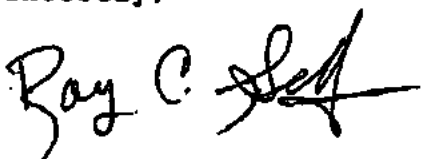
Dear Chairman David Brown N.P.F.M.C.;

I fully support a IFQ System for Charter Vessels in area 3A and 2C. I have been a Commercial Halibut Fisherman for 30 yrs. and a Charter Operator for 10 years. I feel the only practical solution to the allocation disputes and the ever increasing Charter operations is a I.F.Q. System similar to the Commercial Fisherman have in place.

The Commercial Fisherman have already given up 2% once for CDQ Program and if such is to be in place it should be from the Charter I.F.Q.'s or else the Commercial Fisherman would be giving up even more once again.

A Moratorium would only postpone the problem and solve nothing. Therefore I urge the Council to do the prudent thing and adopt the I.F.Q. System for the Charter Fleet.

Sincerely,



Roy C. Self  
P.O. Box 803  
Sterling, Alaska 99672  
(907) 262-4108

182

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APR - 3 2001

N.P.F.M.C

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK. 99501-2252

Dear Mr. Chairman,

I want to voice my full support for the proposed IFQ Plan – but only at the 125% corrected average of the 95-99 charterboat harvest (Issue 1, Option 1). Also, we cannot have a GHIL without some sort of limitation of the size of the charter fleet. We have been working on this issue for 8 years and we cannot wait any longer. We must have stability in our industry and we can't wait the years it take to get a L.A.M.P. in place.

Don't let the State Board of Fisheries run our industry into the ground. Don't let the halibut charter industry turn into another Kenai River!

If IFQs are working so well for the commercial fishermen, they should work equally as well for the charterboat fleet.

Captain Joe Svymbersky  
P.O. Box 15322  
Fritz Creek, AK. 99603

183  
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APR - 3 2001

N.P.F.M.C.

N.P.F.M.C.

3/30/01

I AM AN IFQ HOLDER  
AND AM IN FAVOR OF  
IFQ SYSTEM FOR COMM.  
CHARTER OPERATIONS. IF THEY  
WANT MORE IFQS THEY  
SHOULD BUY THEM. WITH  
IFQ'S WE WOULD ALL  
BE ON SAME PAGE AND  
THE HARVEST CAN BE  
SET ON THE ABUNDANCE  
OF THE RESOURCE, NOT  
NUMBERS THAT DONOT  
FOLLOW BIOMASS OF  
HALIBUT. ITS GOOD  
SCIENCE! I BOUGHT INTO  
THE HALIBUT FISHERY OTHERS  
SHOULD TOO!

NORMAN HUGHES  
POBOX 1136

HAINES, AK 99827

184

March 28, 2001

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APR - 3 2001

N.P.F.M.C

Mr. David Benton  
Chairman of North Pacific  
Management Council  
605 West 4th Ave., Suite 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton:

This letter verifies that I am in support of a IFQ program for Charter halibut vessels in areas 2c and 3a.

My family and I live in the remote community of Edna Bay. We are off the west coast of Prince of Wales Island and are only accessible by boat or float plane.

Commercial fishing is and has been our only financial support for twenty-five plus years. Our income from commercial halibut fishing is a substantial part of our total income.

At the age of 55 I have no other means or choices to support my family.

If the council decides to establish a community set aside program, the allocation should come entirely from the charter allocation.

The commercial fleet has already paid once for the CDQ program (2% of the quota)

A charter IFQ is definitely needed to end allocation disputes and should be based on 100% of the 1995-1999 average catch (not 125%)

Sincerely,



Russ Bartels  
F/V Mariana  
8044 Davidson Ave.  
Edna Bay, Ak. 99950  
907-594-6304

Apr-03-01 08:42

Tony/Sue Guggenbickler

907 874 3600

P.01  
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APR - 3 2001  
N.P.F.M.C

To: North Pacific Fishery Management Council

From: Tony Guggenbickler (F/V Toni Marie)

April 3, 2001

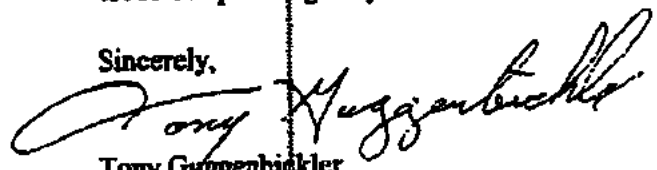
Dear Mr. Benton and Council Members,

I am writing to support an IFQ program for charter halibut vessels.

First I want to express my dismay at the unsavory tactics that have been employed in trying to obstruct the council from bringing this matter to a fair and just conclusion. To say that I am disappointed by these tactics would be an understatement. The politics employed ranged from the Sport Fish Division of ADF&G, unethically trying to influence the Council, to BOF and NPFMC appointments that circumvented the public process to this latest fiasco where the BOF wrote the Council to tell them that they have come to the unanimous decision that they are opposed to IFQs for charter boats. All of these actions undermine the public process and circumvent the will of the people. **THE REASON THAT THEY HAVE TO RESORT TO THESE TACTICS IS THAT, THERE IS NO FAIR, JUST, OR REASONABLE EXCUSE NOT TO INSTITUTE AN IFQ PROGRAM ON HALIBUT CHARTER VESSELS BASED ON 100% OF THEIR 1995-99 AVERAGE CATCH.** Any thing other than this will take fish away from me and my crew.

I live in Wrangell which has a depressed economy now that logging is severely curtailed. The fishing fleet is the one bright spot left here. Our halibut Quota plays a big part of sustaining our family and the families of our two crewmen. We are Alaskans and Wrangellites of thirty seven years. We are here for the long haul. Please don't let politics erode our poundage any further.

Sincerely,

  
Tony Guggenbickler



186



P.O. Box 81516  
 Fairbanks, Alaska 99708  
 PH (907) 455-6827  
 E-mail [info@alaskaviking.com](mailto:info@alaskaviking.com)  
 Web Site <http://www.alaskaviking.com>

April 3, 2001  
**FAXED TO: 907-271-2817**

David Benton—Chairman  
*North Pacific Fishery Management Council*  
 605 W. 4th Ave—Suite 306  
 Anchorage, AK 99501-2252

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APR - 3 2001

N.P.F.M.C

**RE: Halibut IFQ Charter Management**

Dear Mr. Benton:

The only viable alternative on the above referenced issue for our continued business and in the best interest for our clients would be for the NPFMC's adoption of a properly designed IFQ solution that I hope could be more fully developed once a direction has been established. Most importantly for my operation would be to include a "minimum catch" of at least 50 fish, or 1000 pounds to accommodate our clients.

My business is not the norm for the charter boat day operators in Prince William Sound. I only do customized, multi-day cruises to single party clients who want to include several activities available in Prince William Sound. Many want to sea kayak, see the wildlife and beautiful scenery, hike up some of the hills, and maybe, catch a halibut or salmon to add to their experience.

I am a lifelong Alaskan and began my business in Interior Alaska in 1984, operating customized river charters on the Yukon & Tanana River drainages. In 1997, I started my current business in Valdez and began operation on Prince William Sound. I have only ever catered to the desire of my clients which have mostly been more than just sports fishing. However, if they would like to include fishing, then it is important to all of us to be able to do just that. It is imperative to my business that there is the option to have fresh fish for dinner and be able to send clients home with a taste for their friends. Many of our clients come from countries where fishing is not possible and to catch and eat fresh fish from our boat is a dream come true.

We very much appreciate that the NPFMC has approached the halibut fishery management with the intent (we hope, anyway) to preserve the halibut fishery and be a friend of the Earth. Please, help us to ensure the integrity of what we have always considered an "environmentally sound" business, adopt the IFQ process and include the users in its development.

Yours Truly,

*Robert L. Krize*  
 Robert L. Krize  
**ALASKA VIKING CRUISES**

c: Tony Knowles, Governor of Alaska  
 Donald Evans, Secretary of Commerce

Mr. David Boston  
 Chairman - NPFMC  
 W. 4th Ave. Ste. 306  
 Anch., AK. 99501-2252

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Mar. 25, 01

APR - 3 2001

N.P.F.M.C

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In the interest of a long term solution to ~~catch~~  
~~allocation battles~~ over Halibut, I ~~feel~~ we should  
 continue to pursue an IFQ program for Charter vessels.

That said I've got some problems with certain  
 aspects of implementing this charter IFQ.

For one I feel a fixed QS for charter is a  
 bad idea. The excellent record of Halibut  
 conservation by the IPHC is predicated on abundance  
~~management~~. We shouldn't violate the principle.  
 This fixed idea seems also to be legally questionable  
 in that it is unfair in sharing any cut-backs  
 in TAC between user groups. It has also been  
 pointed out that it would aggravate local depletion.

I personally believe the QS allocation should  
 be based on levels of Charter catch at the  
 time the commercial IFQ was implemented. This  
 is only fair. However, if it is based on the  
 95-96 average catch it should only be on  
 100% - not 125%.

If any COQ program is implemented it should  
 not be on the backs of the commercial fleet.

(2)

We've already given up 23% of our quota for  
with a program.

Commercial fishing provides many jobs in Alaska  
and is our main source of income for this  
family of four. We make our ~~year round~~  
home here in Alaska and the income  
derived from fishing is spent in and around  
our community and region.

Commercial fishing provides food for a hungry  
world - I feel it deserves much more  
consideration and help than the competing  
business of catching fish for the wealthy  
to recreate.

Sincerely,



SCOTT VISSCHER  
F/U GEORGIA

HC-60 #2842

HNS, AK. 99827

Copy: Governor Knowles

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APR - 3 2001

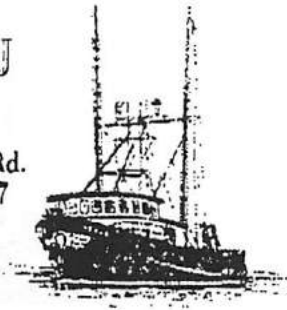
N.P.F.M.C

F/V PEARL J

Jeff Mulkey

4501 S. Smith River Rd.  
Reedsport, OR 97467

541-271-5527



Apr 2-01

Dear Mr. Benton

I am writing to support an IFQ Program for charter halibut vessels in areas 2C & 3A. My living comes from Commercial Halibut fishing and the money also supports three more families on the Boat. Commercial Halibut dollars also flow to other businesses. Charter Halibut fishing is a Commercial fishery in away because of the fees.

The initial Charter QS Allocation should be based on 100% of the 1995-99 Average Catch NOT 125%. We all would like to have more. Your consideration of this letter is appreciated.

Thank you

4-2-01

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APR - 3 2001

N.P.F.M.C

F/V PEARL J

Jeff Mulkey

4501 S. Smith River Rd.  
Reedsport, OR 97467

541-271-5527



Dear Mr. Benton I am 9 years  
old and my name is Jorgen. I  
fish for halibut with my Dad. I work every  
summer on the boat and I earn money for  
lots of things. All of our crew needs  
money to live and pay taxes and for their  
sons to go to school.  
we need our quota.

Sincerely,

Jorgen Mulker

# Wild Idles

Fishing & Sightseeing Adventures

April 2, 2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

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APR - 3 2001  
N.P.F.M.C.

Dear Chairman Benton,

I am a 43 year Alaska resident. I have fished the waters in and around the State since I was the age of 10. I own and operate a small vessel fishing charter business. I support the possible implementation of an IFQ system for the halibut fleet. I believe an IFQ system will be beneficial only if it is designed properly.

First, the Council adopted the GHL last year equaling 125% of the corrected average 1995-99 charter harvest. This figure needs to remain the guideline for initial quota share issuance. This will allow the charter fleet to grow a small amount over the first few years if necessary and also allows for the businesses that for whatever reason, had lower than personal average catches during the critical 1998-99 seasons.

Second, I feel it is fair and logical that 50% of the initial poundage allocation should remain fixed and not float with the TAC. Only if this happens will the charter owners be able to plan for the future and guarantee that they will have enough quota shares to allow their clients proper access to the resource that after all, belongs to the general public.

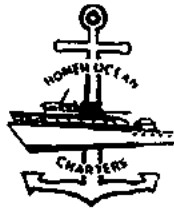
Under Issue 3, Qualification Criteria, I think option 2 would best serve the needs of the industry. It would allow the most participants in and would be fair for everyone who fished legally.

Issue 5 is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

These issues are at the heart of the IFQ proposal and I feel they are necessary for the successful implementation of such a program. I hope the commercial and charter industries can work together to protect our valuable halibut resource.

Capt. Barbara J. Brooks  
Wild Idles Fishing and Sightseeing Adventures  
Fairbanks, Alaska

cc: Gov. Tony Knowles  
cc: Daniel Evans, U.S. Secretary of Commerce



**Outer Coast  
Sourdough**

April 2, 2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 W 4<sup>th</sup> Avenue, suite 306  
Anchorage, AK 99501

Chairman Benton and council,

I am writing to express my support for the proposed charter halibut IFQ plan. The GHL as it stands now will devastate the charter industry. The results of open access, limited quota fisheries are well documented failures and it makes no sense to steer the charter halibut fishery into such certain demise. The charter IFQ committee has submitted a plan that does not impact the level of commercial harvest, protects the viability of the charter industry as it exists today, and facilitates new entries to the fishery through the purchase of quota shares. The public access to the resource was limited by the GHL, charter IFQs do nothing to further reduce their access, the free market system will determine the charter price that is acceptable to the public, that is the American way.

You have a choice. support the IFQ program and provide the charter industry with a sustainable future, or reject the plan and wait a few years for the industry to deteriorate under the present open access GHL then try to salvage what is left. There is a workable plan on the table. I hope you will support it, I do. I ask that you please give this issue serious consideration, as the livelihood of most in the charter industry and tourism in general, along with all of the supporting businesses are at stake.

Thanks for your consideration of this issue.

Sincerely,

*Renzk*

Captain Rorik Brown

**HOMER OCEAN CHARTERS**

Box 2543 • Homer, Alaska 99603

FISHING CHARTERS • HUNTING • KAYAKING • WATER TAXI • CABIN RENTALS

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APR - 3 2001

N.P.F.M.C

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**RECEIVED**  
APR - 3 2001  
N.P.F.M.C**Captain Brown's Charters**

Captain Grady Brown Jr.  
M/V Simon Peter  
312 Baranof Ave  
Fairbanks Alaska 99701  
(907 455-4259)

April 2, 2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4th Ave, Suite 306  
Anchorage, Alaska 99501-2252

Dear Chairman Benton,

I am a year-round ALASKAN resident. I live in Fairbanks in the winter and in Valdez during the summer. I have lived in Alaska for 27 years. I have fished the Cook Inlet, Prince William Sound and most all the major river's, both sport and charter. I currently operate a small vessel charter business from Valdez, so I have a vested interest in the halibut charter fleet and the longevity of sport fish for halibut in general. I support the possible implementation of an IFQ system for the halibut charter fleet's in Alaska. However, I believe and IFQ system will be beneficial only if it is designed properly.

First, the Council adopted the GHL last year equaling 125% of the corrected average 1995-99- charter harvest. This figure needs to remain the guideline for initial quota share issuance. This will allow the charter fleet to grow a small amount over the first few years if necessary and also allows for the businesses that for whatever reason, had lower than personal average catches during the critical 1998-99 seasons. I personal have experienced major engine and out-drive failure in these two years plus in 2000.

Second, I feel it is fair and logical that 50% of the initial poundage allocation should remain fixed and not float with the TAC. Only if this happens will the charter owners be able to plan for the future and guarantee that they will have enough quota shares to allow their clients proper access to the resource that after all, belongs to the general public.

Under Issue 3, Qualification Criteria, I think option 2 would best serve the needs of the industry. It allows the most participants in and would be fair for everyone who fished legally.

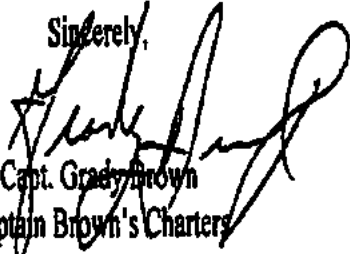


ENDED PAGE 1.1

Issue 5 is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

These issues are at the heart of the IFQ proposal and I feel they are necessary for the successful implementation of such a program. I hope the commercial and charter industries can work together to protect our valuable halibut resource.

Sincerely,



Capt. Grady Brown  
Captain Brown's Charters

cc: Gov. Tony Knowles

cc: Daniel Evans, U.S. Secretary of Commerce

E-Mail: [captainbrownscharters@ak.net](mailto:captainbrownscharters@ak.net)

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APR - 5 2001

N.P.F.M.C

Mr. David Benton  
 Chairman  
 North Pacific Fishery Management Council  
 605 West 4th Ave, Ste 306  
 Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

Our family dependss on the commercial halibut fishery for a significant part of our annual income. We own 50,000 lbs of 3A quota share. With the continuing decline of the salmon industry, our halibut income is more important than ever.

We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Leslie Smith

1360 Rimrock ct  
 Boise ID 83717

194

Gregory Beam  
 PO box 1994  
 Sitka Alaska  
 99835

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APR - 3 2001

N.P.F.M.C

Mr. David Benton  
 Chairman  
 NPFMC

Dear Mr. Benton

I am writing in support for charter boat halibut IFQ's  
 I have fished commercially for 23 years, 100% of my income is from commercial fishing

Equitably issued quota shares for charter vessels is a long term solution to halibut management and allocation issues.

Equitably means considering sport fishers and commercial fishers as well as halibut conservation.

A fixed allocation should not be considered, this violates board of fish policy for sound fisheries management, and charter operators cannot be exempt from the practices of sensible stewardship of the resource.

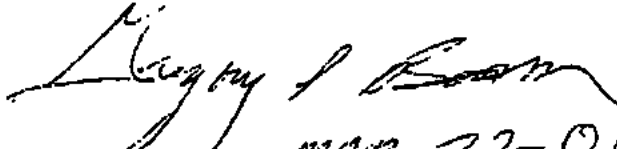
Any initial allocation to the charter fleet should be at or less than 100% of their seasonal averages and programs which compensate local communities for the fishing practices of the charter fleet should be reduced from their allocations not the commercial fishers who have in the past continuously given and contributed to similar programs when the IFQ management system was put into effect. Commercial fishers gave and contributed and make extensive allowances to communal program by reducing our own quotas and allocating it elsewhere.

Charter fishing was allowed to expand unchecked and unfairly, creating an allocation issue which is already removing thousands of tons from commercial fishers, this should be noted when equity is considered.

A moratorium is not a useful solution at this time, only an invitation to more frustration.

Awarding a group of Charter operators with more than their historical averages is also preposterous, who does it come from and who does it benefit, certainly not conservation. Lets also make sure they are held accountable for reporting their catches, they have already gone on public record as being liars about what they have been reporting as catches, so they must be held accountable not rewarded by offering them more than they need.

Sincerely,  
 Gregory Beam

  
 MPR 22-01

Mr. David Benton  
Chairman

North Pacific Fishery Management Council  
605 West 4th Ave. Ste 306  
Anchorage, Ak. 99501-2252

March 29, 2001

Dear Mr. Benton:

I am writing to support an IFQ program for guided sport fishing vessels in areas 2C & 3A.

I started commercial fishing Alaska in 1967 at the age of 13. Commercial halibut fishing is very important to my family and myself. We earn a significant part of our annual income from this fishery, as do many others involved with the purchasing, processing, transporting, preparing and selling of this wonderful product. Many of us have invested heavily in the business, particularly since the IFQ program stabilized the fishery. This resource has been fully utilized for many years, which means every new participant in the fishery must take fish from those who were there before them. If a salmon fisherman from Homer wishes to start catching halibut, he must first acquire IFQ from a halibut fisher wishing to get out of the fishery. Why should the charter boat fisherman be any different? They make their living selling halibut to their customers just as I do! Let us make them part of the IFQ program so we can stop these allocation battles, that takes up so much of our time.

They should be allocated 100% of their 1995-1999 average catch. (Not 125%)  
If there is to be a CDQ set aside program that poundage should come out of the above allocation not from the commercial quota. This a charter boat issue and we already donated our 2% of the commercial quota to the CDQ.

I have two concerns: 1 How to verify the charter landings? 2 How will the charter fleet contribute to the increased enforcement and management costs? But I have faith these problems can be solved.

Your consideration of this letter is appreciated. Remember commercial fishing provides many jobs and delicious seafood in small towns and big cities all across the nation.

Sincerely,

*Randy Kraxberger*

CC Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, Ak. 99811-0001

Randy Kraxberger  
2957 Hancock St.  
Port Townsend Wa. 98368

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APR - 3 2001

N.P.F.M.C

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March 30, 2001

Chairman David Benton  
N.P.F.M.C.  
605 West 4<sup>th</sup> ave. Ste.306  
Anchorage, Ak. 99501-2252

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APR - 3 2001

N.P.F.M.C

Sir,

I am concerned about the next round of meetings of the NPFMC for the allocation of Halibut IFQ quotas between the charter boats and the commercial fleet.

As a commercial fisherman myself, the outcome of these meetings will affect directly on my operation. I have invested in a good boat, gear and purchased additional shares of Halibut quota to establish a good income for my family.

I am requesting that you favor the Charter Allocation based on 100% of the 1995-1999 average actual catch. Together with the IFQ for Charter boats, this will satisfy their needs and it will guaranty my working conditions.

I hope you understand my position and would act accordingly.

Thank you



Ric Vrsalovic  
P.O. Box 709  
Whittier, Ak 99693

**Juneau Charter Boat Operators Association**

P. O. Box 34522  
Juneau, AK 99803  
(907) 789-0088 President  
(907) 789-9368 Secretary

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N.P.F.M.C

April 2, 2001

David Benton, Chair  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear Chairman Benton:

At our last meeting JCBOA made a formal recommendation on the Halibut Charter IFQ proposal before the North Pacific Fisheries Management Council. JCBOA opposes the implementation of an IFQ program for the guided sport halibut fishery.

Such a program will restrict access for the sport fishing angler, both resident and non-resident, who choose to utilize the services of a charter operator. The ultimate beneficiary of such a program will be the commercial IFQ fisherman.

JCBOA supports a License Limitation Program for the charter industry. The Moratorium alternative can be used to achieve that goal. We urge the Council to adopt the Moratorium alternative. This will go far in addressing the issues before the Council concerning guided angler access to the halibut fishery.

We recognize that the NPFMC will probably implement an IFQ plan anyway. This will be in spite of the fact that the analysis does not adequately address impacts to the guided angler. The analysis is equally inadequate on the economic impacts to the charter industry and to the individual operator. We hope the Council will see the wisdom to oppose this alternative.

Sincerely,



Jim Preston  
President

cc:  
Secretary Donald Evans, US Department of Commerce  
Governor Tony Knowles, State of Alaska

198

Date: 3/30/01

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APR - 3 2001  
N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

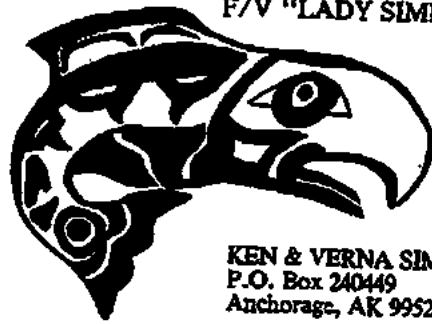
Name: Mike Johnson

Address: 105 Viking Way Sitka AK 99835

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

what ever you can do to charter uazis,  
seek it to em. Here's 100. bucks

F/V "LADY SIMPSON"



199

KEN & VERA SIMPSON  
P.O. Box 240449  
Anchorage, AK 99524

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3/26/03

MR. David Benton APR - 3 2001

CHAIRMAN

N.P.F.M.C

North Pacific Fishery Management Council

605 West 4th AVE, STE. 306

ANCHORAGE, ALASKA 99501-2252

DEAR MR. BENTON

I AM writing To Support AN I.F.O program for  
Charter halibut vessels in AREA-3A-2C.

I AM A 60 year Resident of ALASKA with over  
40 years in the commercial fishing industry  
since 1951. My only source of income  
has been fishing.

I also fish winters in the Bering sea for  
crab, which is now a depressor. There will  
be few crab seasons for years to come.

I have invested heavily in halibut IFOS-AREA 3-A.  
in the past 5 years, only to lose a sizeable  
portion to the charter fleet allocations.  
These ~~Real~~ Pounds I have lost I still have  
to pay for. I get very ANGRY +  
disillusioned - as to my commercial fishing  
future if I have to give up more shares  
that.....



By All means don't take any more Q.S. T.F.Q. pounds from the commercial Longline Halibut fleet.

As the Fisheries around the state are getting depressed, we don't need to take the stability factor of T.F.Q.s away to give to another fledging business.

I bought T.F.Q. seeking stability and some thing for retirement, hoping it to be a secure investment. Remember 87% of the Halibut T.F.Q.s are owned by ALASKANS.

Only 26% of the charter fleet is owned by ALASKANS. "Let's keep the ALASKAN Fisherman fishing".

If more fish is needed for charter fleets maybe it could be taken from the bycatch of draggers. Make them fish cleaner.

I do support T.F.Q. for the charter fleet. The initial Q.S. allocation should be based on 100% of the 1995-1999 average catch (not 125%) Keep conservation in mind.

T.F.Q. is needed to end allocation disputes and to stabilize another commercial fishery. And share the Resource.

I Also feel any community set aside program for charter Allocation should come out of the Charter Allocation when I.F.Q.S ARE set. up. 50 shares. I feel the communitys could Have started their charter bussiness up along time ago. It is not the Councils Responsibility to set up people in bussiness. They could Buy I.F.Rs Like ANY ONE ELSE IN the Charter sheet.

Sincerely

Kenneth Simpson  
P/O Lady Simpson  
Box 240449  
Anchorage, AK 99524

200

April 2, 2000

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APR - 3 2001

N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501-2252

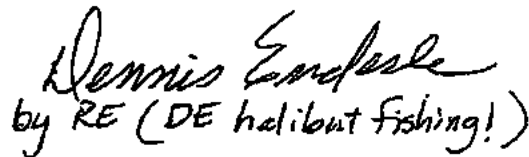
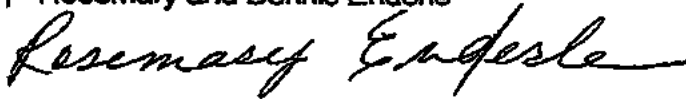
Dear Mr. Benton,

I am writing in support of an IFQ program for charter halibut vessels in areas 2C and 3A. My husband and I have fished commercially in 2C for the past 18 years. When the IFQ program was established for commercial fishers we spent a good deal of our life savings purchasing IFQ for ourselves and our daughter. For the past 5 years, the charter fishing fleet in the Cross Sound Area has increased significantly with new lodges being built and more vessels per lodge being utilized. We have witnessed in Effin Cove the days of perhaps 20 tourist per day a few years ago to over 100 people per day each summer with each guest paying charter fishing vessel and lodge owners big bucks to land halibut and salmon from the same waters that provide sustenance to our family.

To preserve the halibut stocks and to provide each commercial user ( this includes chartered fishing vessels) fair and equal access to their livelihood, the charter vessel owners should be required to purchase the opportunity to harvest halibut just as my family was forced to do when the IFQ program was established. Furthermore, is not feasible to obtain an accurate accounting of the # of fish taken in these areas with punch cards due to remote locations and the frequent turn around time of the charter vessels. An IFQ program is the only way to accurately monitor this fishery and maintain an equitable share of the resource for all users. As a full time resident of Alaska it is disturbing to me that our valuable fisheries resource is being handed over, free of charge, to out of state residents who summer in Alaska operating their lodges, then board them up for the winter, head south and barter processed fish for new customers during winter travel conventions.

Most Alaskan charter vessel owners recognize this flaw in our system and support a charter IFQ system. I trust that you and the other council members will have the courage and foresight to see this as well and vote to establish a charter IFQ, before it is too late.

Sincerely, Rosemary and Dennis Enderle

  
by RE (DE halibut fishing!)

cc: Governor Tony Knowles

# Newwave Fishing Charters

Newwave Fishing Charters  
P.O. Box 3311  
Seward Alaska 99664

201

Phone (907) 224-8716

RECEIVED  
APR - 3 2001  
N.P.F.M.C

April 02, 2001

David Benton -Chairman  
North Pacific Fishery Management Council  
605 w. Ave. Ste 306  
Anchorage , Ak 99501-2252

Dear Mr. Chairman,,

I Am an Alaskan resident operating my own halibut Sportfishing charter service in Seward Alaska for the past 6 years . I have also been a comercial fisherman for halibut for the past 24 years I recommend that you take no action on the Charter industry at this time when the stocks are at a high I am not posed of a GHIL or ALternative #2 , a moratorium if there actualy was a decline in the halibut stocks which there isn,t at this point in time . And also think there should be much more study and input into one of these plans .But I think the issues of localized depletions,gear conflict and over capitalization can be addressed in the LAMPS process. the details of the problems facing the charter industry are best left to the State of Alaska to deal with.

The proposed IFQ plan will not help the charter industry. It will make contuning to do bussness more complicated and expensive. The IFQ plan analysis dose not thke into account the potential impacts to recreational anglers. The IFQ plan will drive prices of charters up. although I personally would end up with substantial amount of IFQ there would be a lot of other charters who have time and money in this bussness pushed out of bussness which I think is unfair . and buying IFQ would also not be profitable for such a low scale bussness compared to comerial fishing .

The Council has not analyzed the potential impacts on the anglers who buy a State fishing license and go out on charter vessels. It has been standered pratice for other Management Counsels to hold public meetings in communities to obtain public comment in a less intimidating and more convenient setting than a NPFMC meeting in Anchorage (which a cimercial fisherman is more likely to afford) This has not happened . there has been no effort to inform potential charter operators that restrictive measures would have known that these measures were coming.

The final analysis fails to present any understanding of the Alaska Charter industry or recreational fishing in America. Speculating that the charters may end Up offering a service simmlar to a trout pond where our clients pay for their trip based on how many pounds of halibut they retain is unheard of in any other recreational fishery in America. No self respecting recreational fisherman will except this possibility.

The fact is that no one knows what will happen to the guided halibut charter industry if an IFQ program is implemented . That is unacceptable. Finally ,the proposed Community Set aside Perplexes me Just last Year the Counsel decided using the best available data, that the GHIL was a fair allocation to th e existing charter industry. Now another group wants part of that allocation for bussness that don,t even exist yet .That does not seem like a fair way to be allocating fish.

In conclusion If you decide to implement any measure on the charter industry you are doing so with out proper research ,public testimony , and for no reason other than to preserve the historic income levels and to iron out the conflicts with inshore fishing forced on some of them by there own IFQ for certain commercial fisherman, at the expence of everyone else . I ask you to not to take no futher action until you know what the outcome will be.

The IFQ plan is fine for the commercial fisherman but it is to cumberson and expensive for the charter industry . If anything Enacct a Moratoriumand let the LAMP process to what it is supposed to do

Sincerely, Alan Anthony

*Alan Anthony*  
P.O. Box 3311

P. O. Box 13072  
Fairbanks, AK 99707

April 3, 2001

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APR - 3 2001  
N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Re: Charter Boat IFQ's

Dear Mr. Benton,

We are lifelong Alaskans and have been in the charter fishery for the last 15 years. During this time we also participated in the one-day "derby" style commercial halibut openers and ended up with an all but useless 250-odd pounds of IFQ which is not worthwhile fishing.

The commercial halibut and shrimp pot fisheries supplemented our charter income and gave us several fall back positions in case one or the other was not productive. When the commercial shrimp pot fishery was also closed and the IFQ program implemented, we were left with one alternative - chartering.

In 1995 we looked at the number of day charter boats and decided to take our charter operations to a higher level. We invested substantially in a larger vessel with private accommodations and concentrated on vacation cruises of 4 to 10 days. We do some fishing while on charter, depending upon our clients' wishes, and take less than 50 fish a year. In 1998 we only logged 30 fish.

My point is: We NEED these 50 fish for the survival of our business. Our clients come from all over the world. They look forward to their quiet time on the boat which often includes fishing.

We support a properly designed IFQ plan for the charter industry with a minimum of 1,000 lbs per boat allocated to charter operators like myself.

In April 2000 the council decided on the GHL amount of 125% in Issue 1, Option 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small amount of growth for our business. There should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers - this is a public resource. This 50% should never decrease until a time of biological emergency at which time all fish harvests (commercial and sport) should be decreased equally.

Thank you for taking the time to read my letter and consider my position.

Very truly yours,



Richard M. Tate, Owner  
Nuliaq Alaska Charters  
[www.aksub.com/nuliaq](http://www.aksub.com/nuliaq)

CC: Tony Knowles, AK State Governor  
Donald Evans, US Secy. Of Commerce

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April 1, 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

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APR - 5 2001

N.P.F.M.C.

Chairman Benton, Members of the Council:

My name is Richard Andersen. My wife Bonnie and I own and operate King of Kings Guide Service and Lodge on the shores of Cook Inlet in Happy Valley. The Halibut and King Salmon fishing in the Inlet is our way of making a living. We are a family owned and operated lodge, with myself, my son, my son-in-law, and two other individuals skippering our boats. We operate from May 1<sup>st</sup>-early September. We are members of the Deep Creek Charterboat Association and have been keeping up on the issues that concern our livelihood. I support Council action to include the halibut charter sector into the existing Halibut IFQ program. I am against the status quo action and the moratorium action.

I am convinced that our fishery has become unstable and overcapitalized and an IFQ program is a logical and sensible answer. I hope that the current Charter IFQ Committee is maintained into the future as I am sure there will be a need for input from the Industry in development and progress of such a plan.

As you go through the Issues and Options before you I suggest that some are more workable and some are not workable at all. I feel that the Charter IFQ Committee has sorted through them carefully, and I would support the Issue and Option recommendations of the IFQ Charter Committee as presented to you from them.

Thank you for your consideration concerning this issue.

Sincerely,

Richard L. Andersen  
King of Kings Guide Service and Lodge

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

**KING of KINGS**  
*Guide Service and Lodge*

24715 Sterling Highway  
Anchor Point, AK 99556-9701

204

NPFMC  
605 W. 4<sup>th</sup> Ave. #306  
Anchorage AK 99501

From: Andy Housh  
4110 Debarr Rd #3C  
Anchorage AK 99504

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APR - 3 2001

N.P.F.M.C

Subject: Charter Boat IFQ

TO: Chairman Dave Benton  
Council Members

My name is Andy Housh & I use charter boats to go halibut fishing in Cook Inlet. The Boat launches are so crowded that you have to wait in line forever & you can't find a parking spot. We used to fish a hole called halibut hill 30 minutes off shore & catch fish all over 50-100 pounds. The boat I usually fish on does not fish there any more because there are no fish left there. We now run all the way to Augustine for hours for smaller catches. I go to Deep Creek instead of Homer because of the shorter boat ride, but that is not true anymore, & deep creek boats now fish with the homer boats. The increase in the # of boats have not helped in my access to the fish it has actually hurt my access to the Great fishing that I used to do. There is obviously a severe problem that needs to be fixed yesterday, not tomorrow please fix this problem now with the IFQ program & not later. If you wait it will be to late!

Thank You  
*Andy Housh*  
Andy Housh

# Alaskan Game Fisher

Box 1127 • Soldotna, AK 99669 • email: akpt@alaska.net • (907) 262-2980 • Fax (907) 260-2676 • 1-800-320-2980



205

NPFMC  
605 W. 4<sup>th</sup> Ave. #306  
Anchorage AK 99501

RECEIVED

APR - 3 2001

NPFMC

TO: Chairman Dave Benton  
Council Members

Re: IFQ'S

Please do not let politics get in the way of fixing the problem statement of the halibut fishery.

Problems.

- 1: Near shore depletion- Yes or No
- 2: Overcapitalization of charter fleet – Yes or No
- 3: Industry instability \_ Yes or No
- 4: Projected declining stocks – Yes or No
- 5: User group conflicts -Yes or No
- 6: Allocation Conflicts - Yes or No
- 7: Do you have a solution that both the commercial & charter industry agree on. -Yes or No.

If you answered yes to most of these questions then there is a problem & a solution to this problem. So use the solution & fix the problem now, and get on with other issues, this has been dealt with for 8 years as the problem gets worse, why wait another several years & spend Hundreds of thousands of dollars, to fix something that could be fixed now before it gets worse. (Just for politics) Do your job as fish managers, not for political favors that are owed.

Do it for the fish, think of the fish, if you save the fish, access for the angler will be saved.



How often do commercials & charters agree on a plan, you have one now with the IFQ. You will not have that with a LAMP. IT is TOO late for LAMPs don't wait too late for IFQ.

Do not worry about the recreational angler because this does not involve a non commercial halibut user, only charters which are commercial operators, & we would not promote a plan that hurt our users, because if it did we would hurt ourselves.

Do not worry about cost increase to the guided angler, there will be plenty of competition left for competitive pricing. By doing nothing also can raise the cost as we have to spend more on fuel to go farther distance, & have to spend more on advertising costs. I just sold a 5 day trip for 4 anglers at \$300.00 per person per day, they are willing to pay more for quality, IFQ will increase the quality of trips.

ADF&G is the last to know of problems by the time it shows up in their data, when we fish 100 days a year for 13 years you know when something is wrong & we know our industry best to know the solution. The State has little clue how our industry really operates and what goes on behind the scenes.

This is not about a bag full of money for charter operators, this is not just about allocation, this is about conserving fish, this is about preserving public access to halibut In near shore fisheries, this is about stabilizing a charter industry, this is about an orderly development of a fishery, and please do something for us just this once & not to us.

**PLEASE IMPLEMENT THE IFQ PROGRAM ACCORDING TO THE IFQ COMMITTEE RECOMMENDATIONS.**

Captain Mel Erickson



NPFMC  
605 W. 4<sup>th</sup> Ave. #306  
Anchorage AK 99501

From: Jeff York  
8300 Sue St.  
Anchorage AK 99508

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APR - 8 2001

N.P.F.M.C

Subject: Charter Boat IFQ

TO: Chairman Dave Benton  
Council Members

My name is Jeff York & I have been going fishing on charter boats out of Deep Creek for 15 years. It used to be very good fishing for big halibut very close to shore & I paid \$90.00 for a charter & there were not very many boats. I guess that was the good ol days. When I go now we run up to two hours one way & sometimes don't catch fish or just small ones. There are hundreds of boats and I pay \$150.00- \$185.00. I thought more boats & more competition were supposed to bring lower costs.

When I asked the captains of the boats I fished on why we run so far & pay so much they have all told me that to many boats are now fishing & have wiped the fish out, & they now have to charge more to make up costs of running longer distances and because competition prevents them from being full every day.

Please limit the number of charter boats with the best solution available to you NOW. Not in 5-10 years. I would gladly pay more for a charter if the fishing could remain the same as it is now or even improve. PLEASE implement an IFQ program & save my access to the fishery, as I now know it with a 2 fish bag limit.

Sincerely,  
*Jeff York*  
Jeff York

207  
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APR - 3 2001

P.O. Box 1412  
Kenai, AK 99611  
(907) 283-4199  
4/1/01

N.P.F.M.C

Charter IFQ committee  
North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Ave. Suite 306  
Anchorage, AK 99501-2252

Dear Sirs,

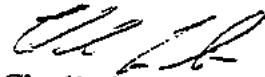
**Please permit the transfer of commercial halibut IFQ to Charter IFQ in the event that you do institute a charter IFQ program.**

**PERSONAL:** I'm a commercial salmon and halibut fisherman of 23 years who has just spent about \$82,000 this winter converting my commercial salmon vessel to a charter boat. I'm scared to death now that I won't be able to be in either fishery.

**INDUSTRY WIDE:** There will be a continuing and tremendous demand for Charter IFQ concomitant with a decrease in the value of Commercial IFQ as farmed halibut comes on line. Please allow commercial fishermen to transfer their halibut IFQs to Charter so that they may secure a living.

If a moratorium is installed, it should be via LAMPS as there are tremendous differences between the Seward-PWS area and lower Cook Inlet.

Sincerely and very up-tight,



Charlie See  
commercial fisherman/charter operator

ps: I am willing to testify at your hearings the week of April 11.

April 1, 2001

Re: Charter IFQ's

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

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APR - 3 2001

NPFMC

Chairman Benton, Members of the Council:

My name is Tim Erion. I own and operate Vader Charters. I live in Clam Gulch and have been operating a charter boat out Deep Creek State Park in Ninilchik, on the Kenai Peninsula for 14 years. I also employ a deck hand for four months who also lives on the Peninsula. The future of our Sport Fishery for Halibut and King Salmon in this area is very important. Not just for our small community or me but for the whole Kenai Peninsula. Its also the way I make a living for my family. I am also a current member of the Deep Creek Charter boat Association.

I support Council action to include the Halibut charter sector into the existing Halibut IFQ program. I am opposed to status quo and also to moratorium action.

I would like to request that you maintain the current IFQ Committee into the future, as I am sure there will be a need for industry input in development and progress of such a plan which represents the best interests of our industry.

I believe we have designed a plan that will solve the problem statement and one that will protect this resource fairly for all user groups. Protecting the fish is a priority and IFQ's can potentially play a part in doing that. I feel that the Charter IFQ committee has sorted through the Issues and Options very carefully and I support the Issue and Option recommendations of the IFQ Charter Committee as presented to you from them.

Sincerely,

Tim Erion  
Vader Charters



Jon Tippit • P.O. Box 1452 • Seward, AK 99664  
(907) 224-3277 • Fax (907) 224-7101  
E-mail: [asummer@seward.net](mailto:asummer@seward.net)

## CHARTER

March 24, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue Ste. 305  
Anchorage, AK 99501-2252

RECEIVED

APR - 3 2001

N.P.F.M.C.

Dear Mr. Benton:

I am writing to support Alternative #2, a moratorium on any new entrants into the charter industry as a whole. I own and operate Alaskan Summertime Charters out of the port of Seward. We fish not only for halibut but salmon and rockfish as well. My Alaskan family and I depend on charter fishing revenue as a significant part of our annual revenue. The charter fishery is vital to Seward's economy and benefit's all of the local businesses as our charter industry brings thousands of tourists to Seward. The GHL allocation is inadequate if any more halibut charters join the industry. The moratorium will control growth. The issue of localized depletion, gear conflict and over capitalization can be addressed in the LAMPS process. The details of the problems facing the charter industry are best left to the State of Alaska to deal with.

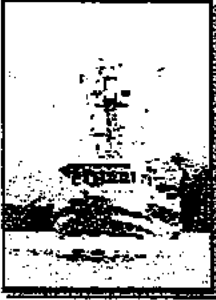
The proposal IFQ plan will not help the charter industry. It will make continuing to do business more complicated and expensive. The IFQ plan analysis does not take into account the potential impacts to recreational anglers. The IFQ plan will drive the prices of charters up, cause consolidation, and reduce angler's opportunities. I don't want to own the fish caught on my boats, I didn't catch it, my customers did.

The IFQ plan is fine for the commercial fisherman but it is too cumbersome for the charter industry. Where there already existed an avenue for documentation of catch through ADFG fish tickets and enforcement through NMFS, these systems are not in place with the charter fleet. Implementation of such a system would be burdensome and frankly whose shoulders would it fall upon. Enact a moratorium and let the LAMP process do what it is supposed to.

Sincerely,

Jon Tippit  
Alaskan Summertime Charters  
P. O. Box 1452  
Seward, AK 99664

210



**Lone Fisherman, Inc.**

John C. Phillips, Pres.  
Maura J. Phillips, Sec. Tres.  
P.O. Box 1315  
Petersburg, AK 99833  
PH: 907-772-2554  
FAX: 907-772-2553  
EMAIL: lfincjimp@mitkof.net

**RECEIVED**

APR - 3 2001

N.P.F.M.C

April 1, 2001

North Pacific Fishery Management Council  
605 west 4th Ave.  
Ste. 306  
Anchorage, Ak. 99501

Dear Council Members:

I am writing you in regards to your final vote on the halibut charter IFQ's. The implementation of the Guideline Harvest Level (GHL) is a tremendous step in the right direction when addressing the open-ended reallocation of halibut from the commercial to the charter sector. However, this step is not complete and can not be expected to resolve the future allocation conflicts. In dealing with this issue you must look at the extensive past history of the commercial halibut fishery. You must look at the effects, including involvement, dependence and investments to the existing halibut fisherman. You must look at finalizing a halibut charter management plan that leaves allocation to the market place. You must look at an initial allocation based on historic landings and strictly tied to abundance. Finally, you must look at all the commercial fleet has done so far in already having paid dearly for the existing program.

The first issue I mentioned was the extensive past history of the commercial halibut fishery. This fishery has been around for a very, very long time. It was around before you and I. It has probably been around even long before our parents. The commercial halibut fishery is part of our history. It is part of the backbone of Alaska, literally. The charter fleet is like a baby born yesterday. It is growing and developing like a tumor out of control. The commercial fleet asked the council over seven years ago to do something with the allocation for the charter industry and it must not have been an important issue to the council because it has never been properly dealt with. Now that the charter fleet is asking, getting, and demanding a bigger piece of the pie, it is a hot topic for you to have to deal with now. I ask you to please, please, please, keep in the forefront of your mind. The past history and conservation of the commercial fleet is what has made the fishery what it is today. If not for the commercial fleet, we might still have Canadian's taking the majority of our quota. The commercial fleet had done a tremendous amount of work in making the fishery what it is today without any help from the "charter fleet."



## Lone Fisherman, Inc.

John C. Phillips, Pres.

Maura J. Phillips, Sec. Tres.

P.O. Box 1315

Petersburg, AK 99833

PH: 907-772-2554

FAX: 907-772-2553

EMAIL: lfincjnp@mitkof.net

Secondly, I wanted you to look seriously at the involvement, dependence, and investments of the existing halibut fishing fleet. My family is **TOTALLY DEPENDENT** on fishing for a living. We have invested heavily and happily into our future in the fishing industry. Other than raising our family, fishing is what we are involved in. Yet, I stand corrected in that statement. As a young woman, I fished with my husband. Since we have had our children, raising them has been my main focus and fishing has been my husband's. How has this effected my family? My kids have a dad that is rarely home. Dad was not there for the first steps, not there for the first words, not there for the first school play, not there for the basketball game or playoff baseball game. My husband was not able to be there for close deaths in my family. Even today, he is having to make the living while I am getting ready to bundle up my kids and take them south to bury their grandfather and my father. I am not complaining about being married to a fisherman, it is a life we choose. I just want you to realize, not only have we given up vacations but much, much more to continue to be a fishing family. Financially, we have invested heavily in the industry, all from Alaskan resources. We have loans out that involve our fishing operation. We have hundreds of thousands of dollars tied up and invested in the longline industry and we have had this investment for many, many years not just the past few like the majority of the newly born halibut charter industry.

Another issue I asked you to carefully consider is the finalizing of a halibut charter management plan that leaves allocation to the market place. All I have to ask you to do here is to take a careful look at the allocation fights over the Southeast King Salmon. Continuous, frustrating, dismal, unfair, and expensive!!!! Please, don't allow that to take place with our halibut fishery. Remember, who asked to have this issue dealt with over seven years ago?

Initial allocation. That is the next topic. This **HAS TO BE** based on historic landing and strictly tied to **ABUNDANCE**. **EVERYONE** has to share the cost of conservation. If you really wanted to get down and dirty and into conservation, the commercial fleet has a **HUGE** argument there. We have conserved and taken cuts and worked closely with the Pacific Halibut Commission for decades!! The charter fleet has not done anything to conserve. Rather, they have helped their clientele ship igloo after igloo of fish south. Fish of all species, that has not been accounted for, weighed (with ice and slime), or looked upon by agents that have weapons on their waists as the fish is being unloaded. Do you realize that a commercial fisherman can get into trouble for cutting cheeks out of the halibut they catch before they are weighed and accounted for??? Does the charter fleet have to deal with these regulations? Do they have to deal with the vessel boardings, safety regulations, paperwork, and that



## Lone Fisherman, Inc.

John C. Phillips, Pres.

Maura J. Phillips, Sec. Tres.

P.O. Box 1315

Petersburg, AK 99833

PH: 907-772-2554

FAX: 907-772-2553

EMAIL: lfincjnp@mitkof.net

constant watchful eye? Think about it.....think about what the commercial fisherman has endured and given up in comparison to the charter fleet. Have a heart!!

Lastly, I wanted to address the community set-aside. The commercial fleet has done this. WE HAVE ALREADY PAID FOR THE Bering Sea CDQ's. If you want to set-aside for communities, it is only fair that the charter boats take their turn in helping out our local Alaskan communities. Having lived most of my Alaskan life in Pelican I have seen the charter fleet at it's best, or should I say it's worst? The Elfin Cove area is heavy into chartering. I would often be on the docks of both Elfin Cove and Pelican and watched loads and loads of solid fish (no bones, no flesh) being shipped out on planes. The Elfin Cove charters would rarely spend anytime in Pelican. One day I was sitting waiting for my skiff ride and up pulls a charter boat from the Cove. I was appalled at what I watched. The men from the boat brought up garbage can after garbage can full of beer cans and booze bottles and filled up the entire garbage area at the top of the dock in Pelican. Who pays for these services? Certainly not the consumers of the booze. The local folks from Pelican paid for all this. It is also the local land fill in Pelican that is being filled, not Elfin Cove's and not the yards of the elite clientele who consumed the drinks. Local communities are the backbone of Alaska. Without these communities being strong and self reliant, the state is going to have to come up with more and more dollars to take care of these communities in all areas, from schools to garbage. Please, please, please, make the charter boats pay for using and sometimes abusing our local communities. They must also be made to help pay for the enforcement of their harvest, which by the way, I can see as a tremendous nightmare and job security for someone.

In conclusion, I would like to remind you of the commercial fisherman's vast history and tremendous involvement in - not only the fishery but in the conservation of the fishery. It just seems like the cards are stacked against the commercial fisherman anymore and it is still one of the very top industries in the state.....please help us to keep it that way. I know your job is difficult but I am putting my trust and livelihood in your decisions and your vote. As you vote, keep in mind the effects of the decisions you make and act accordingly.

I am sorry I can not be there to testify, but I wanted to take the time to let you know how dedicated and dependent my family and I are upon halibut fishing. Thank you for all the time and effort you invest.

Sincerely,



211

March 26, 2001  
Mr. David Benton  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>. Ave, Ste 306  
Anchorage, AK. 99501-2252

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APR - 3 2001

N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

I depend greatly on the halibut fishery for a large part of my income. I invested in the IFQ program when it first started because I saw it as a stabilization of the fisheries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burden. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch [not 125%]. This preserves the opportunity for recreation fishermen to harvest halibut in historically high levels.

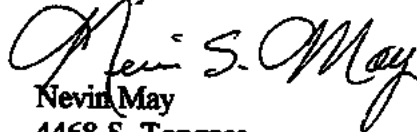
The charter fleet needs to be brought under the IFQ system to avoid the problems we have seen in the troll fishery. An ever growing charter fleet with no restrictions will destroy long term stable fisheries of all kinds.

I have been a commercial fisherman and Alaska resident for 35 years and have seen what unrestricted growth can do. Commercial fishermen took steps to stop this, ie limited entry and IFQ, now it's time for the charter [commercial] fleet to do the same.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program [2% of the quota].

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely



Nevin May  
4468 S. Tongass  
Ketchikan, Alaska  
99901

212



**ARCTIC TERN CHARTERS & FISH CAMP**  
Captain Perry A. Flotre, Professional Sportfishing Guide

2 April 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

**RECEIVED**

APR - 9 2001

N.P.F.M.C

Chairman Benton and Members of the Council:

My name is Perry Flotre. My wife and I own and operate the Arctic Tern Charters and Fish Camp. We fish the waters of Cook Inlet primarily targeting halibut. Our ability to remain viable as a small family owned business is greatly dependent upon your decision concerning the Charter IFQ issue. Many of us, and certainly many of you, have been wrestling with this issue for **9 long years**. With your guidance and a lot of thought process by the commercial sector, you presented us with an opportunity to see if we could develop a Charter IFQ Program which would be practical and acceptable to the commercial and unguided sport fishing sectors and still provide us with a program which was reasonable, manageable, and relatively stable.

After numerous surveys, local meetings, and thousands of emails, we think we have the outline which will satisfy all the allocative sectors. As you know, any program which tries to satisfy such a diversified group of users will not be 100% satisfactory to any group; however, more importantly it is something we all can live with and satisfies a long standing problem. As with our predecessors in the Commercial IFQ Program, some down stream adjustments may be required and I would sincerely hope you maintain the current Charter IFQ Committee into the future to address these issues.

The alternative proposal, using the GHL and "no Moratorium" until a problem exists is short sighted and forces the charterboat industry to pay the penalty for delaying the adoption of a program which would help solve this problem. The first to suffer the consequences of this misguided proposal would be the Alaskan

guided angler who finds there are no fish remaining to be harvested in August; however, secondly, and more importantly, will be the doubling or tripling of effort by the charterboat fleet to other species such as salmon, rockfish., etc., which will become the primary targets due to the GHLS limitations on halibut.

I believe that the proposal by the IFQ Charter Committee has carefully addressed the issues in the problem statement and we fully support this position. I would like to thank all the members of the Council for their guidance and attention as we have come through this arduous process and encourage your support for the Charter IFQ Program. Thank you for time.

Sincerely,



Perry Flotre

Arctic Tern Charters and Fish Camp

213

Phone 907 826 3597  
Fax 907 826 3597**RECEIVED**

March 26, 2001

APR - 8 2001

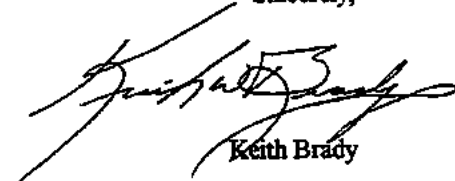
Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave. Ste. 306  
Anchorage, Ak. 99501-2252

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

Dear Chairman Benton

I am writing about my opinions and concerns on halibut charter IFQ's. I am a commercial halibut IFQ owner and also have taken out some charter. I support charter IFQ's. When IFQ's came along they were not my best years for qualification, but I still supported them. Since then, I have bought 2 more blocks for me and my family. We are solely dependent on the fishing industry. As commercial IFQ fishermen, our numbers go up and down with the bio mass. It would be unfair to set a fixed allocation to the charter fleet. As I mentioned above, the base years that my original shares were based on were not good to me. The charter fleet should, in no way, be allocated based on 125% of their catch between years 1995-1999, but rather 100%. This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels. If the Council decides to set aside for community, this needs to come from charter allocation as the commercial fleet has already paid. As I stated before, I have bought shares-why should it be any different for them? I feel imposing a moratorium would only be a way of putting off the issue, creating more of a problem in the long run. Finally, from another angle, I have a mildly retarded child that I really want to see the commercial halibut IFQ fishery preserved for. These special people are not cut out for serving martinis to charter patrons, but there is a place for them on the back deck of a commercial fishing boat. In closing I would like to say that I hope you can see the importance of this fishery to those of us who have already paid for our livelihood for years. Thank You.

Sincerely,

  
Keith Brady

214

P.O. BOX 1175.  
Craig Alaska 99921

Phone 907 826 3597  
Fax 907 826 3597

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APR - 5 2001

March 26, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave., Ste. 306  
Anchorage, AK. 99501-2252

N.P.F.M.C

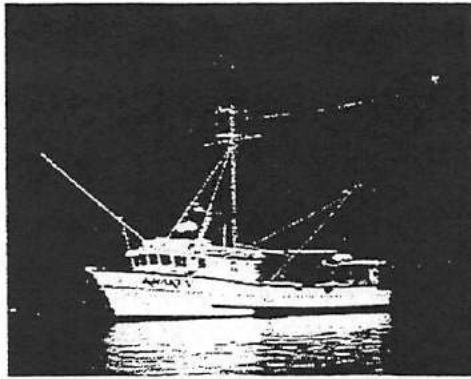
Dear Chairman Benton

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A. My family has been in the commercial fishing industry in Alaska for 4 generations. It is what we do. The halibut fishery not only provides sustainable jobs for me and my family, but for our community and all the support businesses as well. Commercial halibut money flows through almost every business in town. My family and I invested heavily in this fishery. Our numbers of allowable pounds goes up and down with the bio mass. It would be unfair to set a fixed allocation for the charter fleet. The initial charter quota share allocation should be based on 100% of the 1995-1999 average catch (not 125%). If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program. (2% of the quota.) I believe a charter IFQ is needed to end allocation disputes. Putting off doing so and simply establishing a moratorium would only create more of a problem in the long run. My family and I have purchased halibut IFQ's-the charter fleet should do the same. Thank you for your consideration.

Sincerely,

*Carla M. Smith*

Carla M. Smith



**F/V Kraken** David & Deborah A. Lyons  
Box 379 Sitka, AK 99835 907-747-0629  
dalyons@ptialaska.net Fax 907-747-2631

215  
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APR - 8 2001

N.P.M.C.

March 29, 2001

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

Dear Chairman Benton and members of the North Pacific Management Council,

Thank you for taking up the difficult issue of balancing access to halibut among the participants in the Commercial and Sport Fisheries.

I am enclosing a petition of 205 signatures which I gathered at New Thomsen Harbor in Sitka on March 24 & 25. There is extremely widespread support for an IFQ program for the charter halibut sector. In addition to skippers and crew involved in the herring fishery; tendermen, processors, charter halibut skippers and community residents also signed the petition. The only refusals were from people who felt they didn't know enough about the issue, or were philosophically against all IFQ's, or were longline crew members who felt it was unfair for charter participants to be granted IFQ's when crew members didn't receive any.

I think it is interesting to note the range and variety of communities represented. Nearly every coastal community in Alaska from Dutch Harbor to Ward Cove is represented. Also Washington, Oregon, Montana, Missouri and Hawaii. Even a few Canadians signed and I found their support particularly noteworthy. The Canadians reported that the lion's share of economic benefits of the sport fishery in BC are enjoyed by one individual and his mega lodge and floating lodge complex. To a man they admired the healthy fish stocks and the successful and conscientious, sustainable management of the Alaskan fisheries. Let us learn from the mistakes made in Canada and bring about management of the halibut fishery which first allows us to manage the fisheries for conservation and also preserves healthy sport and commercial fisheries in our communities. We need BOTH the Commercial and Sport sectors in our communities... but we do not need to create a future in which one class of user eliminates the other class.

I believe the creation of an IFQ program for the halibut charter sector is the best choice of management options and evidently 204 other individuals agree.

*Deborah A. Lyons*  
Deborah A. Lyons

pg 1 of 14

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

<u>Tico L. Henderson</u>	<u>455 Charteris St. Sitka, AK.</u>
<u>Jennifer Henderson</u>	<u>455 Charteris St. Sitka, Alaska</u>
<u>David R. Lyons</u>	<u>3313 H.P.R. SITKA, ALASKA</u>
<u>Allen J. Richardson</u>	<u>90 Wright Lane Sequim</u>
<u>Daniel Castle</u>	<u>Box 1318 WARD COVE, AK</u>
<u>Richy Bigley</u>	<u>201 Lance Dr. Sitka AK</u>
<u>HOWARD Buckbee</u>	<u>P.O. B. 3112 SITKA AK. 99835</u>
<u>Calvin Gimson</u>	<u>PO Box 21232 Juneau AK 99801</u>
<u>Greg Bickell</u>	<u>PO Box 183 Petersburg AK 99833</u>
<u>Red Manning</u>	<u>Box 5564 Ketchikan</u>
<u>Jim G. Z...</u>	<u>P.O. Box 1111 WARD COVE 99928</u>
<u>Ray W...</u>	<u>PO BOX 972 WARD COVE 99928</u>
<u>...</u>	<u>5423 Mosquito Is. Rd PacifiC WASH 99244</u>
<u>Robert McVicker</u>	<u>507 KATLAN DR. SITKA AK</u>
<u>...</u>	<u>Box 1460 Petersburg, Alaska 99855</u>
<u>...</u>	<u>Box 671 PETERSBURG AK 99833</u>
<u>...</u>	<u>622 Merrill St. Sitka AK 99835</u>
<u>...</u>	<u>Box 6477 Sitka</u>
<u>Jennifer Younger</u>	<u>622 Merrill St. Sitka</u>

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**Name**

**Address**

<u>Carla Buttram</u>	<u>209 Lance dr #3 Sitka AK 99835</u>
<u>P. E. Salmon</u>	<u>T8-16 N Thompson Sitka AK</u>
<u>Adrian C. Scott</u>	<u>1710 HP Rd. Sitka AK</u>
<u>Shannon Strehls</u>	<u>8703 D APR Sitka AK</u>
<u>DUANZ TORGZSON</u>	<u>4017 H.P.R. SITKA</u>
<u>MIKE FITZSIMONS</u>	<u>P.O. BOX 1996 - SITKA</u>
<u>JAMIE ROSS</u>	<u>Box 3976, HOMER, AK 99603</u>
<u>John Stanley</u>	<u>Box 273 Sitka</u>
<u>Paul Bursing</u>	<u>10514 237<sup>th</sup> Pl SW EDMUNDS WA 98020</u>
<u>MATT MESKE</u>	<u>P.O. Box 1243 WARD COVE AK 99928</u>
<u>George C. Pillsbury</u>	<u>P.O. Box 6457 Sitka, AK</u>
<u>Mike Collins</u>	<u>P.O. Box 93 Cordova AK 99574</u>
<u>Richard Haerling</u>	<u>P.O. Box 588 Petersburg AK 99633</u>
<u>Robert Hall</u>	<u>321 WACHUSETTS ST. SITKA, AK</u>
<u>Warren Ammer</u>	<u>321 WACHUSETTS ST SITKA AK</u>
<u>W. McFarley</u>	<u>Box 592 Petersburg AK</u>
<u>Wendy Pitt</u>	<u>Box 154P P56 AK</u>
<u>Mike Mattingly</u>	<u>Box 6118 SITKA, AK</u>
<u>Paul Moody</u>	<u>Paul Moody BC</u>



The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

Name	Address
Royce Vick	P.O. 1271 Petersburg, AK
JON TULLY	PO BOX 5513 KETCHIKAN AK
Devon Klesic	3950 Hillside rd Ketchikan AK
DALE KING	Box 241 Haines St Metlakatla AK
Whipin Chatter	1629 318 Pl NW Stanwood WA 98292
Kean H. Hansen	Box TENAKEE AK 99741
Mudziel Hooper	800 Gateway F Anchorage AK 99501
Barker	500 Douglas Hill Road Sitka AK 99830
Tom Knight	PO BOX 6145 SITKA AK 99835
Paul Davis	" " 32932 JUNEAU, AK
Ben Mitchell	1315 varcity Pl. Bellingham WA 98225
Peter Winkler	6325 Sitka, AK
Jim Lambert	P.O. Box 1800 Seward ALASKA.
Jerral Ho	2745 Sheri St Juneau AK 99801
Jim Chaplin	General Delivery Port Alsworth AK 99653
Barbara Beach	PO Box 1510 Sitka AK 99835
Robert M. Gano	4412 Thompson Hwy
Jeff Wain	10 Box 6343 Sitka AK 99835
Mark K. ...	Petersburg Alaska Box 366

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**Name**

**Address**

JAMES BALOC	351 W 7th Ave Vancouver C-10-1021
JAMES PINFAR	RR#2 SHELBY, B.C. CANADA
GARY RANWILER	4228 Ptarmigan street Juneau, AK
Paul Needs	POB 6514 SITKA
Paul C. Olson	Box 1644 Sitka AK
Walter Carlwallade	1209 Fisher Dr. Delta
William	15 Haines Slough
William	Box 1752 PSK AK.
Chester Stewart	306 Nicole Dr. Delta
Harold Enloe	2609 HALIBUT F. RD.
Randal Henderson	Box 1125 Petersburg AK
Harold L. Balaban	84-137 Kapakai Pl. Waianae HI
Shawn Murphy	2222 96th Ketchikan AK 99901
Bruce Wallace	Sibbs Samelin Dr Ketchikan, AK
KEVIN TIMM	P.O. Box 6572 KETCHIKAN ALASKA 99901
Don Huse	Box 1147 PETERSBURG 99833
RILL 1370th	Box 1258 Petersburg AK 99833
WOTTE TOSK	Box 6011 Sitka, AK
	Box 1313 SITKA, AK

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Name	Address
Joseph R Rogers	PO Box 1421 Sitka AK 99835-1421
Mike Ramsey	PO Box 108 Seward AK 99664
Greg Lutton	PO Box 386 Petersburg AK
Andy Babich	3517 Fernardson St Gig Harbor, Wa 98332
TIM COURADICIT	8101 BAYBRIDGE AVE 616 HARTBROOK WA 98532
Jaime Pacheco	801 Lincoln St
Jaime Pacheco	801 Lincoln St Sitka
Christ Dale	312 Elder St. Sitka
Greg Wetcher	PO Box 3045, Sitka
Roger Hayward	Box 161 mt
Norval Nelson	1625 Fritz Lane Pt Barrow AK 99801
LEW SCHUMESTER	POB 2182 SITKA AK 99835
Chris Ryan	Northwind Sitka
Greg Dickison	2314 15th St Everett WA 98201
Bob Morgan	PO Box 20373 Sitka AK 99802
Paul B...	PO Box 24073 Douglas AK 99824
Chris Hill	Box 191 Inhalek AK 99866
Eric Smith	Anacortes Wa 98221
Ed Johnson	SITKA, AK. 99835

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

<u>Jillias B Lyons</u>	<u>Petersburg AK P.O. Box 277</u>
<u>Kristine M. Robertson</u>	<u>P.O. Box 6583, Sitka, AK 99835</u>
<u>Craig Clark</u>	<u>P.O. Box 920664 Dutch Harbor AK 991692</u>
<u>Jeff Hallquist</u>	<u>1303 N 167th Seattle, WA 98133</u>
<u>David H. Hargreaves</u>	<u>P.O. Box 108 Seward AK 99664</u>
<u>Jake Hallingstad</u>	<u>P.O. Box 66 P59 99833</u>
<u>John</u>	<u>7221 Stinson Ave. Gig Harbor WA 98335</u>
<u>Steve Johnson</u>	<u>3710 Harborview Gig Harbor WA 98332</u>
<u>Tom Johnson</u>	<u>2910 9th St. NW Gig Harbor WA 98332</u>
<u>Al Shady</u>	<u>Box 6442 Sitka 99835</u>
<u>Bob K. Smith</u>	<u>181 D PRKE ST SITKA 99835</u>
<u>Jim</u>	<u>Box 6468 Sitka 99835</u>
<u>Wick Mccay</u>	<u>Box 1601 P56, AK 99833</u>
<u>Wick Mccay</u>	<u>4033 Debutt DR. JUNEAU AK</u>
<u>Henry Myers</u>	<u>Box 1150 SITKA AK</u>
<u>Lee Kravitz</u>	<u>Box 9224 Jackson WY 83001</u>
<u>Andrew M. Hall</u>	<u>Box 5536 Kotanikan</u>
<u>Jeery Dennett</u>	<u>209 LANCE DR #3, SITKA, AK.</u>
<u>ROGER D. BUTTRAM</u>	<u>General Del SITKA, AK</u>
<u>Wm D. CARROLL</u>	

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

Name	Address
Brett Lisler <u>Brett Lisler</u>	Bx 2153 PSC AK
Jenah Turner <u>Jenah Turner</u>	Box 624 PSC AK
Brent Mela <u>Brent Mela</u>	Blay PSC VSI 229
Don Morgan <u>Don Morgan</u>	Box 365 PSC AK
Norm Piller <u>Norm Piller</u>	Box 6518 SITKA
Howard V. Aron <u>Howard V. Aron</u>	2517 N. Bayview Rd. Sitka, AK 99801
Michael Thomas <u>Michael Thomas</u>	PO B 2393 Juneau 99001
Mark M. Norton <u>Mark M. Norton</u>	Box 681 Sitka
Tim Miller <u>Tim Miller</u>	10517 9th Ave. S. So. Tacoma, WA 98449
Chris Miller <u>Chris Miller</u>	2300 HPR Sitka
AK <u>AK</u>	1182 Black Bear Rd Ktn AK 99901
Paul Kuntz <u>Paul Kuntz</u>	Box 1535 Ward Cove AK 99828
John Kuntz <u>John Kuntz</u>	P.O. Box 1352 Petersburg, AK 99833
Arden Erickson <u>Arden Erickson</u>	P.O. Box 23088 JUNEAU, AK 99802
Cory Shepherd <u>Cory Shepherd</u>	P.O. Box 14 PSC AK 99833
Paul Meyer <u>Paul Meyer</u>	PO Box 276 HOONAH, AK 99829
Bob Miller <u>Bob Miller</u>	P.O. Box 527 SEATTLE WA 98107
Bob Miller <u>Bob Miller</u>	Box 7312 KTN AK 99901
Bob Miller <u>Bob Miller</u>	Box 20410 Kodiak 99615

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

Jeffrey W. Robinson

Box 633 PETERSBURG AK

Dana Burke

P.O. Box 2022 CARDOVA, AK

John E. Boring

6740 Roundtree Dr. Anchorage, AK

Mike [unclear]

604 3576, HOYER, AK 99608

Armed [unclear]

Box 71 Psg., AK 99833

[unclear]

Box 104 Elk CA 95432

Stuart Edey

Box 207 Psg. AK 99833

RJA [unclear]

Box 292 Psg. AK 99833

Mark [unclear]

Box 1266 Psg AK 99833

[unclear]

Box 1500 Psg AK 99833

John [unclear]

Box 923 Psg AK 99833

Paul [unclear]

Box 935 Psg AK 99833

Jaakko Olsen

5905 Churchill Way #61 Oumau 99801

Bruce [unclear]

139 109th Ave Plainwell MI 49080

Ken [unclear]

P.O. 918 Psg, AK 99833

Orla

1400 Edgewood Dr. Sitka AK 99835

Jim [unclear]

1911 5th St Anchorage (407-6752)

Marty [unclear]

PO Box 27 Elk Bay AK 99825

Mike Mattesa

PO Box 8138 Kodiak, AK

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

Name	Address
<u>Leah Jensen</u>	<u>P.O. Box 811 Av Matkatla</u>
<u>Frank Malone</u>	<u>QUILCUM BEACH BC CANADA</u>
<u>Carl Stone</u>	<u>Box 1701 WRAGELL AK 99929</u>
<u>Lee Lamb</u>	<u>Box 3473 Arlington WA 98023</u>
<u>Mike Miller</u>	<u>Box 6121 SITKA AK 99835</u>
<u>Alvin Ruck</u>	<u>210 Kainulainen Dr Sitka 99835</u>
<u>Alvin Cropley</u>	<u>2010 Kainulainen Dr Sitka AK 99835</u>
<u>BEN BEACH</u>	<u>1715 EGGHOUND PT AK AK 99835</u>
<u>William C. Stewart</u>	<u>101 E Kin Cove AK 99825</u>
<u>Doug Wehler</u>	<u>P.O. Box 6524 Sitka</u>
<u>Mike Ed</u>	<u>Box 981 155 AK 99833</u>
<u>Rita Kallio</u>	<u>Box 1458 Sechart, B.C. CAN.</u>
<u>Lee Lott</u>	<u>Box 1745 K... AK</u>
<u>John Linn</u>	<u>Box 79003 Seattle WA 98119</u>
<u>Frank Linn</u>	<u>HC 11 Box 2892 Haines AK 99822</u>
<u>G. Grayson</u>	<u>P.O. 1719 Ladysmith B.C.</u>
<u>Kim Boddens</u>	<u>1505 Bluebird FBKS AK 99701</u>
<u>Mike Miller</u>	<u>8996 Dow Ln Anacortes WA 98221</u>
<u>Mike Miller</u>	<u>P.O. Box 55 Edmonds WA 98022</u>

The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

FELIX BERGLUND

Po Box 210 TOLONA PARK CR.

Kerry Hansen

11817 7<sup>th</sup> ST. NE WA STEVENS WA 98258

Kirby Green

P.O. Box 1154 Petersburg, AK 99833

Karen Marie

Half Spring Island B.C.

John Jensen

P.O. Box 6391 Sitka AK

Mark ...

617-KATLAN 75-04 S. IKA AK

Cheryl ...

P.O. Box 572 Petersburg AK.

Tom ...

101 ... Sitka

John ...

PO 6391 SITKA

GEORGE MURDOUGH

4705 N. TONGASS HWY. KETCHIKAN, AK 99901





The undersigned people urge the North Pacific Fishery Management Council to issue IFQs to the charter halibut sector. Including the charter halibut sector in the IFQ program will: 1) resolve the seven year old allocation dispute between commercial and charter fishermen, allowing charter fishermen to purchase shares if they want additional fishing opportunities; and 2) allow charter operators to design their seasons and the trips they offer to better meet the needs of their clients.

**Name**

**Address**

Name	Address
Eugene Hansen	2211 NW 148 Shoreline WA 98177
TRAVIS RABBIT	7760 MERRILL BLVD SITKA AK
Sub. Ploger	2774 S. 15th
John B. Franklin	P.O. 3525 Homer AK
Dan D. Brubaker	12702 N. Emerald Rd Colfax WA 99005
K. J. Jr	Salt Spring Canal
Mina McConnell	617 Kaituma St Sitka
Gary Egerton	115 Merrill St Sitka
A. White Sullivan	104 Shoreline Sitka
Cape Moller	P.O. Box 6494 Sitka AK 99835
John Simerus	Box 2459 Kodiak AK 99615
Deborah A. Ryans	Box 379 Sitka AK 99835



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Date: 3-21-00

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Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Name: *Michael J. ...*

Address: *Box 26, Haines AK 99827*

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

*P.S. I would like to add my personal comments to the effect that I have been selling off my Halibut Quota shares in both 3A & 2C due to the uncertainty created by the status quo. As a long time crew member on halibut boats I received no quota for my investment in the fishery Can*

investment which helped increase the quota received by my skippers). Instead I purchased quotas at the going market rate. Under the present scenario (no charter quotas) it would have been better to simply purchase a relatively cheap charter license (quota = no limit!) (oh yeah, no size limit either!). Does something seem unfair here? It is important to note that charter quota shares puts no limit on what sport fishermen can catch. It only limits a specific and highly effective type of gear — that is a guide & boat combination. In fact a sportsman using this "gear" can catch and release an unlimited number of halibut, but only so many lbs will be available to be taken home using this gear combination. If a fish is truly worth more per lb in a sports fishery then let the market decide the price by allowing the charter fleet to purchase quota from the commercial fleet or other charter operators.

I truly love the halibut fishery and have enjoyed my participation in it. I don't feel that my situation is unique, and that is why I hope you will give these ideas some serious consideration. If a fair and equitable status should result — who knows? Maybe I'll be buying back instead of selling my quota shares.

Sincerely,

*Walter C. Haines*  
Box 26, Haines, AK  
99827



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Mr. David Benton  
Chairman, North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska  
99501-2252

N.P.F.M.C

332 Crown Point Drive  
El Paso, Texas  
79912

29 March 2001

Dear Chairman Benton:

*As a 15 year customer of Valdez charter boats for sport fishing access to the halibut fishery, I feel you are attempting to treat me as a second class fisherman by limiting my options on when, where, and how I have to fish.*

*It is inconceivable to me that an agency, of questionable origin, limited authority, and very lacking in oversight would, in a time of no biological emergency, attempt to eliminate an entire private industry. That is exactly what you are doing by this absurd program. In addition, you are saying that those sportsman who, for whatever reason, choose not to invest in an ocean going vessel, will be excluded from fishing for halibut!*

*I understand completely the necessity for "a contingency plan" should a biological emergency occur or appear imminent. That, however, does not seem to be the case at this time. So, to paraphrase one of the Valdez Charter Boat Captains; "If it ain't broke, don't fix it!" Develop an emergency plan, leave the Charter Boat industry and their customers alone, and move on.*

*In making your decision, please consider the following: If a six-pack charter fished 6 rods EVERY DAY from Memorial weekend through Labor Day (101 days, the traditional halibut season) and every angler caught the authorized two fish, the total catch would be 1,212 fish. Using a reasonable average of 20 pounds per fish, the total weight caught then would be 24,240 pounds. Compare that to the 45,000 pounds of halibut caught in Prince William Sound by the commercial fishermen in only the FIRST 4 DAYS of the 2001 commercial halibut season, and the impact of Charter boats seems minuscule.*



The charter boat captains claim the number of charter operators who operate EVERY DAY is far less than 1 percent of the fleet. Weather and mechanical problems set aside, all take a couple of days off during the summer if only to recharge their own batteries. Most Charter Captains say they will only be on the water fishing for halibut 50 to 70 days a season. Again, It seem obvious the impact of the charter boat fishing fleet on existing halibut stocks is minimal. In light of that it seems prudent to leave them alone.

That said, I am reasonably sure it will not happen. It appears this moving freight train has progressed to the point where it cannot be stopped. So, if you feel you must implement some type of IFQ/GHL plan for Charter Operators, you must also protect and insure our rights as sport fishermen to be able to harvest the halibut to which we are entitled.

To do this, there should be a mandatory 50% IFQ established that will always be available to be caught by charter customers because this is a public resource. This 50% should never, never decrease unless a biological emergency is anticipated or actually occurs. Until and if this happens, there should be a mandatory minimum of 50% held for the public that choose not to invest in expensive, ocean going vessels but instead choose to use charter boats. To do otherwise would seriously infringe on the public's basic right to harvest one of many public resources. That decision should not be taken lightly.

Sincerely,



Arthur W. Trantham Sr.



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NPFMC  
605 W.4<sup>th</sup> Ave. #306  
Anchorage AK 99501

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APR - 4 2001  
4/3/2001

To: Chairman Dave Benton  
Council Members

N.P.F.M.C

Re: charter industry final analysis,

Dear Mr. Chairman,

My greatest concern as a charter boat owner is whether or not I will always have a season of historic length. That is what gives my business stability. I know that when I start fishing in May that I will be able to fish until the clients leave in September.

In order to have a season of historic length I need to be able to catch the same basic number of fish each year.

Under a Guideline Harvest Level I will need to stop fishing when the charter boat allocation of fish are caught.

I don't really have a problem with that because it puts to rest the allocation dispute between charter sport and commercial users.

The problem with the GHF lies in developing a plan that allows me to continue to catch the same number of fish each year and still stay within the GHF limits.

One of the first things that come to mind is to restrict the effort at its present level. That would mean restricting the number of charter boats. A moratorium implemented right now would address that issue.

The other option that I believe will address everything is the IFQ proposal in the Final Analysis. It could go a long way to preventing us from reaching the GHF and having to have a season of less than historic length.

---

IFQs are a political hot potato and I think there are some misconceptions about them that I would like to address.

1. You will be creating instant millionaires who will immediately sell out to the commercial sector and reap vast riches:
  - a. I could only wish. I would be more than willing to have written into any IFQ plan, that the quota shares can only be transferred within the charter sector and that they never have any value. The only value to me is that they allow me to have a season of historic length. However, if it were allowed that charters could sell to commercials, in a very short time there would be no charter boats.



2. The price of charters will go sky high: Halibut fishing is a luxury not a necessity like gasoline for your car. The values are market driven. I cannot eat IFQs. My benefit from them would come from people going fishing on my boat. I certainly am not going to price myself out of the market. Most people will pay what something is worth but no more. If my boat is sitting at the dock because people won't pay my price, that price is going to come down. When commercial fishermen were given IFQs the price of halibut didn't suddenly go so high that people couldn't afford it.
3. Charter boat operators will own the fish and sell them back to the public: It is illegal in Alaska to sell sport caught fish and unless the laws have changed the person who catches the fish owns the fish. Besides, how long do you think I would stay in business if I tried a stunt like that?
4. Charter boats will target small fish to make sure the IFQs last all summer: I don't think it would take the public very long to figure that one out. We don't attract clients by catching small fish. If you look at Issue 9 in the Final Analysis you will see that the IFQ could be issued in numbers of fish rather than pounds. This is a much easier way to have accountability and does away with the fear of low grading because a 20-pound fish would have the same value as a 100-pound fish.
5. Logbooks: Some people think that record keeping will be impossible and open to abuse. We already have enforcement officers boarding charter boats, checking our logbooks, licenses and catch etc. We are very public businesses and undercover agents are frequently put on charter boats. A violation or two should straighten up any errant operator.

I know that Alaska wants to put forward its' Local Area Management Plans. I have some questions for the State about those plans.

1. The GHL is set for 2C and 3A. If the Seward, Valdez, Kodiak, or Deep Creek charter boat fleets grow and Homer doesn't, is the Homer fleet going to have to suffer the restrictions of a GHL even though we didn't help increase the catch?
2. What plan does the State have if the GHL is reached before a LAMP is in place?
3. Why wait until the GHL is reached to put in a moratorium? By then the fleet is over capitalized.
4. What will happen to us if we reach the GHL, get a moratorium and the GHL continues to go down? Probably some type of harvest restriction like one day a week cut out or a one fish bag limits. All of which means we will have less customers for the year, which in reality means a season of less than historic length.
5. Will the charter boats ever be able to get more fish under a LAMP? Only way is we would have to go back to the Council and fight this battle all over again. An IFQ plan would allow us to increase quota at the local level, if it was necessary, without going through this discouraging process each time.
6. Will any LAMP be in time to reduce the near shore depletion? Do something now before it is too late.
7. Is there any really good chance that a LAMP will be any better than what is in front of us now?

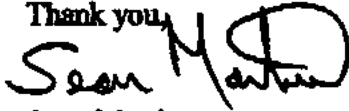
**Some things to think about:**

- 1. There is no benefit to sport fishermen when the TAC is raised. However sport fishermen share in the burden of a declining TAC.**
- 2. Stability in the form of a season of historic length is the key to having a healthy fishery.**
- 3. The Halibut Working Group, which consisted of people from all user groups working together, has done extensive work for some time and I believe the result is in the best interests of the sport fishing public and the charter industry.**

**A healthy charter fishery means the public will have fair and adequate access. When that access is reduced there cannot be a healthy charter fishery. I think the IFQ plan can be crafted to accommodate everyone except those wishing to enter the fishery in the near future.**

**Please don't sacrifice the charter fishery for political favors.**

**Thank you,**



**Sean Martin  
North Country Charters  
Homer, Alaska 99603**

**1-800-770-7629**

3-31-01

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Dear Chairman Benton

I am a charterboat operator fishing out of Homer. I am opposed to the suggested IFQ program that has been proposed.

I am in favor of limited entry and support the RTH which has been forwarded to the Secretary of Commerce.

Sincerely,

Emmet Heidemann

P.O. Box 770061

Eagle River, Alaska, 99577

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SANITY CHARTERS out of Valdez  
Ken L. Larson, Owner/Operator  
1074 Eliz. Street  
North Pole, AK 99705  
2 April, 2001

REF: HALIBUT CHARTER IFQ'S

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252  
FAX: (907) 271-2817

Dear Mr. Chairman:

I have been an Alaskan Resident since 1983 and have been Fishing primarily in Prince William Sound since 1984. I fished PWS and the Gulf of Alaska for 10 years in order to qualify for my 50-ton Master's License in 1994. I have been operating my business, SANITY CHARTERS, since 1995, primarily on weekends and holidays, as a Halibut and Salmon Overnight Charter. My 20-year goal has always been to go to full time chartering as a second career when I retire from my first engineering career in 2004. Toward that end I made a quarter million dollar investment in a safe, new, and properly outfitted custom-built replacement charter boat in 1999. I have kept fairly well abreast of the Commercial IFQ, GHIL and Charter IFQ issues through my membership in the Valdez Charter Boat Association and attendance at AP and NPFMC meetings.

If it were an ideal world I would like to see the "2 and 4" sport fish limits be maintained for the Halibut Sport Fishery, even if it means reducing the Commercial Fishery's 85% allocation during declining Biomass periods. This is especially appropriate in view of the Commercial Fishery's excess "By Catch" wastage! The value added to the Alaskan economy by the guided sport industry is substantial on a per fish basis when compared to the Commercial Fishery, and should be maintained. We Charter operators provide access to this Public Resource! Any reduction in this access to the fishery by the public will ultimately hurt the economy. Having said this, I understand the real world and the politics of the well financed and well-organized Commercial Fishery's impact on the Sport Fisherman. As a result, I have no choice but to support a properly designed Charter IFQ program and propose the following to the Council for consideration.

Your April, 2000 GHIL by itself would be a death sentence for the professional charter fleet and, ultimately, the Sport Fishery. I believe this is what the Commercial side of the house is truly after; heck, they've already all but wiped out the Commercial Fisheries on the East and West Coasts of the Lower 48 and now they're after Alaska! If you must keep just the GHIL then you must impose a moratorium on new entrants into the Charter Industry. However, the proposed Charter IFQ with the 125% GHIL amount proposed in Issue 1, Option 1 is the best alternative and should serve as the base amount for charter IFQ allocation. It is fair and will allow for some growth for businesses such as mine, hopefully at a reasonable cost. I wish to see you respect your earlier decision on this matter.

The initial allocation should have a fixed 75% mandatory minimum poundage availability that does not float with abundance and that will always be available for catch by Charter Clients. I could live with a 50% minimum IF there is a reallocation from the

Commercial Fishery first, in times of biological emergency. This 75% (or 50%) minimum should be fixed in perpetuity unless a biological crisis occurs, and even then a one fish per day limit should be maintained for sports fishermen by reallocation from the Commercial fleet.

I also feel that all current and legally operating charters should be included in the IFQ program under Issue 3, Qualification Criteria, with Option 4 being my preferred choice and Option 2 being my 2<sup>nd</sup> choice. Distribution of QS under Issue 4 should be accomplished under Option 1 because it seems to provide the fairest allocation of the resource to the boats historically and currently operating. It should also provide for reasonable growth for small operations like mine, as conditions warrant.

Under Issue 5, Transferability of QS, I believe charter quotas should be one way from commercial to charter for at least 3 years. This should allow time for our industry to stabilize and establish quota share values to help determine our ability to stay in business. Under Issue 10, Reporting, I support continued use of the ADF&G Logbook coupled with the use of Charter IFQ tags for enforceability and track ability. With fish tags we will always know where we stand at any time during the season and for transferability decisions.

I also believe the Community set-aside program is not viable and should be shelved because of the late date in this allocation process. If the business hasn't been developed at those remote village locations by now, it's not likely to occur in the future for all kinds of regulatory reasons.

If you do not opt to proceed with the Charter IFQ system, then the GHL MUST be used with a moratorium and LAMPS along with the Issue 3 Qualification Criteria contained in Option 4. It should also be noted that since the implementation of Commercial IFQ's, the closer in, more sheltered fishing grounds have become less abundant every year, hence the need for LAMPS in order to provide better access to the seasonal sport fisherman.

In consideration of the issues I've tried to address above, I can only support the Charter IFQ plan moving forward if you fairly respond to my reasoned requests. While not my IDEAL plan, this Charter IFQ program will go a long ways toward resolving allocation problems and, hopefully, ultimately provide the required access to the Public Resource that is really "owned" by the public. Thank you for your consideration.

Sincerely,



Ken L. Larson, Captain

Cc:

Gov. Tony Knowles

Hon. Donald Evans, Sec/Com

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# Goodhand Charters

## Of Valdez and Prince William Sound

Winter P.O. Box 90 Ester, Alaska 99725 - Phone 907-479-5562 - Fax - 479-0395  
Summer P.O. Box 970 Valdez, Alaska 99686 - Phone 907-835-4333 - Fax 835-4385  
E-mail [glaciers@alaska.net](mailto:glaciers@alaska.net), web site [www.goodhand.com](http://www.goodhand.com)

April 4, 2001

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

Dear Chairman Benton,

Goodhand Charters is a family run business with a small fleet of 3 vessels: 2 are six pack, and 1 is certified. We are one of the largest charter businesses in Valdez and Prince William Sound, providing a large portion of the public access to the halibut fishery. To supply the public with access to the halibut takes the right commercial vessels for this fishery; we have invested heavily in these custom made vessels. We hire 3 people from Alaska seasonally to work in our business, along with the full use of local reservation offices, and other support services and suppliers. Most of our income remains in Valdez. With a GHL and the risks it will represent to our business, I believe the Charter IFQ Plan is the only viable alternative for our personal continued public service, for control of our business and future survival.

The difference between our south central charters and the southeastern charter are in the species available to our use. Sitka, like some other SE harbors, is fishing for salmon now, as I write this letter to you, and I'm still chipping ice off my boats. Sitka also uses halibut as more of an incidental catch. If halibut was only 5% to 15% of my season's catch I could gamble on a GHL with a very restrictive moratorium. I can not afford to gamble, when about 96% of our business is halibut, and generally without the options of other fish. Also, our business can not come close to competing with the larger tour vessels in the ecotourism market.

I urge you to move forward with the Charter IFQ Plan with the following considerations on issues and options:

In April 2000, the council decided the GHL amount of 125% in Issue 1, Option 1. This should be the base amount for the charter IFQ allocation. This amount is fair and allows a small measure of growth for our business. We wish to see you respect your decision.

### Alternative 3.

**Issue 1, Option 1**, 125% of the corrected average 1995-99 charterboat harvest, with the Suboption of 50% fixed.

**Issue 3, Option 2**, without the suboption for current participation. This allows all charters "in" that turned in a logbook. If the Council would choose other then Issue 1, Option 1, as above, then the Valdez charters want Option 4, under Issue 3, with the suboption for current participation.

**Issue 4, Option 1**, with the following changes: 15% divided up front to all qualified parties. Next, 10% for historic participation of the years of 1995, 96, and 97 only, a percentage for each year. Lastly, 100% of the logbooks go to the recorded charter without any historic penalty.

**Issue 5**, is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

**Issue 8**, Yes on Options 1, 2, and 3. No on Option 4.

**Issue 9**, Option 2.

**Issue 10**, Yes on Options 1, and 2. No on Options 3, 4, and 5.

**Issue 11**, Option 1, no set-aside. If the Council would go forward with Option 2, then we would prefer no more than 1 ½ %, with suboption 1. b, and suboption 2. b. "Banking" halibut for communities not currently in the charter sector seems unjustified. Without customers, no amount of quota will make a viable business. Operation of a charter service where there is no customer base is not good business and will only limit the access where the customers currently congregatc.

These issues are at the heart of the IFQ proposal and I feel they are necessary for the successful implementation of such a program. A correct IFQ program will allow a business to control their future and insure continued access for the public. If the Council does not go with an IFQ plan, then I urge you to put in place a very restrictive moratorium now!

In conclusion, my family and I support the IFQ plan moving forward, if you consider the issues I've outlined above. This plan will go a long way towards solving the allocation problems, but without generous allocations of stocks and generous access to the fishing grounds, the public angler will ultimately be the one to suffer. This issue has gone on too long, and too many hours have been devoted to it to drop the issue now.

Thank you,



John Goodhand, and family

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK. 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230

Steve Fish and Kari Johnson  
P.O. Box 6448  
Sitka, Alaska 99835

North Pacific Fisheries Management Council  
Anchorage, Alaska  
Attn: Dave Benton, chairman

Re: Halibut Charter IFQ's

Dear Chairman Benton,

It is past time to take decisive action to halt the open-ended reallocation of halibut quota from commercial longliners to commercial charter operators. My wife Kari and I represent our own family, and a fishing crew of 5 men, who also support families by fishing halibut and black cod longline. We also speak for the unrepresented public that either can not afford to hire a guide to take them out halibut fishing, or chooses to purchase their halibut for their families from the fish counters at grocery stores nationwide. This section of the public, dependent on longliners to supply their supermarkets with halibut, are also impacted by the erosion of their access to the resource due to continuing quota reallocation to halibut charter businesses under current management.

The needed action should have the following elements:

- The charter allocation should "float", going up and down with the quota, thus with the health of the resource. All users should bear the responsibility of conservation and an abundance-based allocation is the only way to accomplish this equitably.
- The initial allocation should be based on historic landings. The council has three options before it.
- If there is a community set-aside for developing charter opportunities, that allocation should come completely from the charter allocation. The CDQ program was "paid for" by an allocation from the commercial fleet.
- A charter IFQ system shows the most promise of addressing problems associated with other options.
  - With full transferability, market-based redistribution is allowed for the "flow" of quota to sectors where it is needed. Localized depletion could be avoided or exacerbated, depending on the patterns of quota flow.
  - It should be the most permanent system, avoiding the constant battle to continue reallocation of more quota to the charter sector. Evidence of this is the king salmon allocation disputes which waste much of managers' time. This issue has already taken up too much of the council's time over the last seven years.
  - If we learn anything from the king salmon experience, a GHL would not limit growth within the charter sector, and would likely be brought back to the council continuously by charter operators to increase their share of the resource to accommodate that growth.
  - A moratorium is a temporary solution, requires much of the same systematic detail as the IFQ option, does not allow for growth in under developed areas,

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could allow continued growth in areas already overcapitalized, and would only postpone another huge time sink for the council.

This is a difficult and contentious issue. However, there are major issues here of fairness, shared stewardship, and council time which are not being served by enabling the fruitless continuation of this debate. We all need to know where we stand. Please take decisive action at this meeting to curb the continuing erosion of halibut quota from longliners to charters, from the fish eating public to the guided sport public.

Thank You for your consideration and work on this time consuming issue.



Steve Fish and Kari Johnson

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April 4, 2001

Fish Hawk Charters  
 Capt. Dick Hemmen  
 1283 Rangeview Dr.  
 North Pole, Alaska 99705  
 (907) 488-2239

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N.P.F.M.C

Mr. David Benton, Chairman  
 North Pacific Fisheries Management Council  
 605 West 4th Avenue, Suite 306  
 Anchorage, Ak. 99501-2252

Dear Chairman Benton:

I am a 36 year Alaskan, retired Alaska Fish + Wildlife Trooper and have been owner/operator of Fish Hawk Charters since June, 1995, taking halibut sport fishermen in Prince William Sound from Valdez, Alaska. I've taken from 20 to 30 halibut charters each season. I'm a member of the Valdez Charter Boat Association and operate a "6-pack" vessel. Following are my views on the many issues your Council is considering regarding the regulation of the halibut charter industry.

I feel the GHL of 125% of the average charter harvest is fair. It allows a small amount of growth for those already in the business. FFO's should be issued immediately based on the past catches by charter operators as documented by their catch reports during the past 3 seasons. Personally, this would impact me negatively, as I have had serious mechanical problems during this period, losing approximately 40% of my scheduled halibut bookings. There probably should be some consideration for FFO's to be adjusted for those who had such losses during the years upon which FFO's will be based.

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The IFQ's should include the proposed 50% fixed allocation and not "float" with abundance. This will allow us to continue surviving sports fishermen during these years when the natural declining population cycle of halibut is occurring. I also feel that all current, legally operating charters should be issued IFQ's, but that there should be no "set-asides" for potential future operators, anywhere.

There should be no transfers of charter IFQ's outside the charter industry, for a minimum of three years. This will allow us time to manage our businesses, determine the value of our quotas, and insure that the sports fishermen continue to have a chance to catch their own halibut.

My last request would be that commercial halibut fishing be closed in Prince William Sound from Memorial Day through Labor Day. This is our only period for sports fishermen to attempt to catch their halibut. I have personally experienced some very unhappy clients who have seen commercial long-liners mopping up the fish in areas that we sports fishermen are forced to restrict ourselves to, due to the limitations of fishing with rod and reel.

Thank you for considering my views.

Richard A. Hemmen

Capt Richard A. Hemmen, owner/operator  
Fish Hawk Charters

cc: Governor Tony Knowles  
Mr. David Evans, US Secretary of Commerce

224

# Captain B's Alaskan C's Adventures

PO Box 66  
HOMER, ALASKA 99603-0066

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N.P.F.M.C

David Benton-Chairman  
North Pacific Halibut Council  
605 W. 4<sup>th</sup> Ave. Ste 306  
Anchorage, AK 99501-2252

Dear Council Members,

I am writing in regard to the pending decision by the North Council to regulate the halibut sport fishing fleet. My name is Bryan Bondioli. I own and operate Captain B's Alaskan Adventures in Homer. Let me start by saying that I am vehemently opposed to any restrictions placed upon the charter fleet or the sport fisherman under the proposals (including the GHL plan of April, 2000). If the halibut fishery needs restriction due to biological or ecological concerns, then let the restriction be directed by the Alaska Game and Fish department. In light of the fact that the Scientific Committee has shown that neither of these are of a concern, thereby demonstrating this action to be purely politically and financially motivated, this issue should never have been addressed and should be reconsidered.

First, I must state that to restrict the sport fisherman's access to a PUBLIC resource through the GHL or the IFQ plan is just plain wrong and unconstitutional. The charter industry should sustain itself within the means given to us by the U.S. Constitution. The industry should manage itself through free enterprise and healthy competition. The IFQ plan was developed by those looking to protect their interests, establish a co-operative monopoly and increase their profit margin. This is not in the best interest of the fishery or the fleet as a whole. However, if the Council feels that it must pursue the IFQ plan and refuses to withdraw the GHL plan, and then the following options are imperative to insure fairness and consideration to everyone.

1. All existing charter boats should be allowed to participate in the IFQ plan that have turned in logbooks for the year 2000 by the deadline dictated by Fish and Game Dept. All those who have invested the time and money to establish a charter business should be allowed to participate. Although my business has only existed since 1997, I have given 100% of my life to learning these waters and this fishery since 1992. This represents one third of my life dedicated and devoted to my career choice. There are many fledgling charter operators who have made equally extensive commitments. It would most certainly be unconstitutional if we were not allowed to participate.

2. Initial quota amount can only be based on the GHL amount decided upon in April 2000. 14.11% in Area 3A and 13.05% in Area 2C of a combined charter and commercial quota (Equal to 125% of corrected average 1995-1999 charterboat harvest).

**CAPTAIN B'S - PAGE 2**

3. At least 50% of the individual's QS initial issuance needs to be fixed with the remainder floating with

4. Qualification criteria should be based only on those charters who carried clients in 2000 and who submitted ADFG logbooks for an active vessel. Those initial issues should be given 100% quota chosen from either the 1998, 1999, or 2000 logbook. The unused quota would then be divided equally among the participants. This would not punish those skippers who have been building their business, nor would it punish anyone who had a "down" year. There are many reasons that a charter might have had a "down" year (illness, poor weather year, mechanical restoration) and the fairest way to distribute IFQ would be to let the charter choose their most productive year.

5. Transferability of IFQ's (permanent or leased) should be limited to within the charter industry to protect the integrity and existence of the charter fleet.

6. There should be a one-year delay between the initial issuance of QS and fishing IFQ's and any unclaimed quota should be allocated evenly among participants. It would be mandatory that any participating charter continue to be an active charter and to continue to file logbooks with Fish and Game to qualify for the initial issuance.

7. IFQs associated with the charter quota shares should be issued in numbers of fish and not pounds.

8. Charters should report their landings by the ADFG logbook or Charter IFQ fish tags that would be furnished by the Halibut Commission.

Thank you,

Captain Bryan Bondioli  
Captain B's Alaskan C's Adventures  
PO Box 66  
Homer, AK 99603

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APR - 4 2001

P.O. Box 103  
Ninilchik, Ak. 99639  
907-567-3470

April 3, 2001

Chairman Benton  
NPFMC  
605 West 4<sup>th</sup> Ave, Suite 306  
Anchorage, Ak. 99501-2252**N.P.F.M.C**

Dear Chairman Benton:

As a halibut longliner, I am opposed to Charter IFQs. Especially being able to buy back and forth with Commercial IFQs. This will not help local area near shore depletion. The only thing that will help is to limit the number of charter operators in a given area. A moratorium of sorts has been proposed. A 3-tier program.

A license ----- Those in operation before 1995.

B license ----- Those begun during the period 1995-1998.

C license ----- Those begun after the notice date in 1998.

Then under a LAMP program the number of charters can be limited in a given area by removing C licenses first, then B licenses. A's would always operate. In other communities where there are no charters some could always be started since they would be outside of a LAMP restricted area.

There are just too many complications with a charter IFQ program.

How much quota should a person get?

What is the basis for a decision?

Who will police it?

Who will pay to police it?

How will this prevent near shore depletion?

How will high-grading or low grading be prevented?

I don't believe this can of worms will work. A moratorium is the best solution. That is what has worked in all the other limited commercial fisheries. Charter operators are not commercial fishermen and should not sell fish.

Thank you,  
*Steve Vanek*  
Steve Vanek

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**MARTIN CONSULTING CORP.**

Jason Martin  
P.O. Box 1449  
St. Augustine, FL 32085-1449  
904-471-9680, or 904-806-0690 cel.  
E-mail: martincorp@aol.com

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

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APR - 4 2001  
N.P.F.M.C

April 5, 2001

Chairman Benton, Members of the Council:

I am a charter operator in St. Augustine, Florida and I understand you are about to decide on including the Alaska halibut charters in the halibut IFQ program. I would like to take this opportunity to let you know how this plan looks from my perspective. While I am not in the effected area, these "plans" have a way of being propagated across government.

I support the inclusion of the charterboats for the following reasons:

1. It gives the individual charter company the opportunity to schedule their business without undue influence of other charter businesses.
2. The recreational access demand can be matched by purchasing more quota from the commercial fleet and compensating them instead simply of taking it from them.
3. The amount of resource held for recreational access will only be what is necessary for their access, keeping the remainder available for the commercial fleet.
4. It takes the North Pacific Fishery Management Council out of the allocation decision process which is very controversial, expensive, and time consuming for all parties.

There are natural limits for the need of recreational access and the public will determine their needs by patronizing the charters. As that need changes the industries that share the resource will determine the best use of that resource. I stand in support of the charterboat IFQ committee recommendations and support their inclusion to this plan.

Sincerely,

Captain Jason Martin



# North Pacific Fisheries Association, Inc. 227

HEADQUARTERS:

BOX 796 • HOMER, ALASKA 99603

Mr. David Benton, Chairman  
 North Pacific Fishery Management Council  
 605 West 4th Ave, Ste 306  
 Anchorage, AK 99501-2252

4/4/2001

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 APR - 4 2001  
 N.P.F.M.C.

Dear Mr. Benton,

North Pacific Fisheries Assn. (NPFA) is in support of an IFQ program for charter halibut vessels in areas 2C and 3A.

Many members of NPFA depend on the commercial halibut fishery for a significant part of their annual income. The halibut resource provides many sustainable benefits in our Homer community. Businesses such as grocers, trucking firms, repair shops, airlines, and restaurants have all benefited from our healthy halibut stocks. Commercial and charter halibut dollars flow through almost every business in town. Many of NPFA membership have invested heavily in commercial IFQ because of the stability demonstrated by the fishery. Continued allocation and conservation disputes between commercial fishermen and charter operators have created tension and instability in both industries.

NPFA believes charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in continued allocative disputes.

NPFA has spoken many times at the NPFMC and IPHC of the importance of good conservation measures being in place for all users of a resource. We believe that a fixed allocation of QS issuance as proposed by some in the charter fleet would violate prudent conservation management. Unequal responsibility in the conservation will surely result in abuse of the resource by one user at the expense of another user groups. In addition there would be no motive to protect and conservation local stocks in high use areas. We believe local depletion problems will increase unless all users are made fully responsible for the protection of the resource from which they benefit.

NPFA believes initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels. In addition small commercial halibut operators will not be asked to give up another 3% of their income to fund an IFQ program that historically has not utilized those stocks.



NPFA is not in support of community development quotas for halibut. If the IFQ's are available for purchase, we believe there are adequate financial programs currently in place to allow members in communities to purchase IFQ's for startup, or expansion of an existing business. However, if the NPFMC decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The Homer commercial halibut fisherman was already made to pay once before for the Bering Sea CDQ halibut program (2% of the initial issuance of 3A, 3B halibut quota).

We know you are being swamped with letters concerning this issue, and have been for 7 years. NPFA believes this is the time for a solution for the charter halibut problems. Look past the rhetoric to ten years from now. How many more times do you want to deal with halibut allocation issues? We urge the NPFMC to integrate the halibut charter industry into our existing IFQ halibut program now. The commercial halibut IFQ program is an example of health, stability, flexibility, and with very little continued NPFMC time needed to address management. Halibut charter IFQ's is the best solution for long term stability for the resource and the many user groups.

Thank you for the dedication needed as a member of the NPFMC.

Sincerely,  
  
Donald R. Lane, president

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

2 of 2

April 3<sup>rd</sup>, 2001

(907) 271-2817

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MR. Dave Benton

NPFMC

605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501

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APR - 4 2001

Dear Mr. Benton,

NPFMC

I am writing this letter to tell you that I, as a commercial halibut fisherman, fully support an IFA program for the charter fleet. This program would provide a measure of stability for both the charter and commercial fleets. As it is now, there could be annual allocation battles, which really get in the way of important issues, like utilizing our resources wisely. I believe that the initial charter IFA Allocation should start at no more than 100% of the 95-99 catch, with any CDQ subtracted from that figure, just like what was done with our Commercial Quota.

Thank you for your consideration.

John W. Skeele  
FW Nora C,  
19975 Karla Ct.  
Mt. Vernon, WA  
98274

# Sea Bear Charters

224  
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APR - 4 2001

N.P.F.M.C

April 4, 2001

North Pacific Management Council

Dear Mr. Chairman

There has been a lot of effort put forth by Bob Ward and the Homer Charter Association. I would like to be counted as one who is in total support of their efforts.

Thank you,

*John B. Phillips*  
John B. Phillips  
Captain F/V Briska

Sea Bear Charters  
32915 Williams St.  
Anchor Point, AK 99556

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## NORTH PACIFIC Halibut Commission

- 1) MORATORIUM (LIMITS NO NEW GUIDES)  
(NEW GUYS WOULD HAVE TO BUY SOMEONE'S OPERATION)
- 2) NOT ALLOWED TO KEEP SKIPPER ON DECKHAND FISH. (NO PROXY'S) (THIS IS WIDELY ABUSED AND BEST WAY WOULD BE BOAT LIMIT OF HOW MANY CLIENTS ON BOARD)
- 3) NO DOUBLE TRIPS (BOATS RUN OUT TO CHICKEN HOLE TO LIMIT OUT QUICK - TO GET BACK FOR SECOND TRIP.

HERE'S SOME IDEAS THAT WOULD WORK BETTER THAN AN IFQ PROGRAM AND HELP KEEP TRIPS AND PRICES STEADY FOR CLIENTS.

Proposed By  
DOUGLAS F. BLOSSOM  
P.O. Box 289  
CLAM GULCH, ALASKA

99568

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APR - 4 2001

N.P.F.M.C

Michael Frost  
10321 Chain of Rocks  
Eagle River, AK 99577

April 4, 2001

Honorable David Benton  
Chairman, North Pacific Fishery Management Council  
605 West 4th Ave. Suite 306  
Anchorage, Ak 99501-2252

Dear Chairman Benton,

As a non-guided sport halibut fisherman I support the implementation of halibut charter IFQ's. The uncontrolled growth of the halibut charter fleet has severely impacted on my ability to access the halibut resource. Restrictions on the charter fleet are long overdue.

For over 20 years I have fished for halibut in Cook Inlet with a 16 foot Zodiac. The introduction of the tractor launches and the growth in the charter fleet that followed, has taken away access to the halibut resource for the small boat owner in Cook Inlet. We are being forced to use charter operators to access the fish.

I am in favor of a Cook Inlet LAMP if it restricts charter boats to waters outside of seven miles off the east shoreline and outside of Kachemak Bay. This would provide access to the public that does not want to be forced to use charter boat services. The LAMP should be implemented in addition to the charter IFQ program.

Sincerely,



Michael Frost

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UFA Tom Gemmell

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APR - 4 2001

N.P.F.M.C

From: Chad Triplett [slmtmessage@hotmail.com]  
Sent: Tuesday, April 03, 2001 3:45 PM  
To: halibutcoalition@usa.net  
Subject: letter - Attn: Mr. Benton

Dear Mr Benton,

I have sent a letter, but wanted to send you an additional copy by email. The following is a copy of the handwritten letter you have or will receive.

Dear Mr.. Benton,

I am writing in support of an equitable IFQ program for charter vessels in area 2C and 3A.

I am an avid sport-fisherman in Washington State. I have always enjoyed the ability to fish for any variety of fish. I have not ever thought that sport fishing should supercede long established commercial fishing. I cannot understand how the impact on the families and communities could be justified by an increase in sport fishing. One of the aspects that draws me to small coastal towns is their uniqueness. I feel that the "uniqueness" is direct reflection of the families and communities that welcome me there. I feel that in Washington the towns that have had to rely on chartering as their means of income have lost alot of their individual appeal. Once that appeal is gone I look elsewhere - such as Alaska. I would hate to see a change occur in your state.

To finish, even if Alaska does go through with the program I would expect there to be a compensation "packet" for the generations of fisherman who rely on an already diminished quota.

Thank you for your time,  
Chad Triplett  
5919 148th pl sw  
Edmonds, WA 98026  
425-745-0075

Copy: Governor Knowles

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TO N.P.F.M.G. 233  
Governor

APR Web posted Tuesday, April 3, 2001



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The JUNEAU EMPIRE

**Title and firm:** Mike Knightlinger, skipper and owner, Klingers Charters.

**Services:** "Usually our customers come from cruise ships. We offer two-and-a-half-hour, four-hour and eight-hour trips. I specialize mostly in salmon fishing, although we do halibut trips," Knightlinger said. "But the distance that you have to travel for halibut is too much for most people."

MIKE KNIGHTLINGER



His favorite part of being a charter operator is "watching clients' faces when they see a whale or catch a fish; watching parents come with their kids who have never been on the ocean before."

"Even grownups have a great time," he said. "Sons bring their dads up, and it might be their only trip to Alaska in their lives. The pleasure of watching somebody else enjoying our state is wonderful. I get chills just talking about it."

**Craft:** Knightlinger operates Trouble Maker, a 30-foot, 1992 Bayliner motor yacht. It is equipped with a flying bridge and a closed-in cabin, and comfortably holds six clients as well the skipper and a deckhand.

Deckhands are usually family members or local residents.

"All are on a random drug-testing program so we are safe for U.S. waters. I think everybody is more safety-oriented these days and wants to know things like that about people they go out with," Knightlinger said.

**Education:** Knightlinger graduated from Juneau-Douglas High School in 1973. He earned his pilot's license five years ago. Before he took out a charter license, he was a full-time auto technician. To qualify for his pilot's license, he took a course from Sea Marine Training that includes regulations, issues of

survival and firefighting. To complete the course, he was required to pass a U.S. Coast Guard exam.

**Background:** Knightlinger was born in Bend, Ind. He first came to Juneau in 1959 with his parents. "My dad was in the U.S. Coast Guard at that time, and we were transferred back and forth between Virginia and Alaska. I have fished these waters with my dad and in-laws for many years."

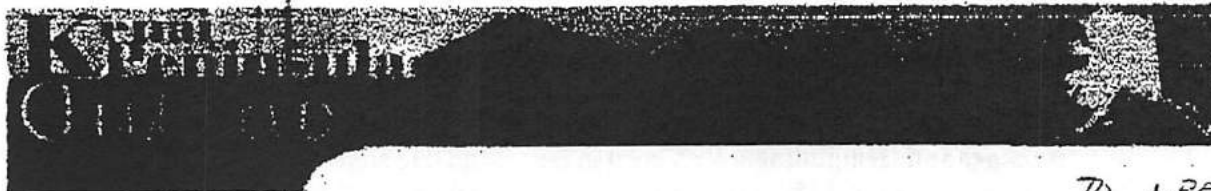
**Family:** Knightlinger has a son, 22, with kids of his own. His step-son sometimes acts as his deckhand.

**Contact:** Knightlinger can be reached at 790-4867.

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# Traditional commercial fishers should not be only 'privileged' harvesters

*IFQs viable for charter industry*

Robert Ward  
Voices of the Peninsula



Robert Ward

In response to the opinion offered by Drew Scalzi on March 21:

I can't believe I am reading the words of an International Pacific Halibut Commission commissioner, or the words of the legislator elected by us to represent the Kenai Peninsula.

Yes, Mr. Scalzi, you may just be a "privileged harvester," and it really irks you to consider an established halibut charter business being treated the same, doesn't it? To hold a privilege is for you only, no others; that is the very problem my industry has faced since 1993 when this perceived problem was brought to the council to be decided. The commercially dominated council has come a long way in trying to better understand the difference between what they are and what we are.

Your statement -- "For those who like to purchase fish in the stores, my family and I thank you. For those who like to catch it themselves, good luck" -- pretty much says it all. How about me and my family's "commercial business" that services those who like to catch it themselves? Good luck, too? Why can't you see treating me like you treat yourself would be a good idea? We both make a "buck" on halibut. It's a public resource. Why should some of the public resource be OK for you to "own harvest privileges for" but not others?

I proposed the Individual Fishing Quota as a charter-industry offered alternative to a terrible plan that would eliminate the opportunity to conduct a professional public service by those that have dedicated themselves and invested the most in providing the safest public access to their resource.

Under the Guideline Harvest Limit, the entire industry will be managed by the collective behavior of the areawide fleet with no limit on new

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entry. It also does not provide more fish when the public demands more. The IFQ will allow an operator to pursue his own business each season based on his own behavior and will allow the public to gain more access through the investment made by the charter operator in more IFQs. Why is it OK for you to be able to do this but not me? We both offer access to this public resource – why not on an equal basis?

The operator of a charter boat has a U. S. Coast Guard license that must be earned and maintained through very rigid experience and testing requirements along with personal invasion of privacy requirements, like drug testing and medical examinations, to assure the operator is capable of being trusted with public safety.

My industry has a perfect record when it comes to public safety – no loss of life from any U. S. Coast Guard licensed operators in Alaska. Any falsification of any documents like our logbooks can result in a loss of that license. You don't lose your commercial license for false reporting, at worst you get to buy them off with a fine. I didn't have any problem being available for both overt or covert observations by any regulatory agency each day when I pulled into my same slip in the Homer harbor with my customers right there with their fish in plain view, and through it all the IPHC accepted the logbook results as the "amount harvested."

The charter-boat IFQ will regulate how many fish my sport fish-licensed customers can harvest within the bag limit set by your IPHC. I haven't ever thought of us being able to sell our catch for the following reasons: I can only catch two fish in any given day myself; if it is sport caught, the fish cannot be sold; the customer has the harvest right in a sport fish license; and the customer will probably only pay me if it is understood that the catch will be retained by the customer, just like the guided halibut sport fishery has always been conducted. There is no mention of any alternative that would allow the charter boat operator to retain the customers' catch or sell it to them.

The industry is advocating a prohibition on selling the charter IFQs to the commercial fishermen for the first three years, and we will be advocating for a council review prior to any lifting of this transfer prohibition for a few reasons:

1. We owe it to the guided recreational fishermen that their resource access won't be sold out to the commercial fishery;
2. We need time to get used to operating under an individual quota system;
3. We need to see what size the fleet will want to be; some consolidating and some selling out will surely occur;
4. We have no idea what the value of fishing an IFQ on charter boats will be. This must be resolved before any charter sector transfers can occur, if

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April 4th, 01

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APR - 4 2001

N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Management Council  
605 West 4th Ave. Ste 306  
Anchorage, Ak. 99501-2252

Dear Mr. Benton,

As a former Alaska resident for 23 years and a commercial fisherman for 25 years, I am deeply concerned about the direction the charter fleet has taken, particularly in Southeast Alaska.

In 1976 when I started fishing commercially, the number of charter operators could be counted on two hands. A good many of these were week-long charters geared mainly for sight-seeing and for people to enjoy the Alaskan experience. From the early 70's to the present time the Alaskan commercial fishermen along with the State of Alaska, the Federal Government, the International Pacific Halibut Commission, and various other fisheries boards and commissions have been extremely successful in paving the road down the conservation highway of fisheries management of all species. Together we have done a remarkable job of this difficult and complex task, to the envy of all those in the lower 48 and in Canada. Through the limited entry program, size restrictions, arearestrictions, quotas, and the newly enacted individual fishing quota system, we have been successful in our endeavors. During this same time period, as fishermen of all gear groups have generously sacrificed a good deal of their finacial well being in the name of conservation and in the hopes of reaping a return down the road, the charter fleet has been left unchecked.

There are now over 300 charter operators out of Sitka alone. They are going and coming out of Sitka's harbours like bees from a hive for five months of the year. They have absolutely no size limit on halibut, of which each client is allowed two a day. They are catching all species of rockfish, and in many instances setting pots for crab and shrimp. There is nowhere near enough creole counters to accurately record the carnage that is being dealt to the fisheries resources. Who knows what is taking place in some

of the many outlying lodges. This simply put is a commercial business and should be regulated as such. It has gotten out of hand and it is long past time to enact some strigent controls.

We can start by putting the "sport" back into sport charter. There should be more emphasis on catch and release. Each client should be allowed only one halibut per year between the size of 32 and 60 inches with the option of buying one additional tag from the State for \$100. If a charter operator wants to retain more halibut, they should have to buy their own individual fishing quota shares obtainable on the free open market.

In closing, I would like to point out that since I started fishing 25 years ago along with my brother, and brother-in-law, and a whole bunch of other up and coming baby-boomers, that we all worked our tails off to get to where we are today. Many of us have invested in the IFQ program and have encouraged our kids to do the same. And none of us is about to give away what we earned through hard hazardous work or payed dearly for, to the new guy on the block. Our quota has always gone up and down with the resource abundance and it is simply unfair to even consider allocating a fixed poundage of halibut quota to what I would consider is clearly another commercial gear group. Many of the charter operators themselves will admit that their own industry has just become too competitive, and would feel more comfortable if there weren't as many operators, and they weren't under such intense pressure to put in the pounds. A true sportsman, to my mind, has always been a person whose reward is the experience, not the meat. Let's not let the State of Alaska change that meaning.

Sincerely,

*Dennis Beam*

Dennis Beam  
35628 Whitnah, Lane  
Richland, Or. 97870

Apr-04-01 08:25A See Alaska Tours

907 772 4656

P.01

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April 4, 2001

Mr. Dave Benton  
Chairman  
North Pacific Fishery Management Council  
805 West 4th Ave. ste 306  
Anchorage, AK 99501-2252

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N.P.F.M.C

Dear Mr. Benton:

I am writing in support of an IFQ program for sport charter vessels fishing for halibut in areas 2C and 3A.

I've been a commercial fisherman and year-round resident of Petersburg for over twenty years, and halibut fishing has always provided a significant portion of my income. After the IFQ program started I felt it necessary to finance the purchase of a significant amount of halibut quota in order to continue to support my family. I am also a registered sport fish guide and have participated in a small number of halibut sport fish charters in the past few years.

I feel that sport fish charterboat IFQ's are the best long-term solution available for the allocation of the halibut resource. It would allow both sport and commercial interests a stable answer to the annual dispute over who gets how much fish.

I am against a fixed allocation of a portion of the quota for the charter fleet. I think all gear groups should share equally in the conservation of the resource that we are allowed to harvest.

I feel that a fair initial allocation for the charter fleet should be based on 100% of the 1995-1999 average catch. I also feel that after the initial issuance of charter IFQ's, they should be the equal of the current commercial IFQ's. That way a person wishing to expand his business, whether he's a sport charter or commercial harvester, has a large enough pool of available quota share to do so.

If the council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (set aside of 2% of the commercial harvest).

My hope is that the council will enact these rules to provide more stability to the communities and families involved.

Your consideration of this letter is appreciated.

Sincerely,



Randal Henderson  
P.O. Box 1125  
Petersburg, AK 99833  
Phone/Fax (907)772-4656

cc: Governor Tony Knowles

Keta Fisheries

10620 Starlite Court  
Juneau, Alaska 99801  
907 364 4693

caviar@alaska.net

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March 31, 2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501-2252

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N.P.F.M.C

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court and tried to overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely,

Gunter Math/Elisabeth Babich

*Gunter Math*  
*Elisabeth Babich*



# Alaska State Legislature

## HOUSE OF REPRESENTATIVES

237

Official Business

State Capitol  
Juneau, AK 99801-1182

April 2, 2001

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APR - 4 2001

N.P.F.M.C

Mr. Dave Benton  
Chairman NPFMC  
605 W. 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

Dear Chairman Benton,


Much concern has been expressed throughout the state regarding the NPFMC's proposed action at the upcoming April meeting that may decide the outcome of IFQ's for halibut in the sport charter industry. While we believe that it may not be in the best interest of the state to move forward with an IFQ system for sport charter, we recognize the need to establish some regulatory process for the sport charter industry -- preferably through LAMP's by the Board of Fish.

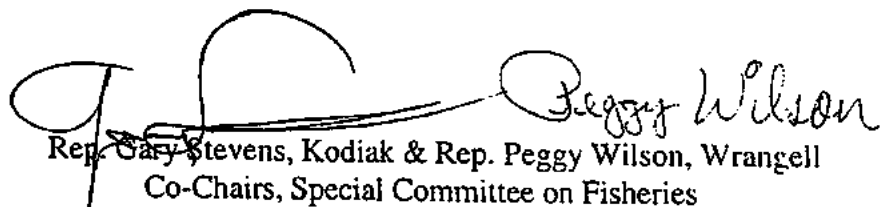
Taking a successful model designed for the commercial fishery and attempting to adapt it to fit the sport charter industry across the state raises many concerns. What may be a solution for Sitka may not work in Kodiak or Homer.

Many of us represent coastal communities with significant interests in both sport charter and commercial fishing. It is important to us to point out that the word "access" applies to both industries. The sport charter industry argues intensely for the need to provide public "access" to the resource. While that industry has a valid argument, the word "access" applies equally to those purchasing halibut in the market place and restaurants whose "access" to the resource is provided by the commercial fishing industry.

Mr. Chairman and Council members, we ask that you strongly consider a fair way to address the concept and intent of the GHF in your deliberations regarding IFQ's for sport charter. We hope that "access" for all United States citizens is included in the debate and that a reasonable license limitation plan will be developed for the sport charter industry where necessary. Thank you for your most deliberative consideration of this important matter.

Sincerely,

  
Sen. John Torgerson  
Chair, Senate Resources

  
Rep. Gary Stevens, Kodiak & Rep. Peggy Wilson, Wrangell  
Co-Chairs, Special Committee on Fisheries

  
Sen. Alan Austerman, Kodiak  
Chair, Fish Caucus

  
Rep. Drew Scalzi, Kenai Peninsula  
Co-Chair, House Resources

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APR - 4 2001

N.P.F.M.C

Date: MARCH 28-2001

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to tried and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways.

Sincerely, *Norman Mullan* F/U CINDRIA GENE

Name: NORMAN MULLAN

Address: P.O. Box 92 - Kodiak AK 99615

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532

MR BENTON -

I AM AN ALASKAN NATIVE AND MAKE 100% OF MY LIVING FROM COMMERCIAL FISHING I WAS AGAINST IFQ WHEN THEY WERE STARTED BUT HAVE ACCEPTED THEM NOW THAT ITS IN. SINCE THEN I HAVE BOUGHT MORE IFQ'S BECAUSE WHAT I WAS ISSUED WAS NOT ENOUGH TO MAKE HALIBUT FISHING PROFITABLE, AS I WASNT ISSUED 100% OF MY PREVIOUS CATCH RECORD, -AND THEY ARE ASKING FOR 125% - HOW DO THEY RATE!! IFQ WERE FORCED ON SOME OF US WHO DID NOT WANT IT AND ITS WORKING. SO THEY CAN ADJUST ALSO. SO WE CAN GO FORWARD AND QUIT WASTING MONEY ON THIS ISSUE KEEP IFQ' FOR CHARTER HALIBUT. SINCERELY *Norman Mullan*



239

# Adventure Charters

HC 60 Box 221, Copper Center, AK 99573  
Hm. 822-3712, Bus. 835-4634

RECEIVED  
APR - 4 2001  
N.P.F.M.C

3/30/2001

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Fax: 907-271-2817

Dear Chairman Benton,

I am a year-round Alaska resident and own and operate, with my family a small charter business in Valdez. We Charter 2 vessels in Prince William Sound, and employ 1 captain and some seasonal part time help. Our money stays in the coastal community of Valdez. I support the possible implementation of an IFQ system for the halibut charter fleet. However, I believe an IFQ system will be beneficial only if it is designed properly.

First, the Council adopted the GHL last year equaling 125% of the corrected average 1995-99 charter harvest. This figure needs to remain the guideline for initial quota share issuance. This will allow the charter fleet to grow a small amount over the first few years if necessary and also allows for the businesses that for whatever reason, had lower than personal average catches during the critical 1998-99 seasons.

Second, I feel it is fair and logical that 50% of the initial poundage allocation should remain fixed and not float with the TAC. Only if this happens will the charter owners be able to plan for the future and guarantee that they will have enough quota shares to allow their clients proper access to the resource that after all, belongs to the general public. Charter businesses simply can not survive the rapid decreases in TAC, or, fully utilize the increases when the TAC increases. By fixing 50%, this will insulate my business somewhat from these large swings. On the other hand, the commercial IFQ fishermen will be the beneficiary when the TAC climbs again.

Under Issue 3, Qualification Criteria, I think option 2 would best serve the needs of the industry. It would allow the most participants in and would be fair for everyone who fished legally.

Issue 5 is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

These issues are at the heart of the IFQ proposal and I feel they are necessary for the successful implementation of such a program. I hope the commercial and charter industries can work together to protect our valuable halibut resource.

Thank you,



Brad Kimberlin

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230

240



235 HARBOR DRIVE  
LUDINGTON, MICHIGAN 49431  
231-845-8095  
FAX 231-845-2086  
www.therapytoo.com

April 4, 2001

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APR - 4 2001  
N.P.F.M.C

Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Chairman Benton, Members of the Council:

I am a charter operator in Ludington Michigan and I understand you are about to decide on including the Alaska halibut charters in the halibut IFQ program and I want to take this opportunity to let you know how I see this plan. I support the inclusion of the charterboats for the following reasons:

1. It gives the individual charter company the opportunity to conduct their business without the influence of the other charter businesses.
2. The recreational access demand can be matched by purchasing more quota from the commercial fleet and compensating them instead of taking it from them without compensation.
3. The amount of resource held for recreational access will only be what is necessary for their access, keeping the remainder available for the commercial fleet.
4. It takes the North Pacific Fishery Management Council out of the allocation decision process which is very controversial, expensive, and time consuming for all parties. There are natural limits for the need of recreational access and the public will determine their needs by patronizing the charters and as that changes the industries that share the resource will determine the best use of that resource. I stand in support of the charterboat IFQ committee recommendations and support their inclusion to this plan.

Respectfully,

Captain Jim J Karr  
Ludington Michigan

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APR - 4 2001

**N.P.F.M.C. Valdez Charter Boat Association**  
**P.O. Box 2850, Valdez, Alaska 99686**

April 3, 2001

To: Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

Dear Chairman Benton,

I am writing as the President of the Valdez Charter Boat Association. I am very frustrated at this time by the Board of Fish, and the State of Alaska in their continued lack of support to help out my industry in this issue. The State indicates that they would rather wait until our charter fishery is in a total state of crisis rather than take a pro-active stance. The recent statement by the Chair of the Board of Fish, of "waiting until charters reach the GHL before considering a moratorium or an IFQ," in the face of a declining resource, is totally irresponsible. With up to 1600 to 2000 pages of analysis, I think that Mr. Coffey's statement of, "There's a whole host of questions that need to be answered before we take any regulatory action" is somewhat uninformed. Well, I'm not surprised, as the request for help from charter associations of this State have until recently been totally ignored. Five or Six Years ago, prior Chairman Lauber asked us at one Council meeting, if we might someday see the need for help from the NPFMC, where the State of Alaska could not, or would not, act when needed. I see that need now.

As we get to the end points of this Council decision, I find myself further frustrated by what I consider a lack of understanding of the unique charter fishery in Valdez, Prince William Sound. Our Association is dependent on halibut for close to 90% of our chartering. We have only about two to three weeks of salmon fishing in August as our only option from halibut. Our Valdez fleet is primarily a "day boat fleet," which has a daily run to the Gulf waters of 65 miles one way, 130 miles as a minimum round trip, each day. Since the advent of commercial halibut IFQs in 1995, and their subsequent on shore migration, we have had to travel further and further from shore to have a reasonable opportunity for our customers to harvest halibut.

Bear with me on this a little, please.

Our charter fleet is made up of 24 full time vessels, and 19 part time vessels, for a total of 43. Half of our Association is in Fairbanks. The USCG lists about 64 charter vessels in the Valdez harbor. Of these other 21 remaining vessels, 6 or 7 are of the 80' to 100' class for sight seeing. The remaining vessels are total "write off" charters, or of very intermittent use as far as fishing goes. Of the 43 active vessels, all are in the Charter Association, and most are current. Of the 43 vessels, 5 are certified, and 38 are 6-pack. Of the 24 full time vessels, 5 are certified and 19 are 6-pack. Of the 24 vessels all 5 certified, and 7 of the 6-pack are owned by 6 business, with 2 businesses owning 6 of these 12 vessels. 8 of these 12 provide about 60% of access for the guided angler to harvest halibut in Prince William Sound. These 8 vessels provide the best possible

opportunity for the public to access this halibut resource. Our vessels are the right tool for the job. 7 of these vessels are unique and custom built for this fishery. All in all, we have 16 custom-built charter vessels that are designed just for halibut chartering. These businesses are 98% halibut vessels. We do not have other species to fish, and in this we are very fragile. Of our entire charter fleet in Valdez, only 2 owners winter out of Alaska while still maintaining homes here. We spend the lion's share of our charter earnings in the coastal town of Valdez. We service the highest percentage, on the entire Alaskan coast, of primarily Alaskan residents in our businesses.

The Valdez fleet fishes right up to the Seward fleet, and has for years. The State of Alaska, in all it's wisdom, chose to open up a road to Whittier, or "lower Anchorage", just two hours away. This "new fleet", or transients from Deep Creek and the Kenai area, are pushing into the middle of the Valdez and Seward areas. Hopefully, we can deal with this through the LAMPs.

The difference between our South Central fleet and the Southeastern fleet are in the species available to our use. Sitka, like some other SE harbors, is fishing for salmon now, as I write this letter to you, and I'm still chipping ice off my boats. Sitka also uses halibut as more of an incidental catch. If halibut was only 5% to 15% of my season's catch I could gamble on a GHL with a very restrictive moratorium. As it is, as with most South Central charters, we can not afford to gamble, when 80% to 100% of our business is halibut, and generally without options of other fish. Also, we can not come close to competing with the larger tour vessels in the ecotourism market.

I have grave doubts as to whether the professional charter in Prince William Sound can survive a GHL, even with a moratorium.

I urge you to move forward with the Charter IFQ Plan with the following considerations on issues and options:

**Alternative 3.**

**Issue 1, Option 1,** 125% of the corrected average 1995-99 charterboat harvest, with the Suboption of 50% fixed.

**Issue 3, Option 2,** without the suboption for current participation. This allows all charters "in" that turned in a logbook. If the Council would choose other than Issue 1, Option 1, as above, then the Valdez charters want Option 4, under Issue 3, with the suboption for current participation.

**Issue 4, Option 1,** with the following changes: 15% divided up front to all qualified parties. Next, 10% for historic participation of the years of 1995, 96, and 97 only, a percentage for each year. Lastly 100% of the logbooks go to the recorded charter without any historic penalty.

**Issue 5,** is very important for the stability of the charter industry. I believe that all initial Charter QS should remain in the charter sector for at least 3 years. This will allow us time to see how the IFQ system is working and protect us from the possible stripping of shares by the commercial sector. Commercial QS should be available for purchase by the charter sector to allow for the possibility of expansion of the sport fishery.

**Issue 8,** Yes on Options 1, 2, and 3. No on Option 4.

**Issue 9,** Option 2.

**Issue 10,** Yes on Options 1, and 2. No on Options 3, 4, and 5.

**Issue 11, Option 1, no set-aside. If the Council would go forward with Option 2, then we would prefer no more than 1 ½ %, with suboption 1. b, and suboption 2. b.**

**These issues are at the heart of the IFQ proposal and the members of the Valdez Charter Boat Association feel they are necessary for the successful implementation of such a program. A correct IFQ program will allow business to control their future and insure continued access for the public. If the Council does not go with an IFQ plan, then we urge you to put in place a very restrictive moratorium NOW! We had 23 of our members at the last meeting decide this issue. The vote, with some reservations, was unanimously in favor of the Issues, and Options listed above. Please, end the allocative struggles and put a good IFQ plan in place.**

**I would like to thank the members of the Council in their efforts to educate us and involve us in the progress of this allocation issue. I knew nothing about the Council process in 1993, and I must say that at times it has been an uncomfortable education. Dr. Dave Hanson and Jane Dicosimo's professionalism and guidance to the IFQ Committee, has been the backbone for our accomplishment of designing an IFQ Plan that represents the best interests of our industry. I would also like to thank the Council for the opportunity to server on the IFQ Committee, and the GHL Committee in the past.**

Thank you,



**John Goodhand  
President, Valdez Charter Boat Association**

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Mr. David Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

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APR - 4 2001

N.P.F.M.C

Chairman Benton, Members of the Council:

I have been a charter operator from Homer, Alaska for the past seventeen years and I want to take this opportunity to let you know I support the work and representation by the charterboat IFQ committee and I feel they have presented a workable plan. We need your decision on this very important issue once and for all. The GHIL does not allow for the guided fishermen to obtain more access at any price and the harvest constraints under the GHIL will prevent me from operating my full season in the traditional manner. The customers I usually take in the late season will probably not patronize my business under a single fish bag limit. The GHIL favors those who do not depend on the charter business for their total income leaving the full time operators unable to provide a full opportunity to be profitable. The IFQ plan would allow my business to operate as I deem necessary without the other charter operators interfering. My late season customers should be offered an equal opportunity to fish and retain 2 fish per day, not be in competition with the early season customers. I recommend you make a final decision on the IFQ program and I support the recommendations by the charterboat IFQ committee. Thank you for your time.



Howard Frank  
Sundy Charters  
P. O. Box 290  
Homer, Ak 99603

Fax (907) 271-2817

**Main Identity**

243

**From:** "barbara kerr" <lilfoxcharters@gci.net>  
**To:** <glaciers@alaska.net>  
**Date:** Monday, April 02, 2001 10:19 PM  
**Subject:** IFQ

April 2, 2001

Mr. Davvid Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501-2252

**RECEIVED**

APR - 4 2001

N.P.F.M.C

Dear Chairman Benton:

I am an Alaska resident that operates a small charter business from Valdez and feel that what the council is proposing in regulating the charter fleet is wrong, we are only a platform for sportfisherman to harvest the fish allowed them, we do not own the fish the commercial fisherman do not own them the people own them. I also feel that under any program that the council implements my small business can not grow without hardships that would have the potential to destroy what i am trying to build.

That said I would be in favor of a designed IFQ plan and ONE that would include a fixed initial allocation of 50% to insure that the sportfisherman will have fish to catch.

I also feel that all current, legally operating charters should be included in the IFQ program under issue 3. Qualification Criteria, Option 2

Capt. Johnny M. Kerr  
Lilfox Charters  
Valdez, AK

244

David R. Martin  
71605 Sterling Hwy.  
Clam Gulch, AK. 99568  
April 3, 2001

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APR - 4 2001

N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK. 99501-2252

Dear Mr. Benton,

I am writing in opposition to an IFQ program for charter halibut vessels in areas 2C and 3A.

I support a moratorium along with a GuideLine Harvest Limit (GHL) based on the charter 1995 catch and participation. This is the only fair and justifiable method to limit and manage the enormous growth and catch that the charter industry has had over the last ten years which often leads to in season near shore depletion. The number of charter operators and pounds caught in 1995 are real numbers. Even the charter industry has been asking for a moratorium since the early 1990's. This is were we need to spend our energy and focus.

Commercial IFQs went into effect in 1995. Commercial fishermen since 1995 have invested millions of dollars in purchasing IFQs. I have invested heavily myself and depend on my halibut fishing for the majority of my income and to of course pay back my loan. A charter GuideLine Harvest Limit based on anything past the 1995 catch would in fact be allocating halibut poundage away from the commercial fishermen. This would be the same as stealing and would create financial problems especially for fishermen that would still have to pay back the bank for IFQs they bought but were not allowed to catch. The charter GuideLine Harvest Limit percentage of catch should also fluctuate with the harvestable quota that is established each year.

The charter IFQ program is a bad ideal for many reasons. Some reasons are:

1. Unlike the commercial IFQ plan that had State documented fish tickets the charter industry has no legally defensible validated individual charter catch data. Basing the individual charter IFQ solely on what an individual says they caught is wrong, irresponsible and subject to legal challenge.
2. It would be impossible to monitor and enforce the pounds caught because of the number of charters that make daily trips. You basically have the whole charter fleet delivering every day as compared to the commercial industry that has individual deliveries spread out over an eight-month period.
3. The cost to properly monitor and enforce the charter IFQ would be astronomical.
4. A percentage tax on the charter gross sales would need to be implemented to pay for the huge work force needed to do the monitoring and enforcement. The charter industry must pay their way, as does the commercial industry. Neither the public nor the commercial halibut fishermen should be expected to pay.
5. Charter IFQs gives the incentive to "low grade" their catch. This means throwing the larger fish back so as not to fill his IFQ quota so he can take out more clients over a longer period. This is currently illegal under the rules of the International Pacific Halibut Commission.

These are just a few of the problems with the charter IFQ plan. The charter IFQ plan will create many times more problems than what the plan is trying to solve.

The resource belongs to United States citizens. We need to manage for what is best for the resource and stability for the users.

Thank you for your time and efforts.

Sincerely,



David R. Martin



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FAX NO. : 9075865648

Apr. 04 2001 01:27PM P1

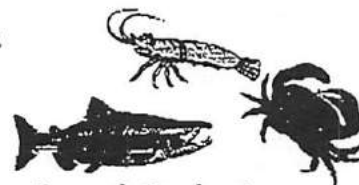
APR - 4 2001

245

N.P.F.M.C

## Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway  
Juneau, AK 99801



Phone 907-586-6652

Fax 907-586-5648

E-mail: seafa@gci.net

April 3, 2001

Mr. Dave Benton, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501

Fax: 907-271-2817

The Southeast Alaska Fishermen's Alliance (SEAFA) is in support of an IFQ Halibut Charter program for area 2C and 3A. The members of SEAFA strongly feel that the halibut charter industry needs to be regulated and not allowed uncontrolled growth. Commercial fishermen have diversified into or increased their shares in the halibut fishery due to the stability that an IFQ program promised.

In looking at some of the alternatives proposed in the draft EA we would like to comment on the following issues:

1. We prefer Alternative 2 including the halibut charter sector in the existing IFQ program. Alternative 2 of the 3 options listed provides the most tools to control unrestricted access to the halibut resource while providing an opportunity for other individuals to try and enter into the fishery in the future. Any fixed allocation to the charter industry that does not adjust to the abundance of the resource does not share the burden of conservation and does not address the issue of local depletion.
  - Issue 1 – The initial quota share should be based on Option 2 if some form of quota share is exchangeable between the charter and commercial sectors. If charter boat quota share is not exchangeable between charter and commercial, then option 1 which is equal to 125 % of the corrected average 1995-99 charter boat harvest should be considered. This allows the charter industry some growth potential from current harvest levels. The quota share above 100% should be purchased from the commercial sector by the federal government prior to issuing quota share to the charter industry. This compensates the fleet for shares allocated from the commercial to the charter industry above the 1998-99 average harvest.
  - Issue 2, 3, 4 should be determined by the charter industry if the North Pacific Management Council chooses to implement a charter boat IFQ program.
  - Issue 5 – Transferability of QS (permanent and IFQs (on annual basis)).
    - Option 1 on leasing or non-leasing does not really get to the heart of the questions involved here. Will a charter boat skipper be able to buy and hold quota share increasing his value for being hired on a charter vessel while having no ownership of a vessel? Your definition of leased in the sub-option makes it appear that you expect the charter company to hold the quota share without the necessity of being on the vessel. Are you going to allow a

corporation or company to hold quota share? Does the owner of shares being leased, lease the IFQs to an individual while retaining ownership or to a vessel?

- The cleanest way to manage charter and commercial quota shares is to not allow the transfer between the two sectors. If you allow two-way transfers between charter and commercial it is conceivable that in the future there would be additional allocation battles as it is likely that the commercial sector will pay more than the charter industry which would have the commercial industry shutting out the charter industry. If you allow transfers to occur between the two sectors, the following questions arise. How will you designate what type of IFQ the permit holder has? Can charter IFQs not fished during the charter season be switched to commercial and then caught and sold on the marketplace? If the charter IFQs are issued as number of fish and they sell their quota share to a commercial fishermen how or when would you convert back to poundage and be allowed to fish the shares? How would you deal with blocked and unblocked shares and different class categories in the commercial fishery when converting fish from charter to commercial or commercial to charter? While you provide some suggestions to this question in option 3 and 4 it is a difficult determination to make until you have answered some other basic questions. Will the IFQs be issued as numbers of fish or poundage, will charter QS be blocked or unblocked in some fashion and will different types of QS be issued for a certain size of vessel or number of passengers permitted for?
- Issue 6 -- To receive halibut QS and IFQ by transfer. The sub-option listed under Option 2 stating that to use QS for commercial sale of halibut you must qualify and have a commercial transfer eligibility certificate is strongly supported by SEAFA.
- Issue 7 and 8 should be dealt with by the charter industry.
- Issue 9 & 10 should actually be looked at together. The most accurate method is to use option #1, which is pounds. We can understand that this method would have many difficulties associated such as enforcement and monitoring of IFQs. There are still some enforcement and monitoring hurdles if you convert the poundage into an average number of fish. One of the first issues that come to mind is the potential damage to the resource by not using the poundage actually caught. One option to consider is convert to number of fish but require as part of the logbook a measurement of each fish. This could later be converted into an estimated poundage allowing the NPFMC and IPHC to every year to adjust the estimated average size of halibut and to calculate from the log books that poundage taken in the charter fishery and implementing an overage/underage provisions on the total charter IFQs.
- Community set aside -- We prefer no community set-aside. Most communities that have an opportunity to provide sport charters have individuals already involved in the charter boat industry. If the NPFMC decides to go with a community set aside we prefer that the quota be taken from the charter sector as they will be set aside for charter opportunities or the quota is purchased from the commercial sector.

If the NPFMC does not institute a quota share program for charter vessels they should consider at least a moratorium on the number of vessels that can participate in the industry while issues are discussed.

One concern SEAFA has is in regards to the administration fee charged commercial fishermen based on their ex-vessel value. In looking through the options listed for implementing an IFQ program for the charter industry it is apparent that there will be an administrative and enforcement requirements necessary for a charter IFQ program, the commercial fishermen are currently charged based on the cost of administering an IFQ program, are we going to have to pay for the charter portion of the IFQ program or will some system of charging the charter vessel industry for their share of the cost be implemented?

Thank you for considering our comments.

Sincerely,



Kathy Hansen  
Executive Director

246

Kachemak Bay Fisheries Association  
P.O. Box 3264  
Homer, AK 99603  
907 235-5309 FAX 907 235-7010

April 4, 2001

RECEIVED  
APR - 4 2001  
N.P.F.M.C

Chairperson  
North Pacific Fisheries Management Council  
Anchorage, Alaska

FAX 907 271-2817

Re: Charter IFQ Implementation

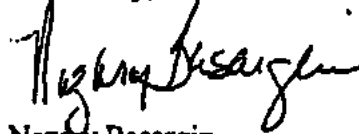
Dear Council Member::

Kachemak Bay Fisheries Association would like to go on record in support of the IFQ as previously approved by the council. We and many others spent a lot of time testifying on that subject before the council. We believe the testimony was well considered by the council, the decision was made, and therefore, the council should proceed with the IFQ implementation, fine tuning the implementation but not throwing out the whole plan.

The IFQ plan addresses the management and conservation of the resource and therefore it should be judged on those merits, and not because it does not suit someone's financial plans.

We commend you on your dedication to an extremely difficult job.

Yours truly,



Nazary Basargin  
President

NB/lv

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APR - 4 2001

April 3 2001

North Pacific Fishery Management Council  
605 West Fourth Ave # 306  
Anchorage Alaska 99501

Subject: IFQ proposals for Charter Boats  
and Subsistence USER priority based  
on rural preference and native preference.

I consider the IFQ scheme to be an absolute denial of the so-called free enterprise system, that our Nation has so publicly and proudly advocated to the world. Instead, it creates a prescribed exclusionary class of monopolistic private ownership of a common property Public Trust fishery resource.

This North Pacific Fishery Management Council, which I believe, has shown no responsibility and concern for the rights of the true beneficiaries, the public as a whole; ie including the USER clients of the halibut charter services.

I consider the Council to be committed to the exclusionary commercial interests; and supportive of the erosion of the open

access right of the common personal USER public as a whole.

I have reach my opinion after attending and observing the many January 2000 and February 2001 Council meetings in Anchorage.

I submitted position papers to the International Pacific Halibut Commission, North Pacific Fishery Management Council and Alaska Department of Fish and Game, Sport Fish Division in January 2000, citing references in support for the Common Personal Consumptive USERS of these Public Trust fishery resources.

At the February 2001 Council meeting I submitted further testimony which I am again included, as I believe is necessary as I am aware of the Council's failure to consider at that time.

I also believe that the Commissioner of Commerce representation in support of the Council's position and attitude is not in the best interest of the public as a whole and their right of open access to these common property Public Trust resources. The Commissioner has a Trustee responsibility to these common property beneficiaries for now and

and future generations

In an attempt to further research the Commissioners responsibility I looked up the Dept. of Commerce in the US Government Code; under 22 paragraph 1-1620 paragraph 258 "International Organizations Entitled To Enjoy certain Privileges, Exemptions and Immunities" was listed the International Pacific Halibut Commission.

The Privilege and Immunities phrase reminded me of the mandate of individual right in Article V Section 2 of the US Constitution: "The citizens of each state shall be entitled to all privilege and immunities of the citizen of the several state."

This phrase was the results of a contention by the large colonies desire to give their residents a protected right to their more plentiful resources. The small colonies would not accept such exclusionary treatment and stated such a scheme would in fact create a union of nations and not that of not a Nation of United State.

I am aware that Mr. Herman Ex Director of the IPHC stated that the Commission had a robust commitment

In support of the personal common  
consumptive USERS of this public  
owned halibut fishery resource

I request that the Council and the  
US Commissioner of Commerce give full  
support to equal open access to the  
public access within the biological  
sound management on the sustained  
yield bases. This active support  
must remove the intent of all exclusionary  
schemes and not be based on rural  
preferences and native preferences

Sincerely

Wale Bondurant

31 864 Moonshine Dr  
Soldotna AK 99669

(907) 262-0818

Copy of Feb 8 2001 Letter to NPFMC

(included as Comment #1  
in this comment pkt.)



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**PHILIP WARREN**  
**P.O. BOX 4**  
**HOMER, ALASKA 99603**  
**(907) 235-1374**

RECEIVED  
APR - 4 2001  
N.P.F.M.C.

To: North Pacific Fisheries Management Council

Re: Charter IFQ proposal

April 4, 2001

Dear Sirs,

I have owned and operated a charter business in Homer for the past 5 years. The recent G.H.L. cap has placed the future of my business in question with no options available. I would like to see the removal of this cap. If not, I would rather see a proper I.F.Q. plan in its place. This would help stabilize the charter industry, and give me options in the future.

As a six passenger boat owner, I am physically limited to the number of clients that I can take out in any one season. I can only utilize a certain number of fish. An increase would not help me. A decrease would quickly effect my bottom line. I am much less able to deal with large fluctuations in the T.A.C. either up or down. Please take this difference from the L.L. I.F.Q. holders into consideration.

I would like to see access to the I.F.Q. program open to anyone. However, I believe the original allocations to individuals should depend heavily on provable "Harvest Total" history. There are some boats who legally chartered only one day per season so that they would be eligible. Let them in, but I don't believe they should get an equal share with those who work full time as charterers.

Any set aside of I.F.Q.'s for possible future expansion should have a time limit if unused. At best this is a questionable option.

A short moratorium on sales of I.F.Q.'s would help stabilize the program startup. Opening charter/L.L. I.F.Q.'s for exchange in the future would help both industries to float with their markets and maximize use of the T.A.C.

Mostly I am concerned with the future stability of the charter industry.

Thank you for your time,

Phil Warren

**RECEIVED**

APR - 4 2001

N.P.F.M.C

April 4, 2001

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

Chairman Benton, Council Members:

The Homer Charter Association is a local industry trade association that represents 50 halibut charter companies with more than 75 boats that operate from Homer, Alaska. The Homer Charter Association is most concerned with your upcoming final decision on the halibut charterboat IFQ plan on April 11 through 14, 2001. We encourage the North Pacific Fishery Management Council to make a final decision in support of a liberal and comprehensive IFQ plan that will put to rest once and for all the allocation contest between the Alaska Longline fleet and the Alaska Charterboat fleet.

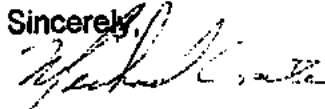
The issues and options within the EA/RIR/IRFA are clearly presented and we feel the facts lend support to your decision to include our industry in an equally designed plan that will provide for different levels of access by both the consumers of commercially caught halibut and the guided recreational halibut customers on charterboats. Each independent longline fisherman and each independent charter operator should have the ability to choose the level of participation their businesses desires based on the public's demand. The socio-economic impact of these two very important industries in each community should be based on an equal opportunity to adjust to the markets that they rely on.

Our association has been properly represented through member participation on the charter IFQ committee and we fully support the recommendations of that committee.

We feel the North Pacific Fishery Management Council will never see a more fully supported plan by either the commercial fleet or the charter fleet and we desire this issue be resolved now, not perpetuated to a later date with the problems being addressed getting worse.

Thank you for this opportunity to recommend the decision to include us in the IFQ plan.

Sincerely,



Michael Coates  
President - Homer Charter Association

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Kingfisher Charters, LLC  
P.O. Box 1781  
Sitka, Alaska 99835  
(800) 727-6136

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APR - 4 2001  
N.P.F.M.C

April 4, 2001

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

Dear Mr. Chairman and Council members,

I am a charter operator in Sitka, and a member of the Halibut Charter IFQ committee. I am opposed to the halibut charter IFQ plan currently before the Council. This is in spite of the windfall I would stand to gain as an owner of several active halibut charter boats for the past 8 years. I see the IFQ program as a poor fit with a sport charter fishery in which some of our clients book months in advance and some book at the last minute. Trying to own or lease just the right amount of QS or IFQ for the season, without knowing how many clients will book, or the summer weather and fishing conditions, would be practically impossible.

I recognize the need for management of the halibut charter fishery, and do support the Moratorium option currently before the Council. A limited entry program for charters would provide a workable system for charter operators, while protecting the interests of halibut longliners from unlimited potential growth in the charter fleet.

It should be obvious by now that a majority the charter industry and the sportfishing public in Alaska is opposed to the IFQ plan. The Alaska Sportfish Council, Sitka Charter Boat Operators Association, Juneau Charter Boat Operators Association, and Seward Charter Boat Operators Association have all voted to oppose the IFQ program. Even the Homer Charter Association, which is considered by some as a stronghold of support for IFQs, maintains only a neutral position on the plan. Based on letters in the Anchorage Daily News and the opposition by the State of Alaska, the Alaska Board of Fisheries, and the Recreational Fishing Alliance, it is clear that the general public is overwhelmingly against the halibut charter IFQ proposal. It appears that the only people in support of the IFQ plan are commercial halibut longliners, and a vocal minority of charter operators.

I hope the Council will vote against the IFQ plan and vote for a moratorium. If, however, the Council decides to pass an IFQ plan, then please defer to the recommendations of the Halibut Charter IFQ Committee on most of the details. It would be primarily a charter program, and should be designed with maximum input from the charter industry. Thank you for your consideration.

Sincerely,

Seth Bone

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N.P.F.M.C.

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North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Ave. Suite 306  
Anchorage, Alaska 99501

Dear Council Members:

The Revised Regulatory analysis on the Halibut Charter IFQ or Moratorium Program is a complex issue. And we recognize your dedication to resolve a longstanding and increasingly difficult allocation crisis.

We are year round residents of Pelican, Alaska. Our community has long term historic ties to the commercial halibut fishery. Subsistence fishing is of high importance to us. Pelican's economic distress is linked to the continual erosion of our commercial fishing lifestyle. The commercial harvest sustains commercial fishermen and others dependent upon the commercial fishing fleet for its livelihood.

Many would like to see us diversify the local economy and maintain stable employment. But with the changes in management continually in a state of uncertainty, it is no wonder many of the small rural coastal communities are suffering economically. Any program established should have a long term opportunity to manage the resource to document a fair and reasonable opportunity for the program to work.

1. A community set aside for the halibut charter IFQ proposal recognizes the lack of opportunities for small coastal communities.
2. The quota necessary for a community set aside should come directly from the sports charter allocation.
3. Allow transfers from commercial to charter only for those IFQ holders who hold eligibility certificates and maintain that the IFQ can only be sold to a person who holds the same certificate. For example, I currently hold D class halibut quota, I would like to be able to fish commercially or fish it with clients, as I hold a sports fishing guide card and business. Similar to Issue 6, option 2.
4. Establish weigh in stations in local remote areas or reporting/inspection stations and a fish tag system are options for reporting will safeguard accurate data collection.
5. Initial allocation based on historic landings and strictly tied to abundance, then all resource users shares in the cost of conservation of the stock.
6. Set aside communities have been at a disadvantage with little or no money for capital investment and growth. Much of the expansion seen in the sports charter fleet is from persons who live out of the State of Alaska. They take the resource and provide little in the way of pay back to the community.
7. The problem statements rightly reflect the issues that need to be resolved.

Thank you.

Sincerely,  
Patricia Phillips

*Patricia Phillips* April 4, 2001

# Petersburg Vessel Owners Association

P.O. Box 232  
Petersburg, Alaska 99833  
Phone (907) 772-9323 Fax (907) 772-4495

April 4, 2001

Mr. Dave Berton  
Chairman, NPFMC  
605 West 4th Ave., Ste 306  
Anchorage, AK 99501-2252

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APR - 4 2001  
N.P.F.M.C.

**Re: Halibut Charter Management**

Mr. Chairman,

On behalf of Petersburg Vessel Owners Association, I submit the following comments for the Council's consideration in regards to halibut charter management. PVOA is a group of 62 commercial fishing vessels of which 57 have halibut quota share. These longliners all have significant investment in boats, gear, permits, sweat, stress, and knowledge. Almost every quota share holder in PVOA has acquired additional quota since the inception of the program. Therefore PVOA has a direct interest in resolving long term allocation issues with the halibut charter fleet in order to provide long term stability to both sectors. However, commercial fishermen must also weigh the short term cost (% of TAC) in order to achieve that stability.

We understand that IFQs are a contentious issue. However, many of the concerns that will be raised at the Council meeting are not new to the Council particularly in regards to allegations of "privatization of the resource". IFQs (like other permits) is an access privilege subject to many restrictions and limitations and not an ownership right. In actuality, in considering halibut charter IFQs, the Council is considering rationalizing the halibut charter fishery. The Council has heard similar concerns of exclusivity when considering rationalization of any fishery. As the Council moves through this issue, we ask you to keep in mind the following considerations:

**1.) Why does the Council rationalize fisheries?**

The Council routinely regulates and rationalizes fisheries when certain conditions exist in a fishery. Among other things, these conditions include: the resource is fully allocated; the fishery is open access; the fishery is overcapitalized; the fishery has expanded; and continual expansion will result in future allocation disputes.

All of these conditions exist in the halibut charter fishery, making this fishery a candidate for regulation and rationalization. Arguments of a philosophic nature will be made that

this fishery should not be rationalized or restricted because it is "special" due to its end-user group, the charter client. Longliners also believe the end-user group of the commercial fishery is pretty special, too. The end-user in this case is the public that buys halibut at markets and restaurants.

However, the Council regulates fisheries and not philosophy, though sometimes the distinction is fuzzy. However, PVOA does not see any compelling reason why the halibut charter fishery should not be rationalized or regulated. Sport fishing and charter fishing are currently regulated to various degrees in other jurisdictions throughout the nation.

**2.) In addressing the problem statement, what methods of rationalization are available to the Council?**

The options before the Council include status quo, IFQs, or a moratorium. Other methods that have been discussed but are not in the amendment package include limited entry and LAMPs. Most of the above methods provides some degree of rationalization with varying degrees of effectiveness, magnitude, and scale. Some of the methods address the problem statement of allocation resolution while other methods do not address it at all. Some methods have an extremely long timeline to fruition, if ever.

**Status Quo:** This does not address the problem statement of providing long term allocation resolution. Status quo does not rationalize the fishery as open entry to the charter fishery would continue but under GHM management (aggregate harvest level that triggers management actions).

**IFQs:** IFQs addresses the problem statement and rationalizes the fishery.

**Moratorium:** Moratorium does not address the problem statement nor rationalizes the fishery. A moratorium may or may not stabilize the number of vessels in the fishery. A moratorium does nothing to stabilize or regulate catch. Moratorium alternatives range from including 988 vessels to 1439 vessels (2C/3A combined) irrespective of catch history. If these vessels all caught just the average amount per charter vessel (1998 = 4,731 pounds per vessel in 2C/3A), then the GHM management measures would be triggered. The State of Alaska has not supported a moratorium in Areas 2C or 3A, whether the areas are combined or separate (p. 286). The State of Alaska has also opposed a moratorium in a LAMP proposal for Cook Inlet. From the BOF committee report of 8/16/98, "*It is also the committee's understanding that Sport Fish Division [ADF&G] remains opposed to a moratorium under any circumstances.*"

**Limited Entry:** Limited entry for charter boats under the State of Alaska system has been discussed extensively since 1992 and has moved no further. Legislation has been drafted but remains unsupported by the charter fleet. This would minimally require a legislative change. There are those that believe this would require a constitutional change. Limited entry would not address the problem statement but would rationalize the fishery

**LAMPs:** LAMPs do not address the problem statement nor does a LAMP rationalize the fishery over the entire 2C/3A Areas. LAMPs do not address catch or participation in the large scale areas the Council regulates. In theory, the LAMP process has the potential of limiting the number of participants in a local area (example: local moratorium).

However, in practice the LAMP process is extremely slow with a low probability rate of success. Consensus must be achieved by participants in order for the LAMP proposal to move forward. As a consequence, only one LAMP is in regulation at this date, that being in the Sitka Sound area.

Sitka Sound is a geographically discrete and distinct location as well is the population of people involved in the plan, i.e. one community, Sitka. Unfortunately, most of the LAMP proposals currently being considered lack one or both of these attributes, either a discrete geographic area or population. In 1998, the Board of Fisheries took up a LAMP proposal for a moratorium on halibut charter in Cook Inlet. Current participants in the Cook Inlet LAMP process have expressed extreme pessimism that consensus will ever be achieved for such a large geographic area that embraces 300 miles of road system and numerous communities from Anchorage to Port Graham.

The BOF originally took no action on this Cook Inlet LAMP proposal in 1998 stating, "*It is the Committee's opinion that the moratorium proposal does not meet the requirements of the LAMP protocol.*" The 1998 BOF Committee report also states, "*One public member repeatedly stated that he and others had initiated this process 5 to 6 years ago, and expressed his frustration with the lack of progress and the length of the process.*" Since that time, the boundary for this LAMP area has been revised. Progress on this issue is measured in geologic terms.

#### **Conclusion:**

In examining the various options, the only available method that offers any effectiveness in addressing the problem statement and rationalization of the fishery is IFQs.

This analysis states that IFQs will have minimal impact on unguided anglers (p. xlix and p.310). The analysis also indicates that IFQs would also have little to no impact on guided anglers (p. 309 and p. 9 of Appendix V).

PVOA supports including the halibut charter sector in the existing IFQ program depending on the amount of initial issuance. In summary, PVOA supports Alternative 2, Issue 1, Option 3 with no fixed harvest.

In regards to the community set-aside, there are three main issues. One issue is if this program will work in achieving its objective. Effective implementation seems difficult due to other existing economic barriers such as location and infrastructure to support a client based business. If the set-aside is considered, a working rollover mechanism is

essential. A loan program may still be the most expedient and direct method to assist start-up operations as opposed to a set-aside.

The second issue is the amount of the set-aside. The analysis suggests a necessary "start-up" amount that is considerably less than the original proposal. Additionally, the number of potential communities in which the set-aside might be appropriate or workable is also considerably less than the original proposal. Therefore, if the set-aside is considered, the amount of set-aside should be on the low end of the range in front of the Council (0.5% to 1%).

As to the source of the set-aside, PVOA again reminds Council that the commercial quota shareholders in the Gulf of Alaska have already funded one community program already, the CDQ program. If the set-aside is considered, it should come from the charter sector's initial allocation.

Thank you for your consideration of these comments. PVOA will provide additional testimony at the April Council meeting. We'll be the ones not carrying the signs..



Gerry Merrigan  
Director, PVOA



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**ALASKA EXCURSION ADVENTURES INC.**1269 UPLAND COURT, HOMER, ALASKA 99603  
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APR - 4 2001

April 4, 2001

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

Dear Mr. Chairman,

I am an Alaska resident and I have been running halibut charters in Homer, Alaska since 1986. I have been involved in the fishing industry for over 18 years. I want to let you know that I am in favor of an IFQ plan for the charter industry if it is designed with certain criteria in mind.

I feel that the GHL amount that was decided by the Council in April of 2000 should be the base amount for the charter IFQ allocation. Myself and many others in our industry have fought since 1993 for that decision so I strongly feel that our hard work and that decision should be respected. Please hold to this GHL amount as the base limit.

I feel we must have at least 50% of the initial allocation fixed in poundage. It should not "float" depending on the abundance of halibut because the total allowable catch changes too much for the charter fleet to take full advantage of their allocation. I feel that the negative impact on the charter industry would be diminished if 50% of the poundage was kept fixed. We want to be sure that public access to these fish is maintained. According to the IPHC forecast of the 10 year halibut cycle, the timing of this issue could leave the charter industry in a losing position for up to 9 years. By fixing a portion of the charter quota, it would help diminish the impact of the natural timing cycle.

I would like to see as many legal, current charter operators qualify as possible for the initial issuance of the shares. I feel that Issue 3. Qualification Criteria, Option 2 has the best language to allow as many of the current operators into the IFQ program as possible. As far as distribution of the shares, I feel that Option 1 is the best choice as it gives some quota to all the operators and allows additional quota for the operators that have been in business the longest. This seems to be a very fair and equitable way to distribute the quota shares. It provides for the current amount of resource to the boats that are responsible for catching the halibut. All charter boats would get the same proportion that they are responsible for harvesting which allows all of us to plan for the development of our own businesses accordingly.

I am concerned about the long term effect of IFQs on the charter industry though. I feel that transfers of IFQs between the commercial fleet and the charter fleet should be strictly limited or not allowed for the first 3 years. We will need that long for the dust to settle on this issue and to establish a realistic value on the charter IFQs. Being that the halibut stocks are stable as well as the visitor rate to Alaska, this will give us time to consolidate the size of our

fleet and learn how to operate our businesses under this new system and we should have adequate quota that immediate transfers should not be necessary.

During this initial period, if charters need more access then some purchase and use of commercial quota could be allowed. The council would then have time to look at this issue at more length before deciding if transfers will be allowed in the future and to what extent between the commercial and charter fleets. I want to be sure that we are careful about protecting the public access to these fish over the long term. I am concerned that small boat commercial fisherman and the charter boats will be targeting the same near shore halibut so I do not want to allow restrictions by vessel class for quota to purchase.

I feel the quota shares to the charter fleet should be issued in pounds that can then be converted to numbers of fish for charter use, and they can then be converted back to poundage for commercial use. I feel the logbooks have worked well in reporting the charter harvest so far but from what I understand about fish tags being issued, it seems that would work just as well. So use of either system to police this new program would be acceptable to me.

I do not see why the community set-aside should move forward. Our industry is not resource driven. Alaska is a huge state and if tourists are not interested in fishing the undeveloped areas thus far, I do not see why we should set fish aside in case they decide to develop at some future date. It takes many years to develop the infrastructure necessary to develop a community that people would like to spend time in. We have many areas across this state that are presently competing for the tourist dollars to earn a meager living. I see no point in setting aside stock that no one will use in case some area decides they want to grow as it negatively impacts the existing communities. It is hard enough to earn a living in this state as it is and many of us have spent years of sweat and lots of money to get where we are at. The set aside program would just reduce the profitability of the current operators and communities.

I strongly feel that the Council should move forward with the IFQ plan if the above criteria is used. I feel that a program such as I have outlined will solve the allocation concerns to the charter boat fleet as well as the recreational angler. However, if the considerations I have outlined are not part of the final plan then I do not want to include my business in the IFQ program. I appreciate your time in listening to how I feel about this issue and for this opportunity to make recommendations on the proposed IFQ plan.

Very truly yours,



Michael Coates

# STATE OF ALASKA

Anchorage Fish and Game Advisory Committee

254  
TONY KNOWLES, GOVERNOR

Patrick Wright, Chair  
PO Box 90386  
Anchorage AK 99509  
(907) 279-1340  
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APR - 4 2001

N.P.F.M.C

April 4, 2001

The Honorable David Benton, Chair  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Re: Comments on Halibut Charter IFQs and Draft Environmental Assessment

Dear Mr. Benton:

After three days of hearings and deliberations, the Anchorage Fish & Game Advisory Committee voted 2-9-1 for implementing charter IFQs. Our reasons for opposing this concept follows.

Imposition of charter IFQs lacks a legally necessary rational basis under the Federal Administrative Procedure Act.

IFQs for halibut charters will not adequately address conservation, safety or economics in the industry.

We concur with the position of the State of Alaska to oppose IFQ alternatives for the halibut charter fleet; urge implementation of the guideline harvest levels; support Alaska Board of Fisheries actions to implement local area management plans; would support a moratorium by International Pacific Halibut Council area, if and when the guideline harvest level cap is reached in that area.

The enclosed attachment provides detailed justification for our position at this time. We trust our comments will help in dealing with these issues.

Sincerely,



Patrick Wright  
Chairman  
Anchorage Fish & Game Advisory Committee  
Enclosure (1)

The Anchorage Fish and Game Advisory Committee, after three days of hearings and deliberations, voted to oppose charter halibut IFQs. Our reasons follow.

**I. IMPOSITION OF CHARTER IFQ'S AT THIS TIME LACKS A SUFFICIENT RATIONAL BASIS AND WOULD BE AN ABUSE OF DISCRETION, REVIEWABLE UNDER THE FEDERAL ADMINISTRATIVE PROCEDURE ACT .**

As we read the record, we do not believe that imposition of IFQs at this time will pass muster under the federal Administrative Procedure Act, 5 USC §§ 500 *et seq.* The scope of judicial review of any rule adopted by the Council is at least that the rule may not be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. 5 USC § 706.

Generally, the arbitrary and capricious standard is a test of reasonableness, and that there must be a rational basis for the agency action. So, we first looked at whether the proposal appears well-reasoned and rationally based.

We began by examining the Council's reasons for proposing IFQs. We looked first to the Council's "Revised Charter IFQ Problem Statement", issued in February 2001, and reiterated in the draft environmental assessment (EA) at p. 10, issued under the National Environmental Policy Act (NEPA) on March 12, 2001. Then we examined the remainder of the draft EA.

**A. Reduced to essentials, the Problem Statement amounts to an assertion that IFQs are "necessary because they are unnecessary", is an oxymoron, and is not a basis for lawful, well-reasoned rule-making.**

At the threshold, the problem statement fails to identify a "problem". It does not even use the word "problem". It therefore lacks clarity. If scrutinized, it is an oxymoron, as we will demonstrate.

Reading the problem statement, we were forced to deduce – rather than read – what the "problem" is. It appears to be two concerns by the Council – i.e., that allocation conflicts "may resurface" and that overcapitalization "may have a negative impact". We reached this deduction because, reduced to essentials, the "problem statement" is this:

- (A) the resource is fully utilized;
- (B) the recently adopted guideline harvest level (GHL) is intended to stop open-ended reallocation between commercial and sport sectors;
- (C) the Council remains concerned that allocation conflicts may resurface, and that overcapitalization in the charter industry may have a negative impact on charter operators and sport anglers; and
- (D) that the Council “is developing a management plan for the guided sport sector to address these concerns while:
  - (1) recognizing the unique nature of the guided sport sector,
  - (2) controlling consolidation;
  - (3) providing entry level opportunities for guided sport operators, and
  - (4) encouraging diversity of opportunities for anglers.”

See Draft EA at 10.

Thus, the “problem” appears to be the two concerns stated in (C) – i.e. that allocation conflicts may resurface and that overcapitalization may have negative impacts.<sup>1</sup>

One would think that because the Council’s problem statement acknowledges that the management plan will “address these concerns”, then IFQs are not necessary to do the same job. That is a rather simple point, which we do not see addressed in the record, including the draft EA.

At best, the Council has failed to state why its management plan will be insufficient to address the concerns stated in the Problem Statement, and therefore why IFQs will be still be necessary despite the insufficiency. At worst (or at best depending on one’s point of view), the Council has conceded that IFQs are unnecessary. That is because the Council concedes that those concerns which the Council claims justify IFQs are in fact actually to be addressed by the management plan, according to the Council. One is left wondering why the Council is proposing IFQs.

In short, the problem statement is so poorly drafted that it defies useful public comment. If this were a presidential debate, one would expect hear someone say that the Council is engaged in fuzzy logic – essentially that the

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<sup>1</sup> Obviously, the undisputed fact that the resource is fully utilized is not a “problem” per se being addressed by charter IFQs, but allocation of a fully utilized resource is a different matter. Similarly, the statement that GHLs are intended to stop open-ended allocation is a statement of intent and not of a problem. Finally, the statement that the Council will develop a “management plan for the guided sport sector” is not a statement of a problem.

Council states that "IFQs are necessary because they are unnecessary." That is an oxymoron. It is no basis for lawful, reasoned decision-making. That was our first observation.

Nevertheless, as dutiful minor public officials, we continued. We did so because, in our view, the Council should reach a decision only if it has first provided a clear, legally sufficient – i.e. informative – statement of the "problem" to the public, so that the public may comment appropriately. Otherwise, it is difficult to have a lawful process under the federal APA.

**B. The two concerns stated in the Problem Statement do not rise to a rational basis for IFQs.**

Turning to the content of the Problem Statement, rather than its lack of clarity and cohesiveness, it expresses concern that allocation conflicts "may resurface" and that capitalization may have unspecified "negative impacts" on operators and anglers.

The attached graphs provide data on guided effort and harvest in Area 3A and Area 2C. These graphs indicate that the effort and harvest have been stable in these areas since 1996. Therefore, the data undermine the alleged concern that allocation conflicts "may resurface".<sup>2</sup> Furthermore, if effort and harvest are stable, then the likelihood of overcapitalization seems low.

Based on these data, we conclude that the concerns that allocation conflicts will resurface and that overcapitalization may occur lack factual support. In the light of these data and the Council's stated concerns, we conclude that any decision to impose IFQs at this time would be unreasonable, and therefore unsustainable, under the federal APA.

**C. The issues of conservation, safety, and economic efficiency militate against charter IFQs although they militated for commercial IFQs.**

Wisely, the Problem Statement does not venture into the matters of conservation, safety, and economic efficiency.

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We have three concerns about how conservation is addressed, or not addressed, in the draft EA.

First, addressing any conservation concern must start with the observation that in Areas 2C and 3A approximately 86 percent of the removals of halibut occur in the commercial harvest, and not in the sport/charter and sport/private harvest. See attached graphs. Unfortunately, that portion of the draft EA which purports to address conservation does not address this point. See Draft EA at 20-21. It is a telling omission – one that tells of bias at best and lack of thought at worst.

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Clearly, the Council's draft EA has plagiarized all these alleged conservation-related claims from some other environmental document on commercial IFQs. It has done so without giving these claims an iota of thought. They simply do not apply to charter IFQs. Unfortunately, by so doing, the Council is well down the road to irrational rule-making and violation of the federal APA.

But that is not the end of the matter. Also, by thoughtlessly plagiarizing from some other document, the Council's draft EA trespasses upon the requirement of the President's Council on Environmental Quality that NEPA documents demand "high quality information", not plagiarism of irrelevant material.<sup>3</sup> See 40 CFR 1500.1(b). So, the Council's work is vulnerable under both the federal APA and NEPA, because plagiarism does not pass muster with either statute.

Third, we had substantial testimony that recreational fishing is somewhat like a water balloon – if the Council pushes down on it in some form or place on some stock, the recreational fishing demand pushes back in some other form, place or stock. This has been our experience. The current halibut charter fishery relieves pressure on that would otherwise be placed on stocks and locales for which there are substantial conservation concerns in the lower Kenai Peninsula, such as steelhead and the riparian zones of steelhead systems, king salmon and their riparian zones, coho and their riparian zones, etc. We are very concerned that the Council appears to have failed to address the effect of dislocating some sport demand from the halibut fisheries to other fisheries and habitats. The effects of dislocation of recreational demand must be addressed in the EA.

We believe those effects will be significant and warrant an EIS.

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## **3. Safety**

Along with conservation, we place a high priority on safety.

Briefly, the draft EA acknowledges that proponents of IFQs assert that IFQ programs allow greater freedom of choose when to fish and avoid hazardous conditions; but the draft EA also acknowledges that safety does not always improve. Draft EA at p. 21. Although this may or may not be extracted from some other document, the draft EA seems to assume, without serious thought, that safety is an issue. So, we address it.

We conclude that although public safety may have been a legitimate rationale for imposing commercial halibut IFQs, where the prior management had involved short 3-day seasons that forced many commercial fishers to fish unsafe days, the opposite is true with charter IFQs.

Imposing charter IFQs will create some situations where a sport fisher, with a limited amount of time, will be looking at a limited number of vessels with a limited number of unbooked days and seats, and will be forced to accept marginal weather conditions, thereby threatening his or her safety and all those involved. This is less likely to happen in the present circumstance than with charter IFQs.

In our view, public safety concerns in the context of halibut management amount to flexibility. That is, public safety militated for commercial IFQs because without IFQs, the system was rigid and forced commercial fishers to engage in unsafe opportunities to fish. However, the converse seems true for charter halibut. There, public safety militates against charter IFQs because with IFQs, the system

will be more rigid and force some sport fishers to charter during unsafe opportunities to fish because they will be faced with a limited number of seats, charters and fish.

Make no mistake here. We do not advocate unlimited fish, unlimited charters, unlimited days, or unlimited charter fishing. We are saying that the public safety concerns militate against charter IFQs.

- D. Adopting Charter IFQs at this time may violate one or more of the national standards of the Magnuson-Stevens Act and constitute an abuse of discretion reviewable under the federal APA, given the insufficiencies of the Problem Statement and the draft EA.**

The Magnuson-Stevens Act, at 16 USC 1851(a), provides ten "national standards" for conservation and management of fisheries. Although the draft EA attempts to come within several of the standards (such as safety at sea, addressed elsewhere here), one standard remains to be addressed. It is that --

- (5) Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose.

16 USC 1851(a)(5) (emphasis added).

Because the discussion in the draft EA of conservation, economic efficiency and safety is malignant with plagiarism and thoughtlessness, we are left with the impression that, at this time, the proposed IFQ measures have economic allocation as their sole purpose.

That would be legally improper. That would constitute an abuse of discretion under the federal APA.

The only other concern is for overcapitalization. There, the Council and the public are confronted with the Council's failure to specify what "negative impacts" may occur to operators and anglers. Increased safety for anglers can't be a negative impact. Free market prices and economic efficiency, instead of higher prices and reduced efficiency due to limited time and opportunity or due to the costs of buying IFQs, can't be a negative impact. The concern for overcapitalization seems to be a make-weight, nothing more.

## II. OUR RECOMMENDATIONS

Having found the Problem Statement and the portion of the draft EA that relates to it insufficient to sustain lawful action, we turned to what we recommend.

The Anchorage Fish and Game Advisory Committee basically recommends the position of the State of Alaska, with supplementation arising out of the hurried nature of the current process, the inadequate problem statement and an obviously inadequate draft EA.

The State opposes charter IFQs. We agree, at this time. We do so for the reasons stated here.

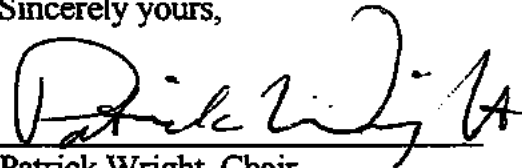
Furthermore, we believe that given the stable status of the charter industry, the Council would be wise to look at tools other than IFQs. For example, it should look at the process for establishing local area management plans (LAMPs). We understand that LAMPs have not been established in Areas 2C and 3A. We therefore suggest that the Council consider some trigger, or deadlines, to make the LAMP process produce local area management plans that address valid (not plagiarized) concerns for overcapitalization, local conservation issues, and local user conflicts.

We can also support a moratorium when the GHL becomes a constraint in Areas 3A or 2C, as the State recommends. And, we support a smaller area moratorium as a tool of a LAMP.

Finally, we encourage the Council to recognize that its problem statement and its draft EA need substantial work. Toward that end we would be pleased to help. You should slow this process down and produce credible work.

We appreciate the opportunity to provide these comments.

Sincerely yours,



Patrick Wright, Chair  
Anchorage Fish & Game Advisory Com.

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Anchorage, Alaska 99501

**RECEIVED**

APR - 4 2001

N.P.F.M.C

April 4, 2001

The Honorable David Benton, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Re: Comments on Halibut Charter IFQs and Draft Environmental Assessment

Dear Mr. Benton:

I have prepared comments for the Anchorage Fish and Game Advisory Committee, but I am uncertain if they will be filed in time, or in the requisite number of copies, so I am filing these under my own name.

**I. IMPOSITION OF CHARTER IFQ'S AT THIS TIME LACKS A SUFFICIENT RATIONAL BASIS AND WOULD BE AN ABUSE OF DISCRETION, REVIEWABLE UNDER THE FEDERAL ADMINISTRATIVE PROCEDURE ACT .**

As I read the record, I do not believe that imposition of IFQs at this time will pass muster under the federal Administrative Procedure Act, 5 USC §§ 500 et seq. The scope of judicial review of any rule adopted by the Council is at least that the rule may not be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. 5 USC § 706.

Generally, the arbitrary and capricious standard is a test of reasonableness, and that there must be a rational basis for the agency action. So, I first looked at whether the proposal appears well-reasoned and rationally based.

I began by examining the Council's reasons for proposing IFQs. I looked first to the Council's "Revised Charter IFQ Problem Statement", issued in February 2001, and reiterated in the draft environmental assessment (EA) at p. 10, issued under the National Environmental Policy Act (NEPA) on March 12, 2001. Then I examined the remainder of the draft EA.

- A. **Reduced to essentials, the Problem Statement amounts to an assertion that IFQs are “necessary because they are unnecessary”, is an oxymoron, and is not a basis for lawful, well-reasoned rule-making.**

At the threshold, the problem statement fails to identify a “problem”. It does not even use the word “problem”. It therefore lacks clarity. If scrutinized, it is an oxymoron, as I will demonstrate.

Reading the problem statement, I was forced to deduce – rather than read – what the “problem” is. It appears to be two concerns by the Council – i.e., that allocation conflicts “may resurface” and that overcapitalization “may have a negative impact”. I reached this deduction because, reduced to essentials, the “problem statement” is this:

- (A) the resource is fully utilized;
- (B) the recently adopted guideline harvest level (GHL) is intended to stop open-ended reallocation between commercial and sport sectors;
- (C) the Council remains concerned that allocation conflicts may resurface, and that overcapitalization in the charter industry may have a negative impact on charter operators and sport anglers; and
- (D) that the Council “is developing a management plan for the guided sport sector to address these concerns while:
  - (1) recognizing the unique nature of the guided sport sector,
  - (2) controlling consolidation;
  - (3) providing entry level opportunities for guided sport operators, and
  - (4) encouraging diversity of opportunities for anglers.”

See Draft EA at 10.

Thus, the “problem” appears to be the two concerns stated in (C) – i.e. that allocation conflicts may resurface and that overcapitalization may have negative impacts.<sup>1</sup>

One would think that because the Council’s problem statement acknowledges that the management plan will “address these concerns”, then IFQs are not necessary to do the same job. That is a rather simple point, which I do not see addressed in the record, including the draft EA.

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<sup>1</sup> Obviously, the undisputed fact that the resource is fully utilized is not a “problem” per se being addressed by charter IFQs, but allocation of a fully utilized resource is a different matter. Similarly, the statement that GHLs are intended to stop open-ended allocation is a statement of intent and not of a problem. Finally, the statement that the Council will develop a “management plan for the guided sport sector” is not a statement of a problem.

At best, the Council has failed to state why its management plan will be insufficient to address the concerns stated in the Problem Statement, and therefore why IFQs will be still be necessary despite the insufficiency. At worst (or at best depending on one's point of view), the Council has conceded that IFQs are unnecessary. That is because the Council concedes that those concerns which the Council claims justify IFQs are in fact actually to be addressed by the management plan, according to the Council. One is left wondering why the Council is proposing IFQs.

In short, the problem statement is so poorly drafted that it defies useful public comment. If this were a presidential debate, one would expect hear someone say that the Council is engaged in fuzzy logic – essentially that the Council states that “IFQs are necessary because they are unnecessary.” That is an oxymoron. It is no basis for lawful, reasoned decision-making. That was our first observation.

Nevertheless, I continued. I did so because, in our view, the Council should reach a decision only if it has first provided a clear, legally sufficient – i.e. informative -- statement of the “problem” to the public, so that the public may comment appropriately. Otherwise, it is difficult to have a lawful process under the federal APA.

**B. The two concerns stated in the Problem Statement do not rise to a rational basis for IFQs.**

Turning to the content of the Problem Statement, rather than its lack of clarity and cohesiveness, it expresses concern that allocation conflicts “may resurface” and that capitalization may have unspecified “negative impacts” on operators and anglers.

The attached graphs provide data on guided effort and harvest in Area 3A and Area 2C. These graphs indicate that the effort and harvest have been stable in these areas since 1996. Therefore, the data undermine the alleged concern that allocation conflicts “may resurface”.<sup>2</sup> Furthermore, if effort and harvest are stable, then the likelihood of overcapitalization seems low.

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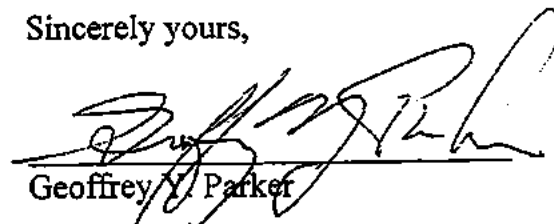
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Finally, I encourage the Council to recognize that its problem statement and its draft EA need substantial work. Toward that end I would be pleased to help. You should slow this process down and produce credible work.

I appreciate the opportunity to provide these comments.

Sincerely yours,



Geoffrey Y. Parker

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# UNITED FISHERMEN OF ALASKA

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Fax: 907/463-2545  
E-Mail: ufa@alaska.net

April 4, 2001

RECEIVED  
APR - 4 2001  
N.P.F.M.C

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

United Fishermen of Alaska supports an IFQ program for halibut charter vessels in areas 2C and 3A with the following provisions:

- Initial QS is based on actual catch history (100% of the average 1995 to 1999 catch).
- The entire charter QS/IFQ must float with abundance, just like the commercial setline fleet.
- There should be a market-based mechanism for some QS to transfer between the commercial and charter sectors.

Stability is needed for both the commercial setline fleet and the charter fleet. This issue has been before the Council since 1993 and its time for closure. A QS/IFQ program that allows a market-based transfer between the two sectors will provide a long-term solution to allocation disputes between the fleets, and provide the predictability needed for running businesses. Unless this market mechanism is adopted, the Council will be called upon many times in the future to adjudicate allocation disputes. Can you afford the resources needed for this? Can you do a better job than the market would do in allocating the resource between consumers who use charter boats to get fish and those who buy their fish at a market or restaurant?

Establishing the halibut charter QS at actual catch levels will set the industry up at a historically high level. QS transfers between sectors will allow for charter growth, if and when it is needed.

Coastal communities depend on the commercial halibut fishery for a significant part of their economic and tax bases. The halibut fishery provides sustainable jobs in communities and supports many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Considerable infrastructure, such as harbors, docks, and processing plants, has been built to support the commercial harvest.

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Longline Fishermen's Association • Alaska Trollers Association • Bristol Bay Dillmeters Association • Concerned Area "M" Fishermen  
Cook Inlet Aquaculture Association • Cordova District Fishermen United • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association • Kodiak Seiners Association  
North Pacific Fisheries Association • Northern Southeast Regional Aquaculture Association • Northwest Seiners Association • Peninsula Marketing Association  
Perseus Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owners Association • Seafood Producers Cooperative  
Southeast Alaska Seiners Association • Southern Southeast Regional Aquaculture Association • United Cook Inlet Drift Association • United Southeast Alaska Gillnetters

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The commercial fleet provides public access to the halibut resource. 83.7% (1998-1999 average) of the 2C/3A halibut resource went to the consumer by way of commercial fishermen—this includes consumers in Alaska and the Outside. Commercial fishing is the way most people access the resource; for many people it is the only access they have.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

United Fishermen of Alaska represents twenty-five commercial fishing groups, whose membership includes over 10,000 fishermen living in many Alaska coastal communities.

Your consideration of this matter is appreciated.

Sincerely,



Thomas M. Gemmell  
Executive Director

257

North Pacific Fishery Management Council  
605 West 4th Avenue Ste. 306  
Anchorage, AK 99501

April 4, 2001

Dear members of the Council,

I own and operate a charter business based in Sitka. I support approval of an equitable IFQ system for the charter halibut fleet.

By equitable, I recommend that at least half of a charter operator's initial allocation be based on that operator's years in the fishery. Many of us in Southeast stopped targeting halibut when areas around towns became depleted and local people complained that they could not catch a halibut to eat. We promoted sport fishing, and the experience of sport fishing, not filling boxes with halibut. We should not be penalized for being sensitive to local concerns and keeping the "sport" in sport fishing.

IFQ will allow me the flexibility to plan my season and meet the needs of my clients. It will rationalize the charter sector and, if written fairly, will benefit those of us who have made a long-term commitment to the charter business.

This allocation battle has been going on long enough. Please adopt an IFQ program at this meeting and let us get back to fishing!

Sincerely,

Wayne B. Brown

Ticki Brown

Brownie's Charters

2038 APR  
Sitka, AK 99835

258

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Fax: 907-271-2817

Dear Mr. Benton,

As a member of the public who has never fished for halibut, I received information from some of the local Valdez charter members, about the proposed GHL, Charter IFQ. I support the charters for an IFQ program that will insure my rights to fish if I ever do want to go after halibut.

First, this plan should be the one most favorable in allocation to the Charter Operators, and their customers, to protect their rights to harvest the resource for themselves if they so chose.

Second, there should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers; this is a public resource. This 50% should never decrease unless in a time of biological emergency

You also need to determine who will receive these IFQ's based on some degree of past participation. This will help insure that the vested professional charter operator will be in business, to provide a reasonably priced charter for access to our halibut.

Thank you,



Ray West  
P.O. Box 111  
Ester, Alaska 99725

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK. 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230

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APR - 4 2001  
N.P.F.M.C

141 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

Date: 2/05/01

RECEIVED  
MAR - 7 2001  
NPFMC

Mr. David Benton  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage, AK 99501-2252

Dear Mr. Benton,

I am writing to support an IFQ program for charter halibut vessels in areas 2C and 3A.

My family and I depend on the commercial halibut fishery for a significant part of our annual income. The halibut fishery provides sustainable jobs in our community and benefits many businesses such as grocers, trucking firms, repair shops, airlines, and restaurants. Commercial halibut dollars flow through almost every business in town. We have invested heavily in IFQ because of the stability promised by the government. Continued allocation disputes between commercial fishermen and charter operators commercial create instability in both industries.

Charter IFQs are a long-term market based solution that will allow fisheries management agencies to focus their efforts on improving management of the resource, rather than waste precious funds getting involved in allocation disputes.

Any fixed QS issuance to the charter fleet would violate prudent conservation and is disproportionate in the sharing of conservation burdens. It also aggravates local depletion.

The initial charter QS allocation should be based on 100% of the 1995-1999 average catch (not 125%). This preserves the opportunity for recreational fishermen to harvest halibut at historically high levels.

A charter IFQ is needed to end allocation disputes. In 2000, when the SE charter fleet was constrained by the treaty Chinook cap, they immediately went to court to try and overturn the BOF allocation decision.

If the Council decides to establish a community set aside program, the allocation should come entirely from the charter allocation. The commercial fleet has already paid once for the CDQ program (2% of the quota).

Your consideration of this letter is appreciated. Commercial fishing provides many jobs in our local communities and benefits the state in many positive ways

Sincerely,

Name: Bar Mank Permit # 3201

Address: \_\_\_\_\_

Copy: Governor Tony Knowles  
State of Alaska  
PO Box 110001  
Juneau, AK 99811-0001  
Fax (907) 465-3532



Dear Sirs

6 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

I oppose the imposition of an IFQ program on the Alaska halibut charter industry. I am concerned about the potential impacts on anglers, on communities, on tourism. Halibut is "Alaska's favorite fish." I ask the North Pacific Fisheries Management Council to preserve fishing opportunities for future generations of anglers in Alaska, and, in so doing, to help preserve Alaska's "quality of life." There is no justifiable rationale to impose an IFQ management scheme on the halibut charter fishery in Alaska.

- Concerns within the commercial halibut industry about capitalization and allocation do not justify the imposition of a limited access management system, under Halibut Act and Magnuson Stevens Fisheries Management Act.
- Between 1996 and 2000, the commercial allocation has increased, while the sport allocation has decreased.
- Conservation is not an issue.
- Charter fishing takes 5% of the resource; substantially less than is lost to bycatch.
- An IFQ program will limit access to halibut and increase pressure on other fisheries.
- The IPHC expects "a gradual decline" in halibut stocks, based on the abundance of age groups still too small for commercial fishermen to keep, but it cannot quantify that anticipated decline.
- Resident fishing license sales in Alaska are down 8%, and the Alaska Department of Fish & Game is surveying Alaskans to find out why. Demand cannot increase if the customers are not there.
- IFQs will increase risks for anglers. Anglers without access to a guided charter, forced go out on their own, will be at risk in Alaska's rough, North Pacific waters.

An IFQ management scheme for charter fishing will give the public's fish to a few charter boat operators and hurt the sport fishermen, Alaska communities and tourism. Privatization of this public resource will lead to higher cost for the sport angler, who may be charged for the fish he or she catches. Also, it will result in less opportunity to fish for halibut AT ANY PRICE. Furthermore, under an IFQ program, some charter operators may go after only big fish. Some may go after only small ones. Reducing the number of halibut harvested on their boat, if the halibut allocation is a constraint, is a logical way for a charter operator to reduce costs. Anglers from out of state are likely to find no one with a private boat to take them fishing.

An IFQ program would transfer the ownership of the sport-caught fish to the charter operator. Now, charter fishermen "carry a passenger for hire, who is engaged in recreational fishing." Charter fishermen sell a boat ride, gear, their expertise and safety. They do not own the fish caught on their boats. An IFQ program would give some of these charter operators a new, private ownership right in a public resource - a resource in which they presently have NO ownership rights.

There could be mass exodus from the charter industry, if charter operators can sell or lease quota share or IFQs to commercial fishermen. Council staff admit in their analysis, "A quota system adopted by the Alaskan charter industry can be expected to generate substantial and largely unpredictable changes as quota owners search for new ways to maximize the profits associated with quota rights."

The Charter IFQ program is being developed without sufficient analysis. It is not justifiable, regardless of the momentum behind it. I ask the Council to study the impacts and preserve fishing opportunities for future generations of anglers (both those who live here and those tourists who come, in part, to fish here).

There are better ways to control overfishing near the population centers, without increasing the cost to anglers. Let the state Board of Fish do its job, through Local Area Management Plans. Let them evaluate whether to narrow the fishing season, reduce bag limits, restrict access to longliners in nearshore waters and other options.

Thank you for your thoughtful consideration of these issues.

RECEIVED  
MAR 19 2001  
NIPF.M.C

Robert L. Crocker  
602 Hwy 12  
Chehalis, WA  
98532  
360-869-4142

4 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

3/30/2001

Mr. David Benton, Chairman

Fax: 907-271-2817

North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Dear Chairman Benton,

I am a sports fisherman from Fairbanks Alaska, and I hire charter boats to fish for halibut. I feel that the North Council is putting limitations on me without good sound reasoning. Sport fishing for halibut is one of the major economic drivers in tourism for Alaska.

Myself and other sports fishermen have received information from our Valdez Charter Association on this issue of the GHL/IFQ, and what it can mean to Charter businesses, our state, and access to my publicly owned halibut. I agree with the Valdez Charter Association on the danger of a Guideline Harvest Level in Prince William Sound, and I support the Valdez Charter Association in their efforts for a correct Charter IFQ plan.

If you feel you have no option but to implement some type of IFQ plan for Charter Operators, you must also protect and insure my rights as a sports fisherman.

This plan should be generous in allocation to the Charter Operators, and their customers, to continue to harvest the resource for themselves if they so chose.

There should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers; this is a public resource. This 50% should remain in place unless the halibut stocks crash entirely.

You need to make sure that the charter operators will be in business, to provide access, to me, the local Alaskan, to my halibut.

Thank you,



Katryn Ellingson  
5674 Old Ridge Trail  
Fairbanks, Alaska 99709

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK. 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230

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APR - 4 2001  
N.P.F.M.C.

4 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

March 28, 2001

TO: David Benton - Chairman  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave Ste 306  
Anchorage, AK 99501-2252

RECEIVED  
APR - 2 2001

cc: Gov. Tony Knowles  
cc: US Sec of Commerce

Dear Mr. Chairman,

N.P.F.M.C

As a private citizen and fisherman, I am concerned about my access to halibut. As I live out of state, I don't have access unless I fish with a Charter operator. I also feel I should be able to fish when and where I want to without outside sources telling me when I have access to the fish.

In this light it is very important to me to have my say in how my fish are managed. Since you feel it is necessary to restrict the number of fish I can catch each year, my needs should be considered. The current Alaska fishing regulations say I can retain 2 fish a day. I can also have in my possession 4 unprocessed fish if I fish for two days. In order to keep doing this, my opportunity to fish needs to be protected and I feel the IFQ system can accomplish this if it is managed properly.

I feel that my charter operator should receive 125% allocation of the average 1995-99 charterboat harvest as outlined in your Final Industry Analysis published in Feb of 2001. I also feel that 50% of that allocation should be fixed so that I can be guaranteed to retain at least 1 halibut if the stocks crash and severe management is warranted by the State of Alaska. By having a 50% fixed quota my charter operator can at least provide me the opportunity to put one halibut in my freezer for winter enjoyment. As you are probably aware, if the stocks crash and my limit is reduced to 1, the fish will be harder to catch anyway. My decision to go halibut fishing will be based on economic realities. If I decide not to go fishing, not only does the charter operator miss out on the chance to sell that seat, the local community I fish in is hurt financially. I will not be spending the money on a RV site or hotel room or meals.

In closing, let me say that my access to the fishing grounds is important to me and the friends who travel with me when I go fishing for halibut. I do not want to wake up and find that I cannot go fishing; not because there are no fish or because I cannot afford it but because someone other than me has decided that I don't need to.

Thank you for your consideration.

*Tony Smith*  
no address provided

3 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

March 27, 2001

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

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APR - 2 2001

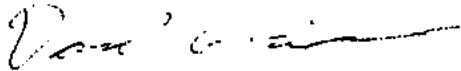
N.P.F.M.C.

Dear Mr. Chairman,

I am a customer of the charter boat operators and can not afford to purchase a boat to access the halibut stocks. I ask you to include the existing charter fleet into the current halibut IFQ program. I need to be able to fish when it is convenient and meets my family needs.

I believe the IFQ program is the only fair system to the charter industry and their sport fishing clients.

Sincerely



No address provided  
ON envelope

3 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

March 27, 2001

David Benton-Chairman  
North Pacific Fishery Management Council  
605 W. 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252

RECEIVED

APR - 8 2001

N.P.F.M.C.

Dear Mr. Chairman,

I am a customer of Luck of the Irish Charters. I ask you to include the existing charter fleet into the IFQ Program. A Guideline Harvest Limit is unfair in any form. I desire to be able to continue using the charter fleet to fish for halibut throughout the entire season.

Sincerely

*Mark E Krenzelak*

MARK E Krenzelak

2412 Marigold st  
North Pole AK 99705

(907) 490-2477

3 signed copies of this form letter were received; originals can be reviewed at the Secretary's desk.

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Fax: 907-271-2817

Dear Mr. Benton,

As a sports fishermen I was invited to an informal informational meeting with some of the charter association members, about the proposed GHL, Charter IFQ. I support the charter association for a IFQ that will insure my rights as follows:

First, this plan should be the one most favorable in allocation to the Charter Operators, and their customers, to protect their rights to harvest the resource for themselves if they so chose.

Second, there should be a mandatory minimum of the suggested 50% of the IFQ fish established that will always be available to be caught by charter customers; this is a public resource. This 50% should never decrease unless in a time of biological emergency. Until such an emergency, there should a mandatory minimum of 50%, held for the public that use charter boats.

You also need to determine who will receive these IFQ's based on some degree of past participation. This will help insure that the vested professional charter operator will be in business, to provide a reasonably priced charter for access to our halibut.

Thank you,

*Juan M. Campbell*  
*1042 Eldorado Rd.*  
*Fairbanks, AK 99709*

RECEIVED

APR - 4 2001

N.P.F.M.C

cc: Gov. Tony Knowles  
Governor of Alaska  
P. O. Box 110001  
Juneau, AK. 99811-0001

cc: Honorable Donald Evans  
Secretary of Commerce  
14th & Constitutional N.W.  
Washington, D.C. 20230

Rm 1140

### Crab ITQ Analysis Petition

To: Dave Benton, Chairman  
North Pacific Fishery Management Council  
c/o Hilton Hotel, Anchorage  
Fax (907) 265-7140

From: BRAD L. WARREN  
FV DEBRA D  
Phone 360-708-2656

Date: 14 April 01

Dear Dave,

As you know, the Alaska Board of Fisheries will not let us fish any Opilio GHL under 25-million pounds in 2002 without ITQ's. Bob Otto has told us there's a 50:50 chance of the 2002 Opi GHL (from this next summer survey) coming in under that threshold. Since none of us can afford to miss a single Opilio season, we urge you to direct the Council staff to complete its crab ITQ analysis in time for the June 2001 NPFMC meeting in Kodiak.

Senator Stevens gave us a specific exemption from the 2-year federal ITQ moratorium last fall in the Consolidated Budget Act. Please use that privilege to keep us in the Opilio fishery next April under an ITQ system.

Waiting until next October or December to complete the crab ITQ analysis will sink us for sure, if the 2002 Opi GHL comes in under 25-million pounds.

Thanks for helping us survive the worst down cycle in our lives.

Sincerely,

# STATE OF ALASKA

## DEPARTMENT OF FISH AND GAME

Board of Fisheries

Rec'd 4:35 p.m.

TONY KNOWLES, GOVERNOR

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

April <sup>14</sup> 11, 2001

Chairman Dave Benton  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue  
Suite 306  
— Anchorage, Alaska 99501-2252

Re: Halibut Issues

Dear Chairman Benton:

Thank you and the Council for the opportunity given to me and to Vice Chairman Ed Dersham to speak with the Council the other day. I hope our appearance was helpful in clarifying the Board of Fisheries' perspective on some of these halibut issues, though the eyes of the Board Chairman and Vice Chairman.

In hopes of furthering the Council's consideration of these halibut issues, I made a round of phone calls to individual Board Members on Thursday, Friday and Saturday. I was able to talk to five of the seven Board members. Virgil Umphenour was out bear hunting and I was only able to leave a message for Russell Nelson.

During the course of my discussions with Board members Dr. John White, Grant Miller and Larry Engel, I again asked them their individual opinions on IFQs, moratoriums and LAMPs. All three Board members told me that, in their individual opinions, a moratorium is preferable to an IFQ and that the LAMP process should be able, as already set out in the protocol, to consider the issue of moratorium in localized areas.

In this regard, it should be remembered that the full Board has taken a position on moratoriums in the past. The Board's position from two or three years ago was that, if the Council were to adopt a GHL for charter operators, that a moratorium would be an appropriate adjunct to a GHL. Thus, the current position of the individual Board members is consistent with a prior position taken by the full Board.



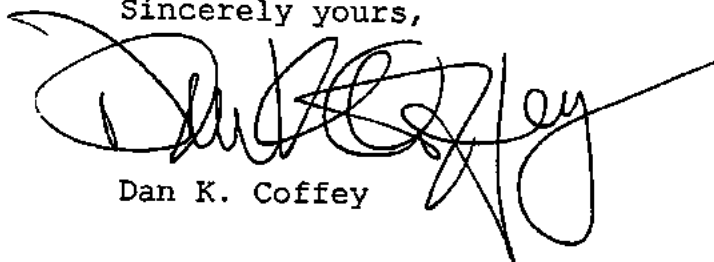
Further, the Council should be aware that, based upon a decision by the Board's chairman in consultation with the Attorney General's office, Ed Dersham is conflicted out of any Board decision on halibut issues which affect Cook Inlet and therefore, Ed is not taking a position on as are the other Board members.

As for me personally, I concur with Larry, John and Grant that moratoriums are better than IFQs. I believe if the Council adopts a moratorium for areas 2C and 3A and then requests the Board of Fisheries to refine the areas where moratorium are appropriate, this will serve the purposes of the LAMP process and the halibut resource, as well as addressing the conflicts between guided sport fishers and commercial fishers without granting rights in a public resource to any user group.

Finally, please understand that what I am presenting to the Council is the result of individual telephone conferences with individual Board members. The views expressed are those of individual Board members. There has been no Board meeting. That won't happen until May 8<sup>th</sup> and 9<sup>th</sup>. However, I thought it would be helpful to the Council to provide whatever information I could to the Council on these issues.

Again, thank you for your consideration of this letter. If I can be of further assistance in any way, please let me know.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Dan K. Coffey', with a large, sweeping flourish extending to the right.

Dan K. Coffey

cc: Board of Fisheries Members  
Diana Cote, Executive Director

# STATE OF ALASKA

TONY KNOWLES, GOVERNOR

## DEPARTMENT OF FISH AND GAME

333 RASPBERRY ROAD  
ANCHORAGE, ALASKA 99518-1599  
PHONE: (907) 344-0541

### STATE POSITION ON HALIBUT CHARTER IFQ/MORATORIUM ISSUE

Thursday April 5, 2001

The Alaska Department of Fish and Game recently completed a review of the "Public Review Draft Halibut Charter IFQ or Moratorium Program" issued by Council staff. The State does not support the implementation of an IFQ program for Alaska's halibut charter fishery. The State supports the implementation of the guideline harvest level (GHL) regulations that were adopted by the Council in February 2000.

Under the GHL regulations, the charter fleets in Southeast and Southcentral Alaska receive 125 percent of their average harvest estimates between 1995 and 1999. No restrictions are to be implemented until the charter harvest exceeds these threshold levels. If the GHL is exceeded, harvest restrictions will be implemented the following season, or two seasons later, depending on how much the GHL is exceeded.

Based on harvest and effort trends in the charter fishery during recent years the State believes the regulations within the GHL program may be adequate to address future growth in the harvest of halibut in the charter fishery. However, as an added measure of protection, the State believes the Council should adopt a moratorium to restrict new entrants into the halibut charter fishery. This moratorium would be invoked if the GHL level is reached in either regulatory area 2C or 3A.

The State also supports an expedited and time certain local area management planning (LAMP) process by the Alaska Board of Fisheries to address localized depletion and user group conflicts. The State would encourage the Board to complete this process and report back to the Council by February 2003 or earlier if possible.

## Halibut Charter IFQ or Moratorium Program Supplemental Analysis

### Background

The attached tables and figures supplement the Public Review Draft of the Halibut Charter IFQ or Moratorium Program analysis. This material only pertains to the Charter IFQ Program (Alternative 2), Issue 3 (Qualification Criteria) and Issue 4 (Community Set-Aside). At the February 2001 meeting, the Council requested a comparison of halibut use data for charter operators in identified communities (targeted for the set-aside) to similar data from all charter operators in Areas 2C and 3A. In addition, staff received requests from members of the SSC and AP for an analysis of qualifying harvest on a port-by-port basis for Issue 3 of the charter IFQ program. Since both requests required additional analysis of the ADF&G logbook harvest data for 1998 and 1999, staff was not able to complete this analysis prior to distribution of the Public Review document. Instead, both requests are addressed here.

### Distribution of Qualifying Harvest by Port (Issue 3)

The potential numbers of owners (and associated vessels) that may qualify to receive charter quota shares (QS) in the initial allocation are provided in Table 4.3 of the Public Review document. Point estimates are provided only for the qualification criteria defined by Options 1 and 2 which rely only on ADF&G logbook records for 1998 and 1999. During the initial review of the analysis, staff was requested to include in the revised analysis the potential distribution of QS on a port-by-port basis. Since the proposed formulas for calculating the initial distribution under Issue 4 do not rely solely on logbook harvest data, it is not possible to estimate the distribution by port. In particular, the distribution will depend on how many persons qualify to receive QS and how many of the qualifying persons also meet the longevity requirement. Instead, the distribution of qualifying logbook harvest is shown on a port-by-port basis to illustrate the impact of the qualification criteria on the potential distribution of QS.

Tables 1 and 2 (attached) show the distribution of qualifying harvest by port of landing for Area 2C for Options 1 (1998 and 1999 logbooks) and Option 2 (1998 or 1999 logbooks), respectively. Under Option 1, the largest percentage of the qualifying harvest is for landings in Sitka, with 31.5% of the total. Sitka is followed by Craig (including Cannery Cove and Waterfall) with 27.4% and Ketchikan with 6.4%. The percentage for Sitka is about 1% higher than its historical share of the harvest (column labeled "Hist %"). Several ports are projected to have lower percentages of the qualifying harvest compared to historical percentages, including Petersburg, Gustavus and Elfin Cove. Under Option 2, the ranking of ports is nearly identical, with Sitka, Craig (including Cannery Cove and Waterfall) and Ketchikan ranking as the top ports in terms of qualifying harvest. In general, the distribution of qualifying harvest is much closer to the historical percentages under Option 2 versus Option 1.

Tables 3 and 4 show a similar analysis for ports in Area 3A. Under Option 1 (Table 3), ports projected to have the largest percentages of the qualifying harvest include Homer (42.1%), Deep Creek (22.2%), Seward (11.6%) and Valdez (6.7%). The distributions for Homer and Deep Creek are 3% and 1.4% above their historical percentages, respectively. Under Option 2 (Table 4), the ranking is similar with Homer, Deep Creek, Seward and Valdez ranking as the four ports with the highest percentages of the qualifying harvest. Again, the distribution under Option 2 (versus Option 1) is closer to the distribution of the historical harvest. There is also one port (Auke Bay) with harvest that qualifies under Option 2 but not Option 1.

Caution should be used in interpreting the results shown in Tables 1-4 since numerous assumptions were made in preparing these estimates. For example, each vessel's harvest for the year was attributed to a single port

of landing even though the vessel may have landed at multiple ports. In addition, no port was reported in some cases which may distort the distribution. Finally, the results indicate the distribution of qualifying harvest under the qualifying criteria defined for Options 1 and 2 of Issue 3. The distribution of QS will depend on the options under Issue 4 which depend also on longevity or years of participation. Thus, the distribution of qualifying harvest would only approximate the distribution of QS if either (1) all recipients met the full longevity requirement, or (2) none met the longevity requirement. The distribution would also differ under the modified Kodiak method since a portion of the allocation would be equally distributed among all recipients. As a result, the distribution of QS under the modified Kodiak proposal is less reflective of the distribution of the historical harvest among recipients and, therefore, among ports.

#### Comparison of Halibut Use Data (Issue 11)

The estimated halibut resource needs for start-up and mature operators based in Gulf of Alaska communities targeted for the Community Set-Aside program are shown in Table 4.9 of the Public Review document. It was estimated that mature charter operators need an average of 3,000 pounds in Area 2C and 6,000 pounds in Area 3A. These estimates were based on halibut harvest data for vessels landing in the target communities. Since charter operators based in these communities may be relatively underdeveloped, we were asked to compare the harvest level in these communities to the area-wide harvests for each IPHC area.

Figures 1 and 2 show the distribution of vessel harvest in 1998 in Areas 2C and 3A, respectively. The distribution for landings in target communities are represented by the dark bars while the distribution for other communities in the same IPHC area are shown by the light bars. For Area 2C (Figure 1), 18% of the vessels landing in target communities harvested between 3,200 and 5,800 pound, while only 1% of vessels harvested between 5,800 and 10,100 pounds and none harvested more than 10,100 pounds. By contrast, 11% of the other communities harvested between 5,800 and 10,100 pounds with almost 2% harvesting more than 10,100 pounds in 1998. For Area 3A (Figure 2), more vessels landing in non-target communities had annual harvests in the upper poundage ranges compared to vessels landing in communities targeted by the set-aside. For example, only 8% of vessels based in target communities harvested between 10,800 and 19,200 pounds, compared to over 13% of vessels landing in other communities in Area 3A. In addition, over 5% of vessels landing in non-target communities had harvests above 19,200 pounds.

Figures 3 and 4 show similar results for the distribution of vessel harvest in 1999 for Areas 2C and 3A, respectively. For both Areas 2C and 3A, more vessels landing in non-target communities have harvests in the upper poundage ranges. In Area 2C (Figure 3), 10% of vessels landing in other communities harvested between 5,800 and 10,100 pounds while 2% harvested over 10,100 pounds. By contrast, only 1% of vessels landing in target communities harvested between 5,800 and 10,100 pounds. For Area 3A (Figure 4), 14% of vessels landing in other communities harvested between 10,800 and 19,200 pounds, with 5% harvesting over 19,200 pounds. By comparison, only 6% of vessels landing in target communities harvested between 10,800 and 19,200 pounds.

In general, these results indicate that vessels landing in target communities have harvests distributed over a lower poundage range compared to vessels landing in other communities in the same IPHC area. This may indicate the charter businesses based in the target communities are less developed. It may also indicate, however, that such charter business have a lower reliance on the halibut resource and offer a broader range of charter trip experiences, including trips characterized by lower harvest rates. Thus, it is not possible to determine solely from these results whether the charter operations based in the target communities are "less developed" or simply different from charter operations based in major ports.

Table 1. Distribution of Qualifying Harvest (*numbers of fish*) by Port for Area 2C for Issue 3, Option 1 (1998 and 1999 Logbooks)

(Note: harvest data masked for certain ports for confidentiality purposes.)

Port of Landing	1998	1999	Avg	Pct	Hist %	Diff %
1 SITKA	17,588	19,935	18,762	31.5	30.7	0.8
2 CRAIG/CANNERY COVE/WATERFALL	16,404	16,272	16,338	27.4	25.8	1.7
3 KETCHIKAN	4,101	3,565	3,833	6.4	6.4	0.0
4 AUKE BAY	2,559	2,042	2,301	3.9	3.9	0.0
5 PETERSBURG	1,255	1,681	1,468	2.5	2.9	-0.5
6 KLAWOCK	1,388	1,372	1,380	2.3	2.1	0.2
7 GUSTAVUS	1,077	1,252	1,165	2.0	2.8	-0.9
8 CRESCENT HARBOR	1,000	1,202	1,101	1.8	1.9	0.0
9 ELFIN COVE	847	942	895	1.5	2.5	-1.0
10 ANGOON	585	1,078	832	1.4	1.3	0.1
11 KILLISNOO	746	526	636	1.1	1.0	0.1
12 WRANGELL	628	554	591	1.0	0.9	0.1
13 HOONAH	436	493	465	0.8	0.7	0.0
14 KNUDSON COVE	494	342	418	0.7	0.7	0.0
15 COFFMAN COVE	299	495	397	0.7	0.6	0.0
16 JUNEAU	406	342	374	0.6	0.6	0.0
17 HAINES	217	337	277	0.5	0.4	0.0
BAY OF PILLARS	**	**	**		**	**
CEDARS LODGE	**	**	**		**	**
CLOVER PASS	**	**	**		**	**
EL CAPITAN	**	**	**		**	**
S KAIGANI BAY	**	**	**		**	**
SHELTER ISLAND	**	**	**		**	**
SPORTSMAN COVE	**	**	**		**	**
SURESTRIKE	**	**	**		**	**
WARM SPRINGS BAY	**	**	**		**	**
WHALERS COVE	**	**	**		**	**
YES BAY	**	**	**		**	**
Others						
<b>Total</b>	<b>59,596</b>	<b>59,536</b>	<b>59,566</b>			

Source: ADF&G logbook records for 1998 and 1999.

Table 2. Distribution of Qualifying Harvest (*numbers of fish*) by Port for Area 2C for Issue 3, Option 2 (1998 or 1999 Logbooks)

(Note: harvest data masked for certain communities for confidentiality purposes.)

Port of Landing	1998	1999	Avg	Pct	Hist %	Diff %
1 SITKA	18,404	21,592	19,998	31.2	30.7	0.5
2 CRAIG/CANNERY COVE/WATERFALL	16,869	16,714	16,792	26.2	25.8	0.5
3 KETCHIKAN	4,325	4,012	4,169	6.5	6.4	0.1
4 AUKE BAY	2,828	2,196	2,512	3.9	3.9	0.1
5 PETERSBURG	1,686	2,137	1,912	3.0	2.9	0.1
6 GUSTAVUS	1,870	1,815	1,843	2.9	2.8	0.1
7 ELFIN COVE	1,731	1,555	1,643	2.6	2.5	0.0
8 KLAWOCK	1,388	1,388	1,388	2.2	2.1	0.0
9 CRESCENT HARBOR	1,000	1,455	1,228	1.9	1.9	0.0
10 ANGOON	597	1,111	854	1.3	1.3	0.0
11 KILLISNOO	746	532	639	1.0	1.0	0.0
12 WRANGELL	649	554	602	0.9	0.9	0.0
13 HOONAH	464	512	488	0.8	0.7	0.0
14 KNUDSON COVE	553	370	462	0.7	0.7	0.0
15 COFFMAN COVE	299	522	411	0.6	0.6	0.0
16 JUNEAU	415	342	379	0.6	0.6	0.0
17 HAINES	217	344	281	0.4	0.4	0.0
BAY OF PILLARS	**	**	**		**	**
CEDARS LODGE	**	**	**		**	**
CLOVER PASS	**	**	**		**	**
EL CAPITAN	**	**	**		**	**
S KAIGANI BAY	**	**	**		**	**
SHELTER ISLAND	**	**	**		**	**
SPORTSMAN COVE	**	**	**		**	**
SURESTRIKE	**	**	**		**	**
WARM SPRINGS BAY	**	**	**		**	**
WHALERS COVE	**	**	**		**	**
YES BAY	**	**	**		**	**
Others						
Total	63,596	64,401	63,999			

Source: ADF&G logbook records for 1998 and 1999.

Table 3. Distribution of Qualifying Harvest (*numbers of fish*) by Port for Area 3A for Issue 3, Option 1 (1998 and 1999 Logbooks)  
(Note: harvest data masked for certain ports for confidentiality purposes.)

Port	1998	1999	Avg	Pct	Hist %	Diff %
1 HOMER	61,723	62,214	61,969	42.1	39.0	3.0
2 DEEP CREEK	34,328	31,008	32,668	22.2	20.8	1.4
3 SEWARD	15,532	18,593	17,063	11.6	11.6	0.0
4 VALDEZ	8,932	10,870	9,901	6.7	6.2	0.5
5 KODIAK*	5,605	5,964	5,785	3.9	3.5	0.4
6 ANCHOR POINT	3,991	4,017	4,004	2.7	2.7	0.0
7 NINILCHIK	4,172	2,480	3,326	2.3	2.1	0.2
8 HAPPY VALLEY	2,898	2,991	2,945	2.0	1.7	0.3
9 YAKUTAT	3,017	2,338	2,678	1.8	1.8	0.0
10 WHITTIER	1,847	2,065	1,956	1.3	1.3	0.0
11 SELDOVIA	1,393	1,411	1,402	1.0	0.8	0.1
12 LARSEN BAY	1,348	714	1,031	0.7	0.8	-0.1
13 CORDOVA	822	743	783	0.5	0.5	0.0
14 KETCHIKAN	394	305	350	0.2	0.2	0.0
15 CRAIG	277	37	157	0.1	0.1	0.0
16 PORT LIONS	197	99	148	0.1	0.1	0.0
17 CAINES HEAD	131		131	0.1	0.1	0.0
POOHS LANDING	**	**	**		**	**
Others						
Total	147,474	146,781	147,311			

\*Includes Hidden Basin and Zachar Bay.

Table 4. Distribution of Qualifying Harvest (*numbers of fish*) by Port for Area 3A for Issue 3, Option 2 (1998 or 1999 Logbooks)  
(Note: harvest data masked for certain ports for confidentiality purposes.)

Port	1998	1999	Avg	Pct	Hist %	Diff %
1 HOMER	65,159	68,522	66,841	41.1	39.0	2.0
2 DEEP CREEK	37,096	34,153	35,625	21.9	20.8	1.1
3 SEWARD	17,674	22,141	19,908	12.2	11.6	0.6
4 VALDEZ	9,568	11,737	10,653	6.5	6.2	0.3
5 KODIAK	5,794	6,279	6,037	3.7	3.5	0.2
6 ANCHOR POINT	4,684	4,480	4,582	2.8	2.7	0.1
7 NINILCHIK	4,398	2,650	3,524	2.2	2.1	0.1
8 YAKUTAT	3,788	2,338	3,063	1.9	1.8	0.1
9 HAPPY VALLEY	2,953	3,030	2,992	1.8	1.7	0.1
10 WHITTIER	2,118	2,322	2,220	1.4	1.3	0.1
11 SELDOVIA	1,393	1,413	1,403	0.9	0.8	0.0
12 LARSEN BAY	1,657	912	1,285	0.8	0.8	0.0
13 CORDOVA	1,038	784	911	0.6	0.5	0.0
14 AUKE BAY		877	877	0.5	0.5	0.0
15 KETCHIKAN	394	305	350	0.2	0.2	0.0
16 PORT LIONS	197	117	157	0.1	0.1	0.0
HINCHENBROOK	**	**	**		**	**
POOHS LANDING	**	**	**		**	**
Others						
Total	160,098	163,426	162,717			

\*Includes Hidden Basin and Zachar Bay.

Source: ADF&G logbook records for 1998 and 1999.

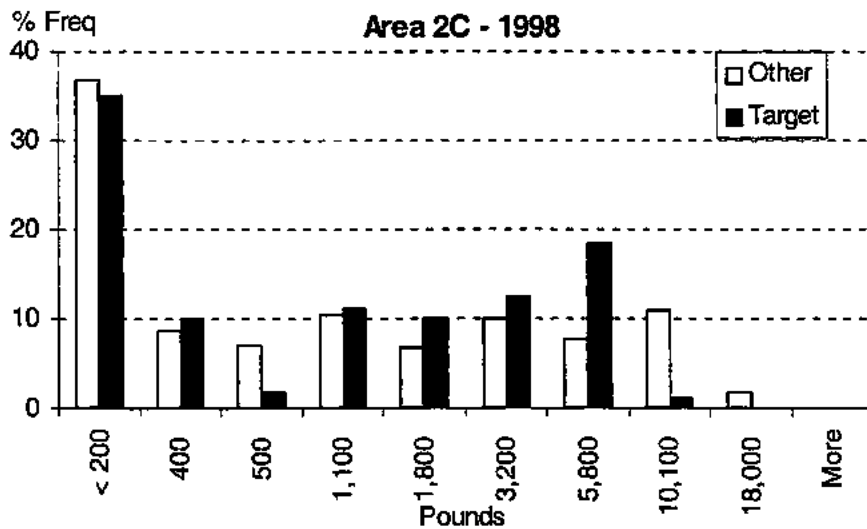


Figure 1. Distribution of 1998 halibut harvest (in pounds) for charter vessels landing in communities targeted by the set-aside (Target) versus other communities (Other) in Area 2C. Source: ADFG 1998 Logbooks.

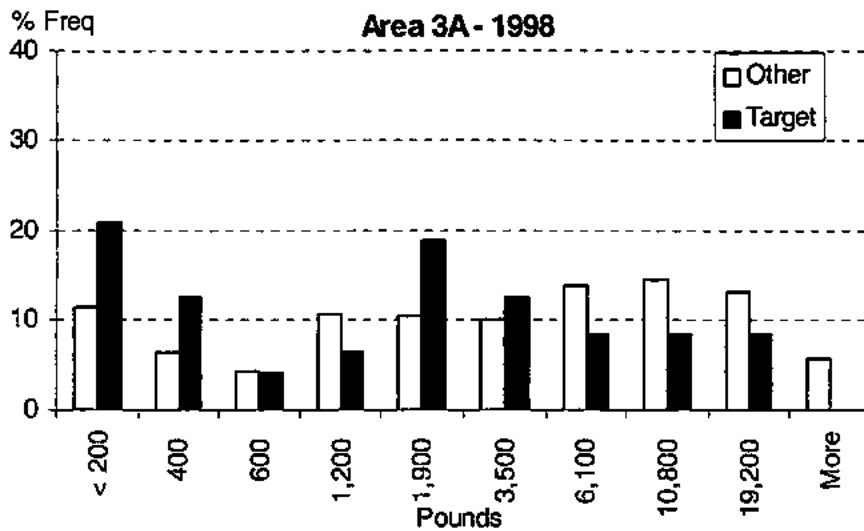


Figure 2. Distribution of 1998 halibut harvest (in pounds) for charter vessels landing in communities targeted by the set-aside (Target) versus other communities (Other) in Area 3A. Source: ADFG 1998 Logbooks.



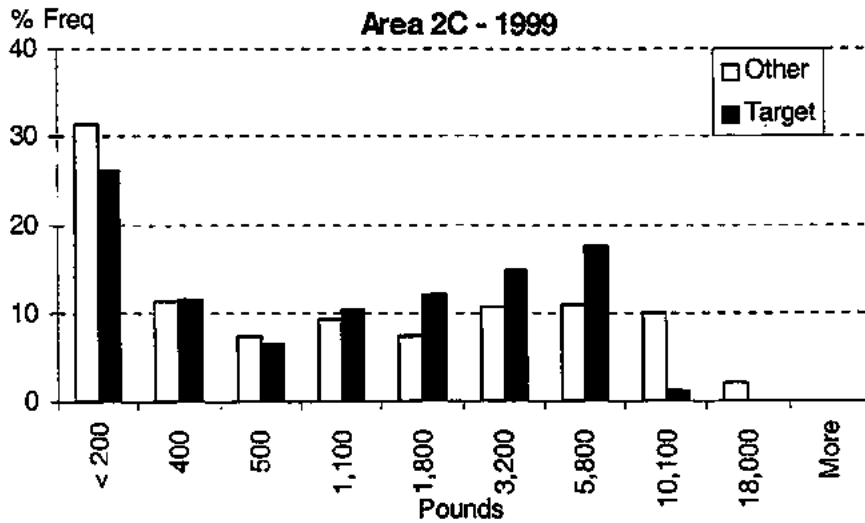


Figure 3. Distribution of 1999 halibut harvest (in pounds) for charter vessels landing in communities targeted by the set-aside (Target) versus other communities (Other) in Area 2C. Source: ADFG 1999 logbooks.

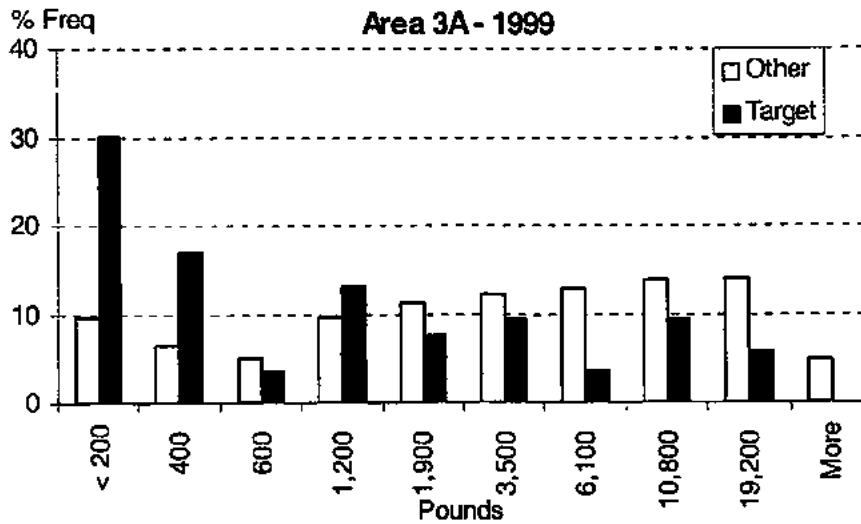


Figure 4. Distribution of 1999 halibut harvest (in pounds) for charter vessels landing in communities targeted by the set-aside (Target) versus other communities (Other) in Area 2C. Source: ADFG 1999 logbooks.

April 8, 2001

Submitted by  
Tom Gemmel  
C-1  
4/14/01

North Pacific Fisheries Management Council,

I would like to address the issue of Charter IFQ's for halibut. I have been operating a charter boat in Alaska for the last 11 years and strongly support an IFQ fishery based on actual catch history. We have had moratoriums several times and have not resolved the issue. You have previously allocated a portion of the halibut resource to the Charter fleet that is sufficient. Reallocation and moratoriums are not the key.

The Charter Fleet needs a management plan that should address the resource. With the issuance of IFQ's and bag limit restrictions people will recognize that the resource is limited. In my experience the 1 king salmon a day and 4 king salmon per year for Out-of-State anglers did not effect my business. Over 70% of the my clients for the 2001 season are repeat customers.

The North Pacific Fisheries Management Counsel is the proper place to make management decisions. The public meeting process is the proper forum for resource management issues. Thank you for your consideration of this issue.

Sandra Craig  
Icy Strait Adventures  
Elfin Cove, Alaska 99825

ATTN: TOM MALONEY - GUEST  
1 PAGE

# Yakutat Vicinity Map 6-digit Logbook Areas

Maloney  
C-1 4/14/01

## ADF&G - Division of Sport Fish, SE Region

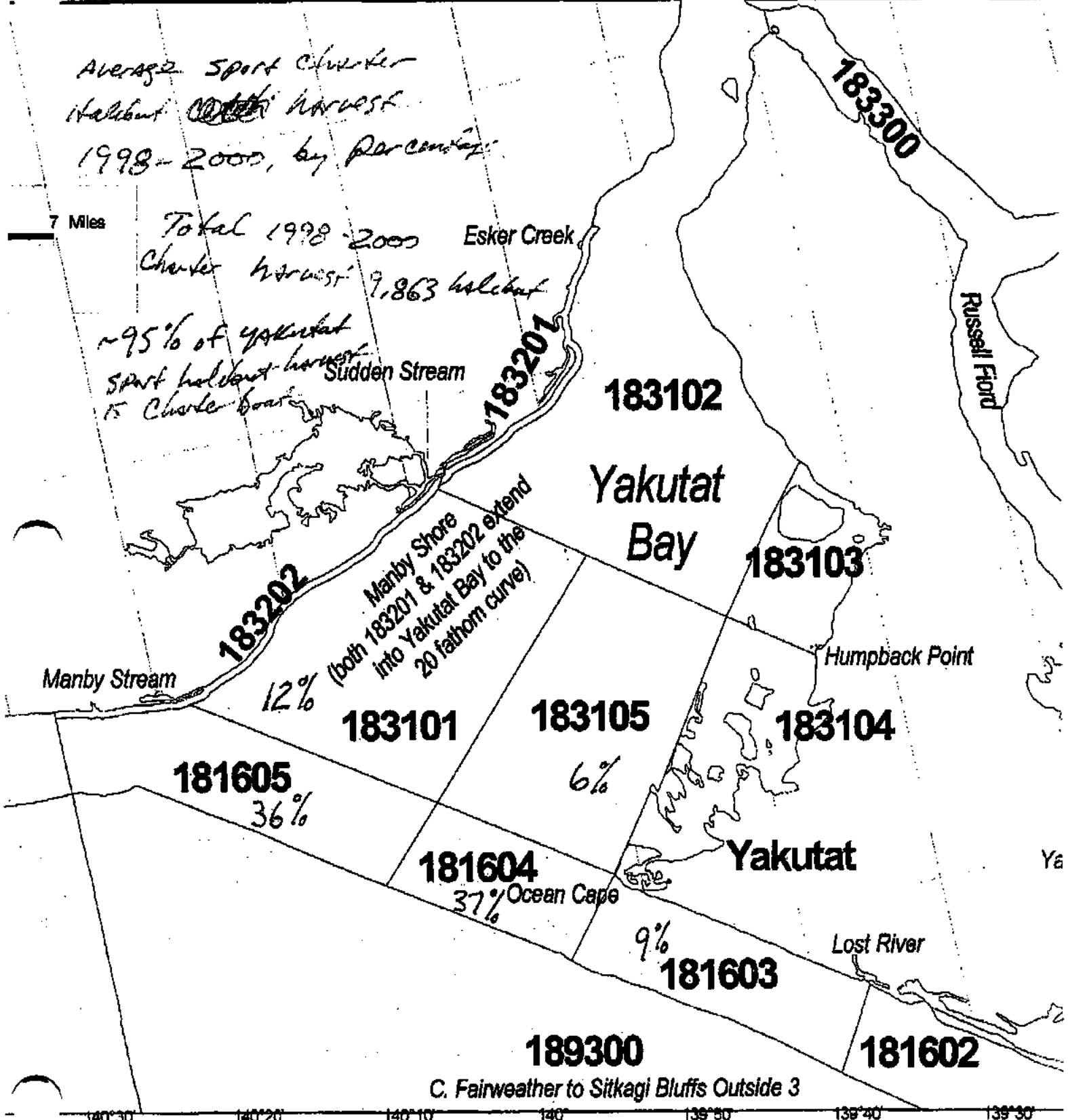
140°10' 140° 139°50' 139°40' 139°30' 60°20' 139°

Average Sport Charter  
Halibut ~~catch~~ harvest  
1998-2000, by percentage

7 Miles

Total 1998-2000  
Charter harvest: 9,863 halibut

~95% of Yakutat  
Sport halibut harvest  
is Charter boats



C. Fairweather to Sitkagi Bluffs Outside 3

140°30' 140°20' 140°10' 140° 139°50' 139°40' 139°30'

## Gulf of Alaska Coastal Communities Coalition

### Halibut Charter IFQs/Community Set Aside Council Testimony April 14, 2001

Mr. Chairman, members of the Council, my name is Duncan Fields and I'm speaking to you today on behalf of the Gulf of Alaska Coastal Communities Coalition (GOAC<sup>3</sup>). Since the early discussions of the Guideline Harvest Level (GHL) and related moratorium, we have consistently testified regarding the need for additional halibut charter development opportunities in many smaller Gulf of Alaska coastal communities. In February, 2000 you responded to our concerns and choose not to include area wide moratoriums when the GHL was approved .

As the concept of a halibut charter IFQs was "fast tracked" and forwarded for staff analysis we became concerned about the impacts of halibut charter IFQ's on undeveloped and underdeveloped communities. The Council directed GOAC<sup>3</sup> to prepare a discussion paper regarding "setting aside" a portion of halibut charter IFQs as a reserve to fund developing halibut charter businesses in rural communities. From the outset, the set aside idea was to "roll over" any unused portion of community quota into the combined quota pool in time to be issued to commercial and charter operators in any given year. Our discussion paper regarding the set aside with the roll over provision was presented to the Council last June. In October, the Council directed staff to include, in their halibut charter IFQ analysis, discussion of the amount of halibut charter IFQs necessary to fund the community set aside and set a range of between ½ to 2 ½ % of the combined halibut charter and commercial halibut TAC for consideration. The Council indicated that, if a set aside amount is approved, development of the set aside program would follow as a trailing amendment. In December, the Council incorporated a number of suggestions from the SSC and AP regarding the community set aside portion of the analysis and directed staff to work on further developing several set aside issues. The current analysis reflects the staff's revisions and, we believe, presents compelling justification for a community set aside of halibut charter IFQ quota. We would like to thank the Council staff for their lengthy analysis of the community set aside aspects of the larger halibut charter IFQ issue.

As you have repeatedly heard, the Advisory Panel to the Council spent considerable time

discussing this issue and reviewing the proposed option for a Guideline Harvest Level with a future moratorium or an immediate moratorium. However, the moratorium requirements were very restrictive. An immediate moratorium would eliminated several hundred charter boats who have operated during the last couple of years. In the coastal communities, perhaps as many as one half of the current charter boat operators would have been eliminated. The future moratorium, we were advised, would be legally problematic. Consequently, the Gulf of Alaska Coastal Communities could not support the GHLMoratorium option. Even if the immediate moratorium could be lifted in a year or two on a sub-area basis through the LAMP process, considerable harm would occur in the interim period and it is completely speculative whether or not LAMPS will successfully address the allocation of fishing privileges, such as moratorium rights. We believe it is unlikely that anything close to consensus could be reached regarding lifting moratoriums.

Given the uncertain impacts of the GHLMoratorium proposal for coastal communities and inclusion of a community set aside amount in the halibut charter IFQ package, the Gulf of Alaska Coastal Communities Coalition is compelled to support the AP's recommendation for the halibut charter IFQ. During AP discussions we worked with the commercial and charter sectors to structure a compromise set aside amount. We believe that the AP's recommendation of 1% of the combined TAC will be adequate to fund the startup of the set aside program and, if this amount is used, the 1/4% increments will provide for growth. The analysis indicated that 2% of the TAC would provide enough quota to develop several mature charter businesses in most of the identified communities. The AP is recommending the set aside be funded equally from the Charter TAC and the Commercial TAC. The Coastal Communities abstained from this vote. The sunset provision will provide enough time for the program to mature prior to review. These are the set aside to be determined by the Council at this time. I appreciate that a number of questions remain regarding the details of the set aside program. If the Council approves a community set aside quota, we look forward to working with Council and staff to develop the details of the program as part of a trailing amendment.

In conclusion, I wish to thank the Council for your concern regarding fishery related economic opportunities in rural coastal communities and for the opportunity to serve on the Charter IFQ Committee and the AP as this difficult issue was discussed.

Arctic Ventures Inc.  
7643 NE 112<sup>th</sup> St  
Kirkland, WA 98034

April 16, 2001

Dave Benton, Chairman  
Council Members  
North Pacific Fishery Management Council  
Anchorage, Alaska

**RE: Crab Rationalization**

Dear Mr. Benton and Council Members:

I own 5 crab vessels, the Mystery Bay, Windy Bay, Icy Bay, Secret Island, and Nowitna, and have a BSAI crab fishing history of over twenty years.

I support rationalization in some form, but I am strongly opposed to IPQ's in the 80/20 format as currently proposed.

1. **There is no hurry to make a decision regarding IPQ's/IFQ's as there is a good likelihood that there will be no Opilio season next year, and a IPQ and/or IFQ program will in all likelihood not take effect until at least 2003. Any financial relief to distressed vessel owners will most likely come from the buyback program, which is scheduled to happen in 2001.**
2. **I support a full analysis of IPQ's ranging from 0 to 100%. A rational decision can not be made without analyzing the full spectrum of options. This is a very complex issue and every vessel owner and (and processor) has questions that have not yet been addressed in any analysis.**
3. **The processors do not need protection from new entrants to the processing arena. The likelihood of any one building a new processing plant for the BSAI crab fishery is close to zero. It is virtually impossible to get a discharge permit, there is no opportunity to expand into groundfish due to AFA, and a crab-only plant is not economically feasible at this time or in the foreseeable future.**
4. **There is no mechanism to insure that the vessel will be given a fair price. I do not believe that a 20% open access quota is enough negotiating leverage to be effective. Now**

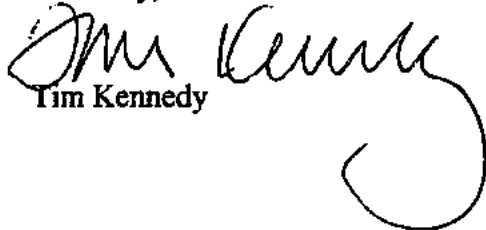
not only will they have control of the price, the processors will be able to tell us when, where, and how much crab we will be allowed to bring in per trip.

**5. There will be too much power concentrated in the AFA processors.** Because the AFA processors have so much economic power some small processors support the two-pie system with IPQ's because it is the only way that they believe they can survive. Giving the AFA processors even more power will only make the situation worse for the vessel owners. Currently, the AFA processors do not even need to process crab, and it comprises only a small percentage of their revenue..

**6. A lack of competition in the processing side is not healthy for either vessels or the end consumers.** I do not believe that a guaranteed quota for processors will allow for enough competition in the marketplace, either on the ex-vessel side or on the consumer side. Giving a few large companies total control of the resource, several of which are wholly foreign owned, will be detrimental to the domestic market and the US consumer.

**In conclusion, I believe a thorough analysis of the effects of IPQ's are necessary before we can make any rational decision on how to proceed with IPQ's.**

Sincerely,

  
Tim Kennedy



April 2, 2001

Bob Penny  
North Pacific Fishery Management Council - NPFMC  
605 West 4<sup>th</sup> Ave - Suite 306  
Anchorage, AK 99501-2252

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APR - 5 2001  
N.P.F.M.C.

**Subject: Halibut Charter Options / I support Alternative 1 - Status quo**

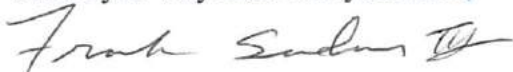
Mr. Penny

My name is Frank Sanders. I am a Halibut Charter operator on Cook Inlet. This will be my 5<sup>th</sup> year fishing as a Halibut Charter Captain. I moved to Alaska 6 years ago and have made Soldotna my new home. We have purchased a home in Soldotna and we plan to raise our family here also. Please do not allow a few good old boys in the charter industry to put me out of business. I do not own a boat but I run a boat for a business that got started in 1999. If the NPFMC implements any plans other than the status quo or Alternative 1, I will be out of business. Please remember that limiting the Halibut Charter Boats will not only hurt me and my family but hundreds of local employees of the Charter Boat industry along with local business. Do not let as certain few have all the Halibut. This is our fishery and we deserve a right to fish it.

Please recommend to the council Alternative 1, status quo. Keep the fishery the way it is. You will be hurting so many people and families if any of the other alternatives went through. Implementing any other plans will not decrease the number of halibut caught but it will decide who has the right to fish for them. Implementing any other plans will make the operators who started before 1998 rich. These older charter halibut operators want the IFQ or Moratorium to go through so that they can fatten their wallets. They know that if the IFQ or Moratorium were to go through that they are in good standing to make a lot of money because there will be no new entrants into their fishery. Give the little guys a chance to make a living. We need this fishery for our families and other families in Alaska.

If you are going to make a ruling please look at all your numbers and make sure they are correct. The council states that by implementing an IFQ system that 674 boats will be included, but based on Alaska Department of Fish Game records this is not correct. Only 423 boats will be included in 3A which is the area I fish. Also look at all the Log books, based on phone calls to ADF&G no one from NPFMC has even requested the log books. How do you know so much with out even looking at the logbooks. Please get all your information and get the real numbers before you put hundreds of people out of business!

Thank you very much for your time,



Frank Sanders  
P.O Box  
Soldotna, AK 99669



April 3, 2001

Bob Penny  
North Pacific Fishery Management Council - NPFMC  
602 West 4th Ave - Suite 304  
Anchorage, AK 99501-2222

Subject: Halibut Charter Operators Support Alternative 1 - Status quo

Mr Penny

My name is Frank Sanders. I am a Halibut Charter operator on Cook Inlet. This will be my 20th year fishing as a Halibut Charter Captain. I moved to Alaska 6 years ago and have made Soldotna my new home. We have purchased a home in Soldotna and we plan to raise our family here also. Please do not allow a few good old boys in the charter industry to prevent our business. I do not want a boat but I want a business that got started in 1999. If the NPFMC implements any plans other than the status quo or Alternative 1, I will be out of business. Please remember and thank the Halibut Charter boats will not only hurt me and my family but hundreds of local employees of the Charter Boat industry along with local business. Do not let a certain few have all the Halibut. This is our fishery and we deserve a right to fish it.

Please recommend to the council Alternative 1, status quo. Keep the fishery the way it is. You will be hurting so many people and families if any of the other alternatives were through. Implementing any other plans will not decrease the number of halibut caught but it will decide who has the right to fish for them. Implementing any other plans will make the operators who started before 1998 rich. These older charter halibut operators want the IFQ or Motorboat to go through so that they can fatten their wallets. I hope you know that if the IFQ or Motorboat were to go through that they are in good standing to make a lot of money because there will be no new entrants into their fishery. Give the little guys a chance to make a living. We need this fishery for our families and other families in Alaska.

If you are going to make a ruling please look at all your reports and make sure they are correct. The council states that by implementing an IFQ system that 674 boats will be included, but based on Alaska Department of Fish Game records this is not correct. Only 423 boats will be included in 3A which is the area I fish. Also look at all the log books based on phone calls to ADFG no one from NPFMC has even requested the log books. How do you know so much with out even looking at the logbooks. Please get all your information and get the real numbers before you put hundreds of people out of business.

Thank you very much for your time.

Frank Sanders  
P.O. Box  
Soldotna, AK 99669



April 4, 2001

Bob Penny  
North Pacific Fishery Management Council - NPFMC  
605 West 4<sup>th</sup> Ave – Suite 306  
Anchorage, AK 99501-2252

Subject: Halibut Charter Options

Mr. Penny

Thank you in advance for all the work you have done to support sport fishing! Your work is very much admired. My name is Dohn K. Cho, my family and I own and operate Kenai Riverbend Resort. This season will be our 19<sup>th</sup> in business and we hope to be around for many more years to come. In 1999 we purchased a Halibut Charter boat, we purchased another in 2000. We invested a sufficient amount of money in these two boats. We purchased the two boats to keep our current clients happy along with enticing new clients to come to the Kenai Peninsula. You may not know this but there is not a lot of money to be made in the Halibut Charter business. The boats are expensive and there are many expenses. Implementing any new plans such as the IFQ and Moratorium would put us out of business! But not only would it hurt us but all the local employees we use along with all the shops, restaurants and other businesses in the area that our customers visit and spend money at.

We need your help. Please recommend to the NPFMC to keep the fishery the way it is, Alternative 1, status quo. If any other plan were to go into effect it would hurt thousands of operators, captains and business. We will have to find another livelihood. Someone should have told us that this was going to happen! Maybe then we would have not spent all of our money on two new Halibut Charter boats. By implementing the IFQ or Moratorium program it will just make the Halibut Charter operators that started before 1998 rich! These good old boys want the IFQ program to go through so that they can line their pockets and keep the fishery to themselves. Implementing the IFQ program or the Moratorium will not decrease the number of halibut caught but it will dictate who has the right to fish for them. Please keep the little guys in mind. Implementing any new plan would greatly affect the community, local employees, local businesses and drive down tourism in Alaska, which is a very much-needed resource.

Please recommend to the NPFMC not to put any restrictions on Halibut Charter Boats, we recommend Alternative 1, status quo. The other two plans would force over 300 boats and operators out of business. There are many other alternatives that we could look at, first we could eliminate crew caught fish, this would decrease the amount of halibut taken by 10%-15%. Another alternative would be to put a seasonal limit on the halibut. It is working for the King Salmon and would work for Halibut. Do not line the pockets of the established charter boat operators and give us all a chance to make a living!

Sincerley yours,

Dohn K. Cho

- LUXURY RIVERFRONT LOG CABINS
- LUXURY LOG LODGE ROOMS
- PROFESSIONAL GUIDED FISHING
- WILLIE PREDATOR RENTAL BOATS
- FULL R.V. HOOK-UPS

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The first part of the report deals with the general situation in the country. It is noted that the economy is in a state of depression and that the government is unable to meet its obligations. The report also mentions that the population is suffering from widespread poverty and that the government is unable to provide adequate social services.



The second part of the report deals with the political situation. It is noted that the government is unable to carry out its policies and that there is a widespread feeling of disillusion among the population. The report also mentions that there is a growing movement for political reform and that the government is unable to respond to the demands of the people.

The third part of the report deals with the social situation. It is noted that the population is suffering from widespread poverty and that the government is unable to provide adequate social services. The report also mentions that there is a growing movement for social reform and that the government is unable to respond to the demands of the people.

The fourth part of the report deals with the economic situation. It is noted that the economy is in a state of depression and that the government is unable to meet its obligations. The report also mentions that the population is suffering from widespread poverty and that the government is unable to provide adequate social services.

Page 10



April 2, 2001

Bob Penney  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave – Suite 306  
Anchorage, AK 99501-2252

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APR - 5 2001

N.P.F.M.C

Subject: Halibut Charter Options/ I Support Alternative 1 – Status Quo

Mr. Penney

My name is Dave Gillikin. I am a Halibut Charter operator on Cook Inlet. This will be my 11<sup>th</sup> year fishing as a Halibut Charter Captain on Cook Inlet. We live in Girwood and we plan to raise our family here also. Please do not allow a few good old boys in the charter industry to put me out of business. I do not own a boat but I run a boat for a business that got started in 2000. If the NPFMC implements any plans other than the status quo or Alternative 1, I will be out of a job. Please remember that limiting the Halibut Charter Boats will not only hurt me and my family but hundreds of local employees of the Charter Boat industry along with local business. Do not let a certain few have all the Halibut. This is our fishery and we deserve a right to fish it.

Please recommend to the council Alternative 1, status quo. Keep the fishery the way it is. You will be hurting so many people and families if any of the other alternatives went through. Implementing any other plans will not decrease the number of halibut caught but it will decide who has the right to fish for them. Implementing any other plans will make the operators who started before 1998 rich. These older charter halibut operators want the IFQ or Moratorium to go through so that they can fatten their wallets. They know that if the IFQ or Moratorium were to go through that they are in good standing to make a lot of money because there will be no new entrants into their fishery. Give the little guys a chance to make a living. We need this fishery for our families and other families in Alaska.

If you are going to make a ruling please look at all your numbers and make sure they are correct. The council states that by implementing an IFQ system that 674 boats will be included, but based on Alaska Department of Fish Game records this is not correct. Only 423 boats will be included in 3A, which is the area, I fish. Also look at all the Logbooks; based on phone calls to ADF&G no one from NPFMC has even requested the logbooks. How do you know so much with out even looking at the logbooks? Please get all your information and get the real numbers before you put hundreds of people out of business!

Thank you very much for your time.



Dave Gillikin  
General Delivery  
Girdwood, AK 99587  
907-783-0003



Submitted by Susan  
Reeves 4/13/01

Executive Director  
James A. Donofrio



Legislative Director  
Sharon I. McKenna  
Membership Director  
Susan J. Heinrichs

April 12, 2001

Mr. David Benton, Chairman  
Council Members  
North Pacific Fisheries Management Council  
605 West Fourth Ave., Ste 306  
Anchorage, AK 99501

Dear Mr. Benton and Council members:

The Recreational Fishing Alliance is a 501(C)(4) organization, with 75,000 affiliated members and 25,000 dues-paying members – 100,000 members in all. RFA is one voice, representing thousands of anglers who reside inside and outside Alaska and all of whom spend money here. RFA opposes any charter IFQ program for the Alaska charter halibut fishery.

This statement supplements written and oral testimony submitted to the Council by RFA on February 7, 2001. It also supplements a collection of letters and articles submitted to the Council by the Recreational Fishing Alliance today. These documents confirm that (1) most Alaskans who learn about the proposed IFQ program, oppose it; and, (2) all the people evaluating the proposed IFQ program as a public policy issue (the legislature, the governor, the Board of Fisheries) oppose it, because it is BAD public policy.<sup>1</sup> RFA joins with all these important Alaskans, in opposing the Charter IFQ program. For the reasons discussed below, the Charter IFQ program is bad public policy and inconsistent with the goals and standards of the Magnuson-Stevens Act.

**This is "Special Interest Politics" at its worst.** The Council proposes a program that will make a small group of people very wealthy. This energizes the beneficiaries of this expected windfall. (Who wants to be a millionaire?) At the same time, all the people evaluating the proposed program as a public policy issue (the legislature, the governor, the Board of Fisheries) agree that this is BAD public policy.

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<sup>1</sup> We note that Council members who reside Outside Alaska may not have seen all of the letters to the editor and articles in the *Anchorage Daily News*.

Mr. David Benton, Chairman

April 12, 2001

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**It is bad public policy to privatize a public resource.** Under the “public trust doctrine,” the fundamental concept of natural resources law in the United States, natural resources are to be managed for the public, and not privatized, unless there is an overwhelming public interest that requires privatization. Scholars throughout the country recognize the State of Alaska’s Constitution as one of the most enlightened state constitutions in its treatment of public natural resources. It recognizes, as the U.S. Supreme Court has in numerous decisions, that fish are a common property resource, subject to the public trust doctrine.

The Council has other management tools. It has no justification to privatize the charter halibut resource.

**The IFQ is even WORSE than the GHL.** As it was last discussed by the Council, the GHL would be triggered at 125% of average charter harvest for 1995 – 1999.

- 1.43 M lbs or 13.05% of total harvest in 2C.
- 3.65 M lbs or 14.11% of total harvest in 3A.

The GHL was submitted to NMFS on February 14, 2001 (Valentine’s Day), and it will continue to be processed and would go to Commerce, along with IFQ. Much remains to be said about the GHL. However, the GHL would not be triggered unless and until the charter industry harvests increase and it would go away, if harvest levels dropped below trigger levels. The IFQ program would last forever, and, it could, eventually, eliminate the charter fishery entirely!

**The IFQ program is an illegal allocation of fishing privileges to non-fishermen.** The Magnuson-Stevens Act allows Councils to allocate halibut fishing privileges among United States fishermen only if the allocation is “fair and equitable to all such fishermen.” Charter boat owners do not “fish.” Rather, they carry passengers for hire (anglers) who fish. The IFQ program would allocate the anglers’ fishing right to charter boat owners.

**The IFQ program is an illegal delegation of the Council’s authority to allocate among fishermen.** Under the existing management of the total allowable catch (“TAC”), the Council allocates (sets aside) a specific portion of the overall TAC to charter boat anglers, who have a higher priority than the commercial catch. The proposed charter IFQ program would give the charter boat owners and commercial fishermen who hold IFQs the power to determine the allocation, by transferring IFQ or QS between the sectors.

**This NEW IFQ program violates the moratorium on any new IFQ programs under the Act.** The domestic fishery for halibut in and off Alaska is managed by the International Pacific Halibut Commission (IPHC) as provided by the Halibut Act and the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and the Bering Sea. The Halibut Act and the Convention authorize the Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act (the Act) to develop regulations affecting the U.S. halibut fishery.



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Under this legal authority, on November 9, 1993, the National Marine Fisheries Service issued a final rule to establish an individual fishing quota (IFQ) limited access system in fixed gear fisheries for Pacific halibut. 58 Fed. Reg. 59375. That rule had been developed by the North Pacific Fishery Management Council to resolve several problems: "allocation conflicts, gear conflict, deadloss from lost gear, bycatch loss, discard mortality, excess harvesting capacity, product wholesomeness, safety, economic stability in the fisheries and fishing communities, and rural coastal community development of a small boat fleet." *Id.* at 59376.

NMFS stated, "this IFQ program will govern all **commercial** halibut fishing throughout the range of Pacific halibut in and off Alaska." 58 Fed. Reg. at 59377 and 59380.

Congress then imposed a moratorium on any new IFQ program. Specifically, Congress amended the Act to bar any fishery management council from submitting and the Secretary of Commerce from approving or implementing "any fishery management plan, plan amendment, or regulation . . . which creates a new individual fishing quota program." 16 USC 1853(d)(1)(a).

The North Council's action to develop an IFQ program for the halibut charter industry in Alaska violates this moratorium. The proponents of the new program assert that it is merely an elaboration of the existing IFQ program. This does not pass the red face test.

Congress struck a clear distinction between "commercial fishing" and "charter fishing." Under the Act, "commercial fishing" means "fishing in which the fish harvested, either in whole or in part, are intended to enter commerce or enter commerce through sale, barter or trade." 16 USC 1802(4). In contrast, "charter fishing" means "fishing from a vessel carrying a passenger for hire . . . who is engaged in recreational fishing." 16 USC 1802(3). When NMFS adopted the IFQ program in 1993, it acknowledged this fundamental distinction. The new program being considered by the Council, in sharp contrast, would impose an IFQ program on the **charter** fishing industry.

Basically, the fisheries are entirely different. **Anglers** have the right to catch the fish harvested within the charter fishing industry. An IFQ program would give those rights to **charter boat owners**.

The central feature of the commercial IFQ system is the creation of individual fishing quotas ("IFQs"), which are defined as the annual catch limit for harvest by a person who is lawfully allocated a harvest privilege for a specific portion of the TAC of sablefish or halibut. 50 C.F.R. § 676.11. Under the Act, a charter fisherman does not "harvest." How can he have IFQs?

We note that Council staff does not always describe the charter IFQ program as a simple amendment. Jane DiCosimo (BOA Plan Coordinator) said, during her testimony at the February meeting, the Council was "using the commercial IFQ program as a model for the charter IFQ program."



In announcing the new IFQ program for the commercial halibut fishery in 1993, NMFS stated that the commercial IFQ program would "increase the benefits to the Nation in terms of potential food production, recreational opportunities, economic, social, and ecological factors." 58 Fed. Reg. at 59377. How can the Council state that it is "amending" that same program to restrict (or, in the worst case, eliminate) those same "recreational opportunities"?

**The Council failed to hold public hearings to allow interested Alaskans to learn about the proposed program and to be heard.** The Magnuson-Stevens act requires the Councils to "conduct public hearings, at appropriate times and in appropriate locations in the geographic area concerned, so as to allow all interested persons an opportunity to be heard on the development of fishery management plans." 26 USC 1852(h)(3). Such hearings are particularly important in this case, where the action proposed is likely to have a profound impact on Alaska charter anglers and communities. RFA believes that few Alaskans have heard about the proposed charter IFQ program, and fewer understand anything about it. The proposed program is complex, if not impenetrable to the average consumer of charter fishing expeditions. The Council should have undertaken an effort to educate potentially affected citizens about this program, and seek their input.

RFA has spoken to many Alaskans. When they begin to understand the proposed program, they overwhelmingly oppose it.

**No reliable catch data exist upon which the Council can develop a reasonable allocation.** The Alaska Department of Fish & Game and Council staff have questioned the accuracy of logbook data. Even James Wilen, the economic expert selected by the Council and quoted above, notes that participants who stand to gain will "distort" data for their personal benefit. Appendix V, page 4. If catch data is incorrect or unreliable, then allocations based on that data would be arbitrary – as a matter of law.

Congress felt so strongly that Councils must have reliable data that Congress made it a crime for anyone to submit false information regarding any matter that the Council is considering. 16 USC 1857(1)(I).

**National Standard 4 and the Halibut Act:** If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be fair and equitable to all such fishermen; reasonably calculated to promote conservation; and carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges. The charter IFQ program would restrict the charter fishery, merely to preserve the economic interests of a few charter boat owners and the commercial fishermen. This cannot be "fair."

**National Standard 5** prohibits measures that distribute fishery resources solely for an economic purpose. The stated reason for the charter IFQ program is to protect the commercial fishing catch and to limit "capitalization" in the charter fleet. Restating this, it has been

developed solely to protect the economic interests of a few ("qualified") charter vessel owners and the commercial IFQ holders.

**The IFQ program is bad public policy.**

- **It is not intended to help conserve the resource.** Charter anglers now take approximately 10% of total halibut catch in 3A and 2C. If the catch is affecting the resource, the program should be focused on the commercial industry (which consumes 90% of the TAC now). If the TAC is going down, it is not due to the impact of the charter anglers.

Jane DiCosimo testified, during the February meeting, that the NRC recommended deletion of all discussion of conservation, because the plan "is not dealing with the health of the resource."

We also note, as others have stated, that the IFQ program is likely to increase pressure on other fisheries (if cost of a trip goes up and access to trips goes down, in the halibut charter industry).

- **It will adversely impact anglers, businesses that support anglers and tourism.** An IFQ program is likely to (1) limit access for anglers; (2) increase pressure on other fisheries; and, (3) increase cost for anglers. If charter operators are allowed to sell or lease quota share to commercial fishermen, there could be a mass exodus from the charter industry by profiteering IFQ holders.
- **The Council still has not analyzed the potential impacts on anglers.** After receiving sharp criticism during public testimony in February for not having analyzed the potential impacts on anglers, the Council added Appendix V to the final EA/RIR/IRFA. This paper, by James Wilen, presents a collection of conclusory statements, with no analysis and without basis.
  - Mr. Wilen applies a free market analysis to a sharply regulated system.
  - He concludes that demand for charters will determine price, without considering that transfers of quota share from the charter to the commercial sector will determine supply.
  - He states, with no basis, that adding \$20 to a \$125 price "will cause some reduction in the demand, . . . but the impact will not be large." At p. 1.
  - He states, without basis, that tourists will continue to come to Alaska. He says undefined "substitute activities" will bring them to Alaska if they cannot fish for halibut. At p. 1.

Mr. David Benton, Chairman

April 12, 2001

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- He states that the price of the charter trip may not change. However, he also says that the "best" way for the charter operator to recover the capital cost of the quota share is "to charge a fixed price for the trip, and an additional price per pound of fish taken home." At p. 6. This may be good for the charter operator, but will not be good for the angler customer, and it certainly results in higher overall cost.
- He states, without basis, "it is likely that there are too many boats, taking trips at less than full capacity, using perhaps too much effort finding and landing fish," and he encourages consolidation.

RFA respectfully disagrees with Mr. Wilen. We believe that the free market is the best way to meet the needs of the angler and to determine the most profitable fishing mechanism. We believe in the status quo.

- **An IFQ program is likely to adversely affect Alaska communities and businesses that support anglers.** As everyone has agreed, privatizing recreational fishing through a halibut charter IFQ program will inevitably lead to a transfer of QS from the recreational fishing sector to the commercial fishing sector. This will harm the communities that depend on the economic activity generated by charter fishing.
- **Enforcement methods may not be effective.** Enforcement methods established for the commercial IFQ program are not likely to be effective within the charter industry. Two people maintain a record of every sale of a commercial fish – the buyer and the seller. Only the charter IFQ holder will be maintaining records of the fish caught on his or her boat.

RFA agrees with the overwhelming body of informed opinion that there is no justifiable rationale to impose an IFQ management scheme on the halibut charter industry in Alaska. It is an unreasonable program developed without sufficient analysis. The Council cannot justify its adoption, regardless of the political pressure exerted by those who would profit from its adoption. We ask the Council to study the impacts and preserve fishing opportunities for future generations of anglers. We ask you not to authorize the giveaway of a public resource. Fisheries management is not just about preserving historic income levels for certain commercial fishermen, at the expense of everyone else.

Sincerely,

RECREATIONAL FISHING ALLIANCE

*James A. Donofrio*

James A. Donofrio  
Executive Director

**SOUTHCENTRAL ALASKA HALIBUT IFQ  
PUBLIC OPINION RESEARCH**

**April 2001**

**Prepared for**

**Recreational Fishing Alliance**

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# METHODOLOGY

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## Overview

During the period April 3 through April 8, 2001, four hundred ten (n=410) Alaskans over the age of 18, located in Southcentral Alaska – Anchorage, the Matanuska-Susitna Valley, and the Kenai Peninsula – were personally contacted via telephone by professional interviewing employees of the Dittman Research Corporation of Alaska. The views and opinions of the Alaska residents were recorded on a strictly confidential basis.

## Research Design

A random sample design was featured which provided that all households listed in the most current telephone directory for each community had essentially an equal chance of being interviewed.

## Sample Selection

Individual respondents were randomly selected from current telephone subscribers listed in the most current directory for each community.

## Processing the Data

Dittman Research employees completed coding, editing, data entry and verification, while data processing was completed through the in-house Dittman Research Corporation computer system featuring the Statistical Package for the Social Sciences (SPSS) program. The SPSS program is one of the most sophisticated research-oriented data processing and analytical systems available, and is designed specifically for the processing and analysis of survey research data.

## Measurement History

Citizen opinion measurements by the Dittman Research Corporation, utilizing the previously described methodology, analytical procedures and data processing systems, have proven to be virtually perfect predictors of political election results in Alaska for over thirty years.

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# FINDINGS

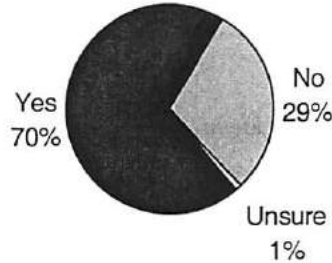
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Nearly three out of four Southcentral Alaska residents (70%) report they or a family member have sport fished for halibut in Cook Inlet or Resurrection Bay...

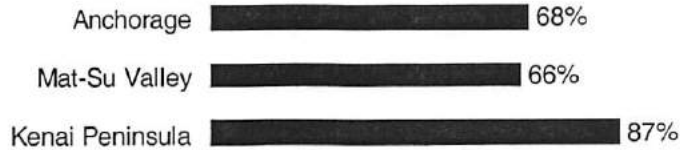
*Question: Have you or members of your family ever sport fished for halibut in Cook Inlet or Resurrection Bay?*



...with halibut fishing participation high throughout the Southcentral region...

*Question: ...ever sport fished for halibut in Cook Inlet or Resurrection Bay?*

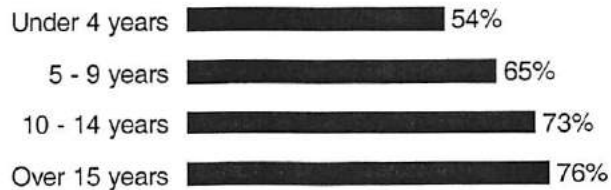
(% "Yes")



...including recent arrivals, as well as long-term Alaska residents...

*Question: ...ever sport fished for halibut in Cook Inlet or Resurrection Bay?*

(% "Yes")



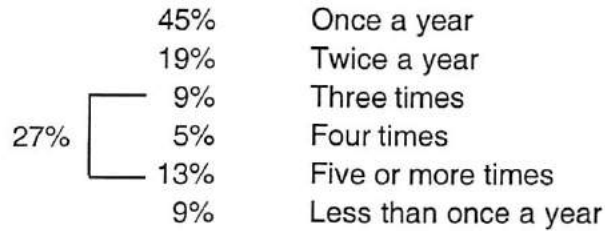
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Over nine out of ten halibut sports fishing respondents (91%) report they fish for halibut every year, with over one out of four (27%) going three times or more...

*(Asked of those who have/family has fished for halibut – 70%)*

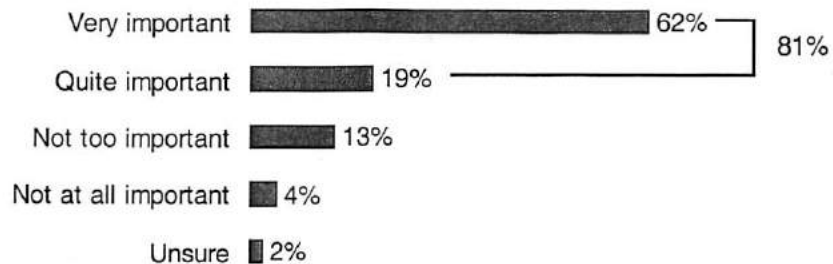
**Question:** *How often during a typical year do you go fishing for halibut?*



...and over four out of five halibut sport fishermen (81%) say they feel the halibut they catch is "quite/very important" as a food source for their family...

*(Asked of those who have/family has fished for halibut – 70%)*

**Question:** *How important is keeping the halibut that you catch as a food source for you or your family?*



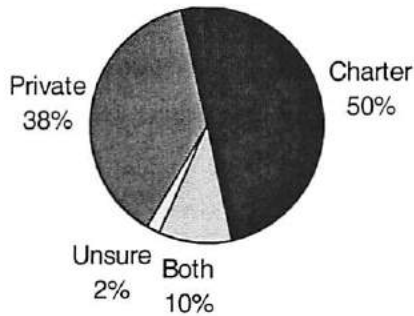
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Half (50%) say they use charter boats exclusively to fish for halibut and an additional 10% use charter boats in addition to private boats...

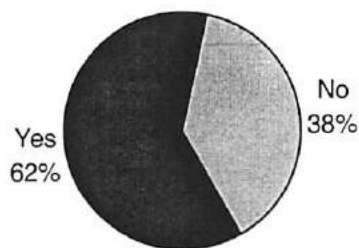
*(Asked of those who have/family has fished for halibut – 70%)*

**Question:** *Do you usually use a private boat, or do you go out on a charter?*



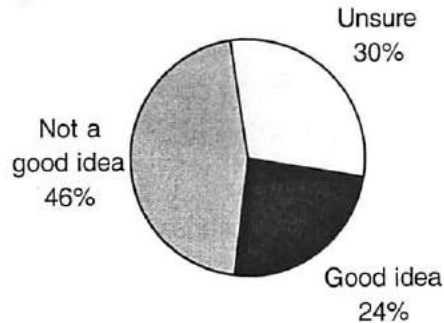
...and nearly two out of three Southcentral Alaska residents (62%) report they have read or heard something about the IFQ plan to limit the number of halibut caught by charter boats...

**Question:** *Have you heard or read anything about the Individual Fishing Quota (IFQ) plan that would limit the number of halibut that can be caught by charter boats in Cook Inlet and Resurrection Bay?*



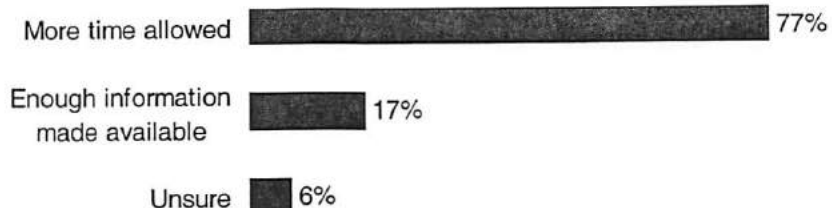
When all respondents are provided basic information about the IFQ plan, nearly half (46%) say they feel the plan is "not a good idea," while one out of four (24%) say it "is a good idea," and nearly one out of three (30%) are "unsure"...

*Question: There has been a proposal to limit the total number of halibut that may be caught by clients of charter boat operators. Basically, each of the existing charter boat operators would be given IFQ's – Individual Fishing Quotas – that would give them the exclusive right to harvest a certain number of halibut. New charter boats would not be allowed in the fishery unless they bought the IFQ's, or rights to halibut, from some existing operators. Some people say IFQ's are a good and fair way to limit the halibut harvest, while others say it's wrong to give the rights to a public resource, such as halibut, to a private group, such as current charter boat operators. What's your opinion – do you feel Individual Fishing Quotas are a good idea, or not?*



...and over three out of four respondents (77%) say they feel more time is needed to explain the plan to the public...

*Question: Do you feel more time should be allowed to explain the halibut IFQ – Individual Fishing Quota – system to the public before it becomes official later this month, or do you feel enough information has been made available?*



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...with most people who want more information made available requesting it be printed in the newspaper (40%), followed by direct mail (18%) and television (11%)...

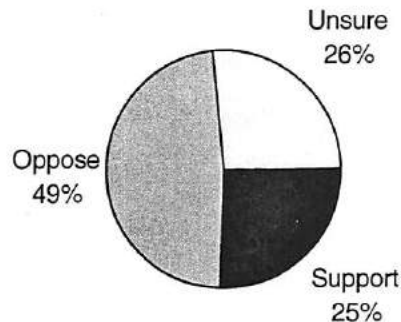
*(Asked of those who don't feel/are unsure if enough information has been provided - 83%)*

**Question:** *If you believe more explanation needs to take place before final action, how do you think the issue can be better explained to the public?*

40%	Newspaper coverage
18%	Direct mail
11%	Television
9%	Public meetings
6%	Combinations
9%	Other
7%	Unsure

And finally, when asked how they feel about the IFQ plan, public opposition is reported to exceed support by approximately 2:1...

**Question:** *Based on what we've talked about and what you already know, do you support or oppose the implementation of the halibut charter IFQ program in Cook Inlet and Resurrection Bay?*



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# **CROSSTABULATIONS**

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HAVE YOU OR MEMBERS OF YOUR FAMILY EVER SPORT FISHED FOR HALIBUT IN COOK  
INLET OR RESURRECTION BAY?

DEMOGRAPHICS	UNSURE	YES	NO	BASE
TOTAL.....	1%	70%	29%	100.0%
<b>LOCATION</b>				
ANCHORAGE.....	0%	68%	32%	71.0%
MAT VALLEY.....	1%	66%	33%	15.1%
KENAI PEN.....	1%	87%	12%	13.9%
<b>TIME IN COMMUNITY</b>				
0-4 YEARS.....	0%	54%	46%	16.9%
5-9 YEARS.....	1%	65%	34%	11.7%
10-14 YEARS.....	0%	73%	27%	17.0%
15+ YEARS.....	1%	76%	24%	54.4%
MALE.....	0%	74%	26%	49.7%
FEMALE.....	1%	67%	32%	50.3%
<b>AGE</b>				
18-29 YRS OF AGE.	3%	38%	59%	11.9%
30-44 YRS.....	1%	75%	25%	30.8%
45-59 YRS.....	0%	76%	24%	40.3%
60+ YEARS OF AGE.	1%	71%	28%	17.0%

(asked of n=288 who have sport fished in Cook Inlet/Resurrection Bay)

HOW OFTEN DURING A TYPICAL YEAR DO YOU GO FISHING FOR HALIBUT?

DEMOGRAPHICS	NONE	1	2	3	4	5	6	7	8	10	12	15	20	25	40	BASE
TOTAL.....	9%	45%	19%	9%	5%	1%	2%	0%	3%	2%	1%	1%	2%	1%	0%	100%
<b>LOCATION</b>																
ANCHORAGE.....	8%	48%	18%	9%	5%	1%	2%	0%	3%	2%	1%	1%	2%	1%	1%	69%
MAT VALLEY.....	18%	45%	30%	5%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%	0%	14%
KENAI PEN.....	5%	35%	13%	16%	12%	4%	2%	0%	4%	4%	2%	1%	2%	1%	0%	17%
<b>TIME IN COMMUNITY</b>																
0-4 YEARS.....	2%	39%	27%	14%	7%	0%	0%	0%	4%	2%	3%	0%	1%	0%	0%	13%
5-9 YEARS.....	2%	58%	8%	13%	2%	0%	4%	0%	2%	5%	2%	5%	0%	0%	0%	11%
10-14 YEARS.....	9%	50%	23%	2%	4%	0%	0%	1%	5%	3%	0%	0%	0%	0%	2%	18%
15+ YEARS.....	13%	43%	18%	10%	6%	2%	2%	0%	2%	1%	0%	0%	3%	1%	0%	58%
<b>SEX</b>																
MALE.....	7%	42%	21%	11%	5%	1%	1%	0%	3%	3%	0%	1%	3%	0%	0%	52%
FEMALE.....	12%	49%	16%	7%	6%	1%	3%	0%	2%	0%	1%	0%	1%	1%	1%	48%
<b>AGE</b>																
18-29 YRS OF AGE.	0%	49%	13%	15%	7%	0%	10%	0%	0%	0%	7%	0%	0%	0%	0%	6.4%
30-44 YRS.....	10%	42%	17%	18%	6%	1%	3%	1%	1%	1%	1%	0%	1%	0%	0%	33%
45-59 YRS.....	9%	48%	21%	3%	4%	1%	0%	0%	3%	3%	0%	2%	4%	0%	0%	44%
60+ YEARS OF AGE.	13%	43%	18%	6%	7%	1%	0%	0%	5%	1%	0%	0%	0%	3%	3%	17%



(asked of n=298 who have sport fished in Cook Inlet/Resurrection Bay)  
 HOW IMPORTANT IS KEEPING THE HALIBUT THAT YOU CATCH AS A FOOD SOURCE FOR  
 YOU OR YOUR FAMILY?

DEMOGRAPHICS	UNSURE	VERY IMPORTANT	QUITE IMPORTANT	NOT TOO IMPORTANT	NOT AT ALL IMPORTANT	BASE
TOTAL.....	2%	62%	19%	13%	4%	100.0%
<b>LOCATION</b>						
ANCHORAGE.....	1%	62%	19%	14%	5%	68.6%
MAT VALLEY.....	8%	47%	27%	14%	5%	14.2%
KENAI PEN.....	1%	76%	16%	7%	0%	17.2%
<b>TIME IN COMMUNITY</b>						
0-4 YEARS.....	0%	67%	29%	4%	0%	13.1%
5-9 YEARS.....	2%	64%	26%	8%	0%	10.8%
10-14 YEARS.....	1%	64%	7%	23%	5%	17.6%
15+ YEARS.....	2%	60%	20%	12%	5%	58.5%
MALE.....	0%	63%	23%	10%	3%	52.3%
FEMALE.....	4%	61%	15%	15%	5%	47.7%
<b>AGE</b>						
18-29 YRS OF AGE.	0%	37%	42%	11%	10%	6.4%
30-44 YRS.....	2%	57%	24%	14%	3%	32.7%
45-59 YRS.....	2%	65%	15%	13%	5%	43.7%
60+ YEARS OF AGE.	2%	75%	13%	8%	1%	17.2%

(asked of n=288 who have sport fished in Cook Inlet/Resurrection Bay)

DO YOU USUALLY USE A PRIVATE BOAT OR DO YOU GO OUT ON A CHARTER?

DEMOGRAPHICS	UNSURE	PRIVATE	CHARTER	BOTH	BASE
TOTAL.....	2%	38%	50%	10%	100.0%
<b>LOCATION</b>					
ANCHORAGE.....	1%	32%	56%	11%	68.6%
MAT VALLEY.....	8%	35%	58%	0%	14.2%
KENAI PEN.....	2%	65%	22%	11%	17.2%
<b>TIME IN COMMUNITY</b>					
0-4 YEARS.....	0%	30%	49%	21%	13.1%
5-9 YEARS.....	2%	38%	51%	9%	10.8%
10-14 YEARS.....	3%	24%	67%	6%	17.6%
15+ YEARS.....	2%	44%	46%	8%	58.5%
<b>MALE.....</b>					
MALE.....	0%	40%	49%	11%	52.3%
<b>FEMALE.....</b>					
FEMALE.....	4%	36%	52%	8%	47.7%
<b>AGE</b>					
18-29 YRS OF AGE.	0%	52%	48%	0%	6.4%
30-44 YRS.....	3%	39%	47%	12%	32.7%
45-59 YRS.....	2%	32%	58%	8%	43.7%
60+ YEARS OF AGE.	2%	46%	39%	13%	17.2%

HAVE YOU HEARD OR READ ANYTHING ABOUT THE INDIVIDUAL FISHING QUOTA PLAN THAT  
 WOULD LIMIT THE NUMBER OF HALIBUT THAT CAN BE CAUGHT BY CHARTER BOATS IN COOK  
 INLET AND RESURRECTION BAY?

DEMOGRAPHICS	UNSURE	YES	NO	BASE
TOTAL.....	0%	62%	38%	100.0%
<b>LOCATION</b>				
ANCHORAGE.....	0%	63%	37%	71.0%
MAT VALLEY.....	1%	62%	37%	15.1%
KENAI PEN.....	0%	59%	41%	13.9%
<b>TIME IN COMMUNITY</b>				
0-4 YEARS.....	0%	56%	44%	16.9%
5-9 YEARS.....	0%	58%	42%	11.7%
10-14 YEARS.....	0%	59%	41%	17.0%
15+ YEARS.....	0%	66%	33%	54.4%
<b>SEX</b>				
MALE.....	0%	68%	31%	49.7%
FEMALE.....	0%	56%	44%	50.3%
<b>AGE</b>				
18-29 YRS OF AGE..	0%	15%	85%	11.9%
30-44 YRS.....	0%	63%	37%	30.8%
45-59 YRS.....	0%	72%	27%	40.3%
60+ YEARS OF AGE..	0%	69%	31%	17.0%

....DO YOU FEEL INDIVIDUAL FISHING QUOTAS ARE A GOOD IDEA, OR NOT?

DEMOGRAPHICS	UNSURE	GOOD IDEA	NOT A GOOD IDEA	BASE
TOTAL.....	30%	24%	46%	100.0%
<b>LOCATION</b>				
ANCHORAGE.....	32%	24%	44%	71.0%
MAT VALLEY.....	26%	22%	52%	15.1%
KENAI PEN.....	26%	28%	46%	13.9%
<b>TIME IN COMMUNITY</b>				
0-4 YEARS.....	45%	20%	35%	16.9%
5-9 YEARS.....	26%	19%	55%	11.7%
10-14 YEARS.....	24%	33%	43%	17.0%
15+ YEARS.....	28%	24%	48%	54.4%
<b>MALE.....</b>				
MALE.....	22%	22%	56%	49.7%
<b>FEMALE.....</b>				
FEMALE.....	38%	26%	36%	50.3%
<b>AGE</b>				
18-29 YRS OF AGE.	48%	13%	40%	11.9%
30-44 YRS.....	32%	27%	41%	30.8%
45-59 YRS.....	24%	30%	47%	40.3%
60+ YEARS OF AGE.	29%	15%	56%	17.0%

DO YOU FEEL MORE TIME SHOULD BE ALLOWED TO EXPLAIN THE HALIBUT IFQ TO THE PUBLIC BEFORE IT BECOMES OFFICIAL LATER THIS MONTH, OR DO YOU FEEL ENOUGH INFORMATION HAS BEEN MADE AVAILABLE?

DEMOGRAPHICS	UNSURE	MORE TIME	ENOUGH INFO	BASE
TOTAL.....	6%	77%	17%	100.0%
<b>LOCATION</b>				
ANCHORAGE.....	6%	78%	16%	71.0%
MAT VALLEY.....	5%	78%	17%	15.1%
KENAI PEN.....	5%	70%	25%	13.9%
<b>TIME IN COMMUNITY</b>				
0-4 YEARS.....	12%	69%	19%	16.9%
5-9 YEARS.....	1%	91%	8%	11.7%
10-14 YEARS.....	4%	75%	22%	17.0%
15+ YEARS.....	5%	77%	18%	54.4%
<b>SEX</b>				
MALE.....	4%	74%	22%	49.7%
FEMALE.....	7%	80%	13%	50.3%
<b>AGE</b>				
18-29 YRS OF AGE.	8%	83%	9%	11.9%
30-44 YRS.....	8%	83%	9%	30.8%
45-59 YRS.....	3%	74%	23%	40.3%
60+ YEARS OF AGE.	5%	70%	25%	17.0%

(asked of n=339 who feel more time should be allowed)  
 IF YOU BELIEVE MORE EXPLANATION NEEDS TO TAKE PLACE BEFORE FINAL ACTION, HOW  
 DO YOU THINK THE ISSUE CAN BE BETTER EXPLAINED TO THE PUBLIC?

DEMOGRAPHICS	UNSURE	PUBLIC MEETINGS	NEWS-PAPER	TELEPHONE	DIRECT MAIL	TV	RADIO	ON-LINE	COMBO	RADIO & TV	NEWS-PRINT & DIRECT MAIL	BASE
TOTAL.....	7%	9%	40%	2%	18%	11%	3%	1%	6%	1%	2%	100.0%
LOCATION												
ANCHORAGE.....	7%	8%	43%	2%	16%	10%	3%	1%	6%	1%	2%	72.2%
MAT VALLEY.....	5%	10%	34%	4%	20%	19%	4%	1%	1%	2%	0%	15.2%
KENAI PEN.....	7%	17%	35%	3%	23%	6%	2%	1%	7%	0%	0%	12.6%
TIME IN COMMUNITY												
0-4 YEARS.....	13%	2%	42%	3%	14%	8%	3%	0%	8%	0%	5%	16.6%
5-9 YEARS.....	0%	10%	32%	0%	27%	17%	0%	1%	8%	3%	0%	13.0%
10-14 YEARS.....	3%	9%	52%	2%	15%	10%	4%	0%	1%	2%	0%	16.1%
15+ YEARS.....	7%	11%	39%	3%	17%	11%	3%	2%	5%	1%	2%	54.2%
GENDER												
MALE.....	6%	12%	40%	2%	15%	9%	4%	1%	6%	2%	3%	46.9%
FEMALE.....	7%	6%	41%	3%	20%	13%	2%	1%	5%	1%	1%	53.1%
AGE												
18-29 YRS OF AGE.	9%	7%	42%	3%	17%	20%	1%	0%	0%	0%	0%	13.1%
30-44 YRS.....	4%	11%	40%	2%	17%	8%	3%	2%	6%	1%	5%	33.8%
45-59 YRS.....	8%	7%	37%	2%	21%	8%	5%	1%	8%	1%	0%	37.7%
60+ YEARS OF AGE.	7%	9%	48%	2%	8%	17%	0%	0%	5%	4%	0%	15.5%

BASED ON WHAT WE'VE TALKED ABOUT AND WHAT YOU ALREADY KNOW, DO YOU SUPPORT OR  
 OPPOSE THE IMPLEMENTATION OF THE HALIBUT CHARTER IFQ PROGRAM IN COOK INLET  
 AND RESURRECTION BAY?

DEMOGRAPHICS	UNSURE	SUPPORT	OPPOSE	BASE
TOTAL.....	26%	25%	48%	100.0%
<b>LOCATION</b>				
ANCHORAGE.....	29%	25%	46%	71.0%
MAT VALLEY.....	19%	25%	56%	15.1%
KENAI PEN.....	22%	28%	50%	13.9%
<b>TIME IN COMMUNITY</b>				
0-4 YEARS.....	42%	22%	37%	16.9%
5-9 YEARS.....	30%	25%	45%	11.7%
10-14 YEARS.....	25%	32%	43%	17.0%
15+ YEARS.....	22%	24%	54%	54.4%
<b>MALE.....</b>				
MALE.....	20%	25%	55%	49.7%
<b>FEMALE.....</b>				
FEMALE.....	33%	25%	42%	50.3%
<b>AGE</b>				
18-29 YRS OF AGE.	41%	14%	45%	11.9%
30-44 YRS.....	30%	27%	43%	30.8%
45-59 YRS.....	20%	29%	51%	40.3%
60+ YEARS OF AGE.	25%	21%	55%	17.0%

4/13/01 Sub. by

John Goodland



# Capt. Jim's GREAT ALASKA CHARTER COMPANY

March 26 2000

## NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.

TO: ROBERT WARD  
P.O BOX 631  
HOMER AK 99556

On Feb. 16 th I attended the Valdez charterboat association meeting and learned of the new I.F.Q. qualifying years to remain in the Halibut fishery. I was shocked to learn that I had been left completely out of the I.F.Q. despite

a 12 year history in the VALDEZ charterboat fishery. The only two years I did not fish was 1998 and 1999 do to my wives cancer. Here is a brief review of my halibut charter history. I obtained my U.S.C.G. license in 1984 and began running halibut and salmon charters in a 28' sportboat. I called my business Capt. JIM'S CHARTERS. I chartered the 28' footer until fall of 1987. In March 1988 I purchased a 40' crewboat (inspected vessel) in Louisiana and brought it to Valdez. The boat was the first halibut party boat in Valdez. I named her the **SEA RUBY**. I fished the **SEA RUBY** until it's sale in the fall of 1994. In March of 1995 I purchased a 65' crewboat in San Francisco and sailed her to Valdez. I named her the **ORCA PRINCESS**. The **ORCA PRINCESS** was one of the largest halibut charter boats in Alaska and the largest on Prince William Sound. I ran halibut charters aboard the **ORCA PRINCESS** until fall of the 1997 season.

My wife Ruby had developed breast cancer and eye disease. It was at first believed that the cancer had metastasized in her left eye. Surgery would later prove this to be false although she lost 50% eyesight in her left eye. As a result of her medical condition we felt it was necessary to take two seasons off. We sold the **ORCA PRINCESS** back to it's former owner and placed the money into the Capital Construction Fund (CCF) for our next charter boat. We paid our boat slip (wait list) fee's to the Valdez Harbor master the same day we sold the **ORCA PRINCESS**. We felt that we would later buy a smaller and faster party boat.

P.O. Box 1369 • Valdez, Alaska 99686  
1 907-835-3722  
907-835-2282  
FAX: 907-835-3656





*Capt. Jim's*  
**GREAT ALASKA CHARTER COMPANY**



I've maintained all 20 halibut rods and reels for reentry into the halibut charter business. I have maintained my same drug testing consortium status being tested in 1998 and 1999.

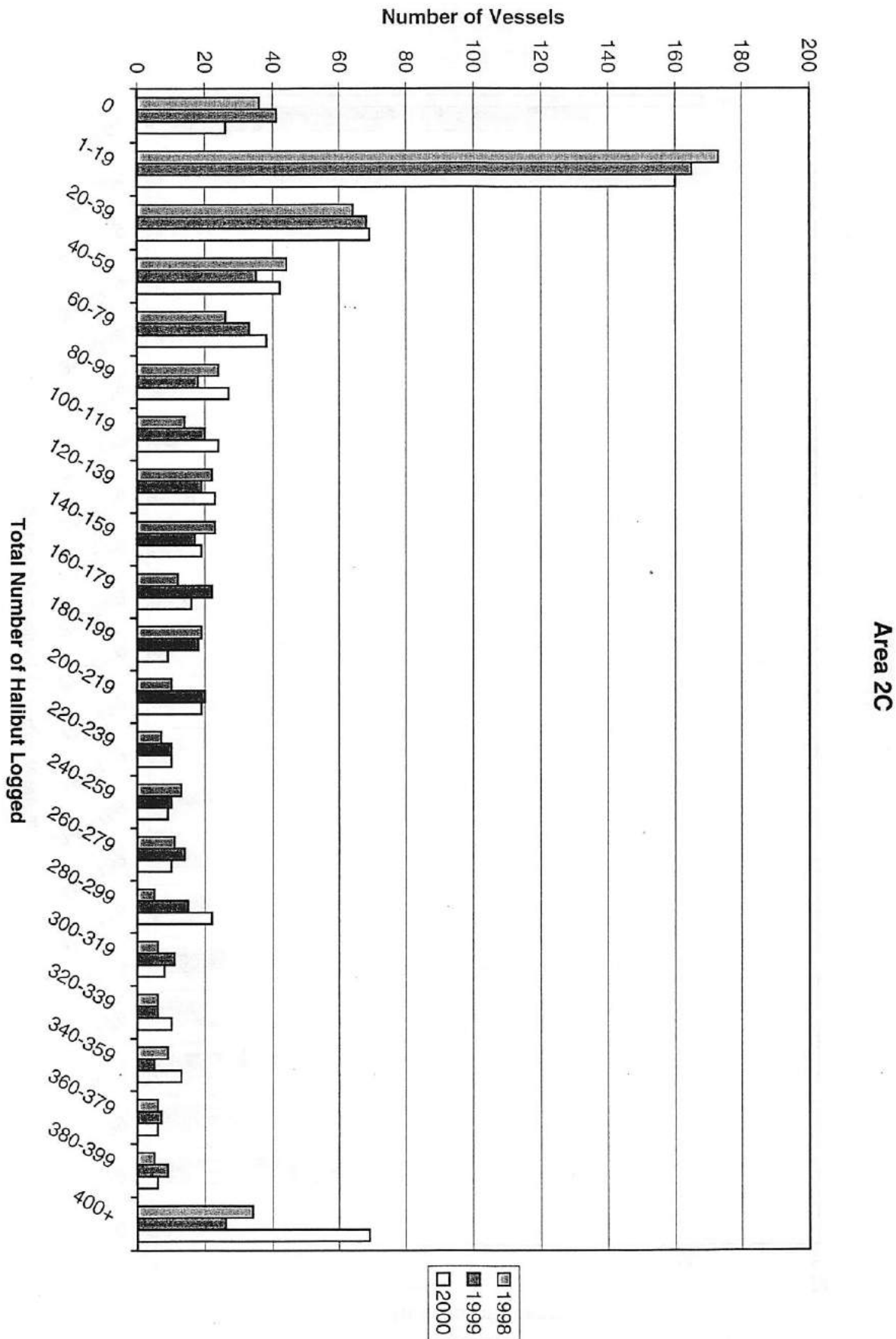
MY wife and I are now ready to buy our next boat. We were told by the Alaska CCF representative in Silver Springs Maryland that we were allowed up to 3 years (or year 2000) to buy our next boat. I have been told by the N.P.F.M.C staff that buying a halibut charter boat at this time would be a mistake. They suggested I attend the N.P.F.M.C. meeting in Anchorage in April. I intend to be there and speak. Where does this leave me and why am I being forced of a fishery after 12 years of legal participation.

I can show my vessel log books to document my history in the Valdez Halibut Charterboat fleet since 1985. (A.D.F&G also has my catch records available.) I can show medical records of my wives cancer. I can show my intent to remain in the fishery using the aforementioned items. I even left my 4'x24' CAPT. JIM'S CHARTER sign on my building and phone number.

SINCERELY

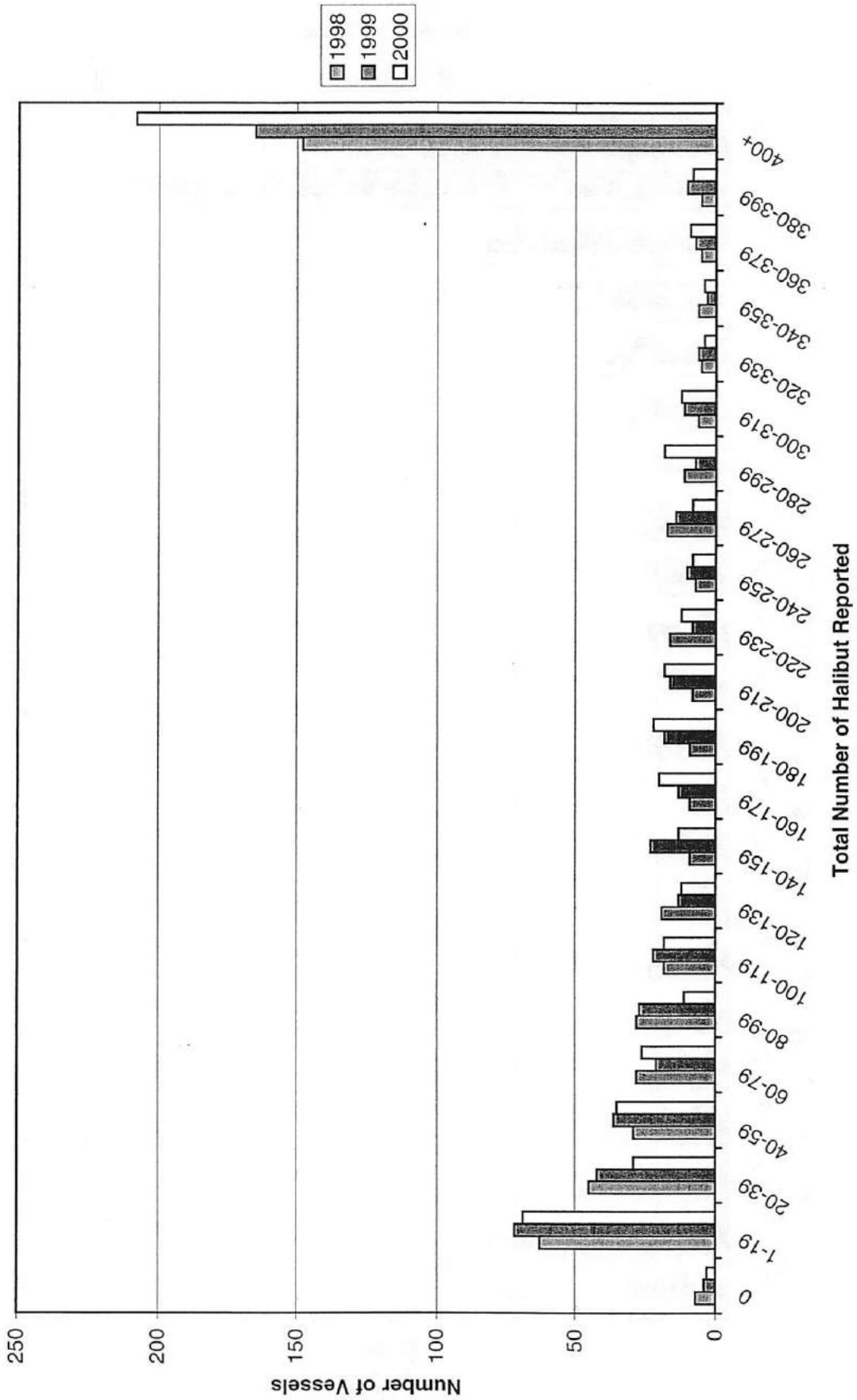
  
CAPT. JIM ALEXANDER

QUANTITIES - 2 VASIS  
WITH - 2000/01/03 - 530260  
1998 1-9



JOHN G DODD HAND  
VALDEZ CHARTER ASSN  
Q-1 4/13/01

Area 3A



**Problem Statement:** Management plan to address future allocation conflicts and overcapitalization in the guided sport sector. [Note: the unguided angler is not affected by this action.]

**When would allocation conflicts occur?** When the GHL has been reached and the management measures become constraining. The GHL could be reached due to growth in the fishery, a decline in biomass, or both.

**What is the potential for growth in the fishery?**

**1.) This is an open access fishery.** There is no current limitation on entrants.

**2.) There is excess capacity in the fishery and it is increasing.** The number of registered vessels in 1998 was 1258 and grew to 2079 in 1999. The number of active participants that turned in a log book was 1085 in 1998, 1137 in 1999, and 1204 in 2000. The fleet is diverse, ranging from full time to part-time to occasional operators. Many vessels do not operate at full capacity. A large amount of the harvest is presently taken by a small number of vessels, (Figure 4.9 on page 292).

**3.) There is considerable turnover in the fishery.** Between 1998 and 1999, participation grew 5% but the actual participants changed by 50%. Several control dates have been set in the fishery: 9/23/93, 4/17/97, and 4/17/98 which encouraged speculative entry.

**5.) The client base for the fishery is expanding.** 94% of the 2C clients and 64% of the 3A clients are non-residents. The annual number of visitors to Alaska is increasing at 3% a year. Cruise ships account for 36% of summer visitors. New and larger vessels are being built and coming on line.

**6.) The existing data could change and increase.** The methodology for the statewide harvest survey has been changed twice in the last two years with a resulting increases in harvest and effort. There is also large discrepancy with the logbook data (page 133).

**What is the potential for a decline in abundance?**

*“Lower exploitable biomass is more probable than higher exploitable biomass for the next five years.”*  
(page 44.)

**If there is growth in the fishery and/or decline in abundance, will the existing GHL resolve allocation?**

*From the SSC minutes, "Finally, the SSC would be negligent if it failed to warn the Council that the preponderance of evidence from fisheries in the North Pacific and other regions suggests that allocations between user groups are unlikely to be definitively settled by a single allocative decision. Allocation battles are reopened whenever a set of stakeholders believes that their negotiating position has improved...IFQs are a mechanism that would shift this burdensome reallocation battle out of the Council chambers and into the market place."*

**What are the objectives of an IFQ?** In general, (from page 18) the objectives are often biologic (effective implementation of a TAC), economic (reducing overcapitalization, increasing economic efficiency), and social (preserving traditional fishing patterns, allocation among individuals, avoiding conflict). In this case, IFQs provides a unifying element in resolving allocation. IFQs also provides a degree of harvest distribution lacking in the GHL, which is why the Petersburg Charterboat Association endorsed the IFQ program.

**What are the main elements of the AP IFQ motion?** As seen in public testimony, the AP motion has broad support from both sectors and includes:

- 1.) A compromise position on the amount of initial issuance that provides a 26% growth buffer from the 1999 harvest (see graph). This buffer is directly allocated from the commercial fishery.**
- 2.) Assurance that 75% to 100% of the initial issuance charter quota share is permanently non-transferable to the commercial sector.**
- 3.) Establishes a community set-aside from equal pounds from the commercial and charter sectors.**

**What are the impacts on the unguided angler?** The impacts are expected to be minimal and may be beneficial as the charter fishery becomes rationalized.

**What are the impacts on the guided angler?**

*“Consumer surplus should be greater under an IFQ program relative to a GHL under a competitive market.”* There are two caveats for this to occur: charter operators are able to reduce their operating costs, and there is excess supply rather than excess demand for charter trips.

**What are the impacts on guided anglers from alternatives other than IFQs that address overcapitalization in the charter sector?** There is excess capacity and considerable turnover in the charter fishery. New entrants are more likely to offer cheaper trip rates in order to attract clients as opposed to established charter operators who already have a clientele. Any alternative (moratorium, limited entry, etc.) that is effective in rationalizing the charter fishery will also result in less speculative entry and less operators offering cut-rate charters, (the \$99 dollar special). Therefore any rationalization that is effective in reducing overcapitalization may result in an increase in average price per trip across the entire sector.

**Do the possible alternatives to an IFQ address the problem statement?**

**1.) Moratorium:** Does not address harvest therefore it does not address allocation resolution. It may address overcapitalization to a degree. However, due to the considerable turnover in participation in the charter fishery, moratorium alternatives that may be effective in addressing overcapitalization are in turn very restrictive on the overall number of operators. This is why the AP moratorium motion failed.



Moratorium alternatives from 988 vessels to 1439 vessels irrespective of catch history. If these vessels caught the average amount per charter vessel (1998, 2C = 2,825; 3A = 6,637 pounds per vessel), the harvest will be over the GHL in 2-C in all alternatives and over in 3-A in some alternatives.

A region-wide moratorium does not address the concerns of under-developed rural communities.

**2.) LAMPs:** Does not address allocation, nor do they have the authority to do so. Does not address any issue on a large regional scale such as 2C or 3A. LAMPs work with specific local problem such as local depletion and user conflicts. The LAMP process is a slow, consensus process that best works with a small number of representatives addressing an agreed upon specific problem of a local nature. Consensus is extremely unlikely to be achieved in large geographic areas with large groups of representatives addressing multiple and contentious issues.

Contrary to previous testimony, an IFQ program will not inhibit participation in the LAMP process. Those that are invested in a program have the most at stake and tend to participate the most. As an example, there are many commercial fishermen in the room today for

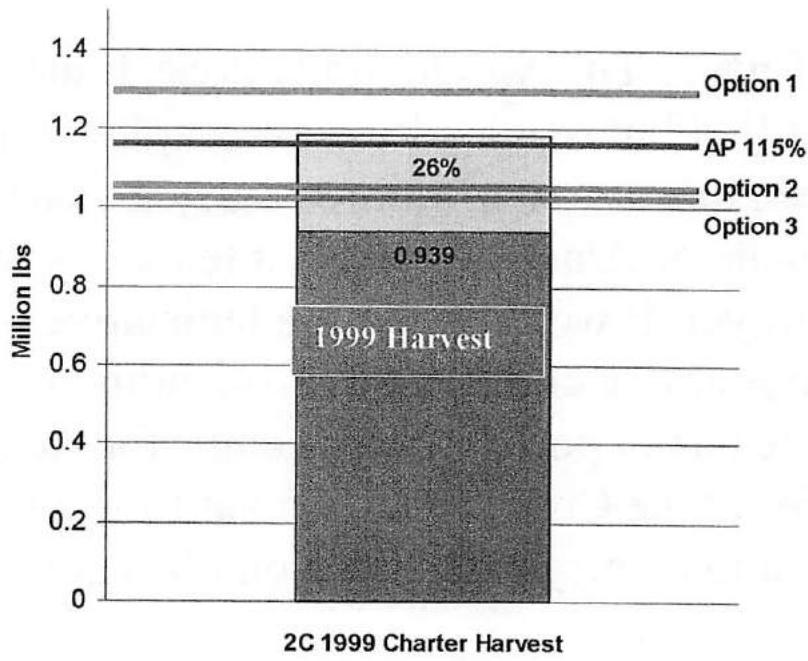
this issue which is being heard during the commercial fishing season.

**3.) Limited Entry:** This would not address future allocation conflict but may address overcapitalization. There has been discussion of limited entry for charter boats in the State of Alaska for at least ten years with no action as of yet. It would require a legislative remedy and possibly a constitutional amendment as well. The State has opposed limited entry for charter for one species at the Council but has yet to show progress on limited entry for charter on all species.

**Was there adequate public process?** A chronology of this issue is in the analysis in Appendix 1. In February, Council members also received a previous chronology in public testimony. Contrary to assertions in public testimony, there was public testimony at the IFQ Charter Committee at this meeting. In terms of public notice, the Council has publicly advertised its meetings and committee meetings as well issuing newsletters and maintaining a very useful website. In terms of practical public notice, there have been numerous newspaper stories, opinion pieces, and letters to the editor in a number of newspapers and periodicals.

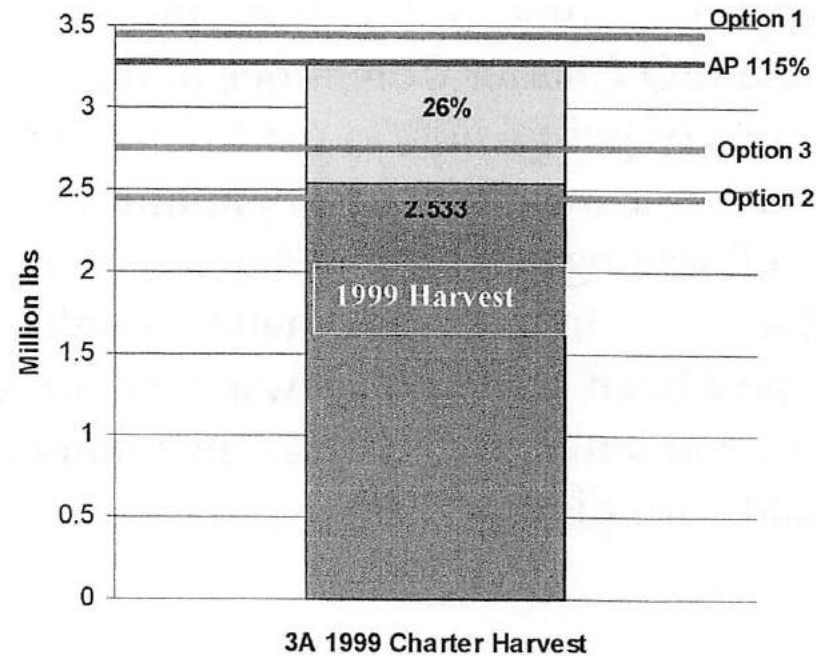
Source: Tables 4.15-4.19

## 2C

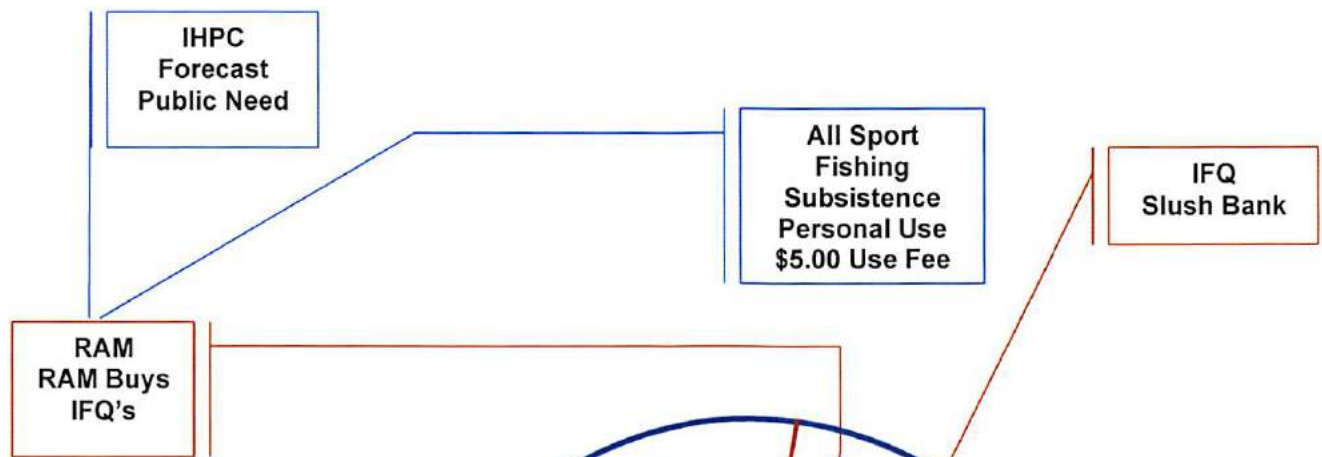


Source: Tables 4.15-4.19

## 3A



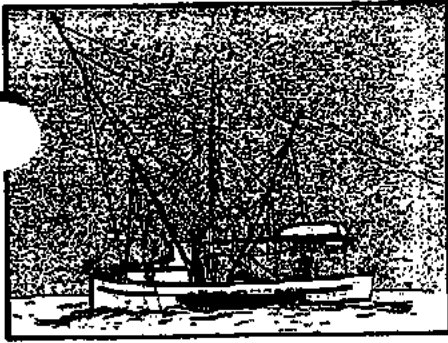
Donald Westlund  
KETCHIKAN CHARTERS OPERATORS



RAM leases remainder of IFQ's to commercial full resource use.

- Approximately 400,000 Licenses sold in the state.
- Approximately 200,000 Licenses saltwater at \$5.00 stamp fee equal to \$1 Million dollars to fund IFQ and research.

Commercial & By Catch & Wastage



# Alaska Trollers Association

130 Seward St., No. 505  
Juneau, Alaska 99801  
(907) 586-9400  
(907) 586-4473 Fax

April 5, 2001

Chairman David Benton  
North Pacific Fishery Management Council  
Box 103136  
Anchorage, AK 99510

Dear Chairman Benton and Council Members:

On behalf of the Alaska Trollers Association (ATA) I offer the following comments in support of a halibut IFQ program for charterboat operators.

Many members of ATA derive a significant portion of their income fishing halibut. These people have made a significant investment into this fishery through vessels, gear and the purchase of IFQ shares. This is particularly true given the fact that many of them did not receive halibut quota in the initial allocation, or received less than was necessary to maintain their operations, necessitating the purchase of quota at prices that, for some, exceeded ten dollars per share.

The guided sportfishing fleet's harvest is creating a livelihood for a commercial operator who pays no access fee. This harvest effectively cuts into the resource available to those who pay for a harvest privilege, which in turn affects availability for resident anglers and consumers who choose to access the resource at their local grocery store.

Similarly, over the past decade trollers have seen an erosion of chinook salmon harvest share for three reasons: the Pacific Salmon Treaty, the Endangered Species Act and the explosive growth of the guided sportfishing industry. This loss of product has come at a considerable cost. As the ability to supply troll product became less predictable, farmed fish were well situated to fill the gap in the market place. During this same time period, the commercial halibut fishery has increased in relative importance for many trollers who saw the need to diversify their operations. These fishermen, many of whom are still paying for purchased IFQ shares, now fear a loss of halibut to the charter fleet.

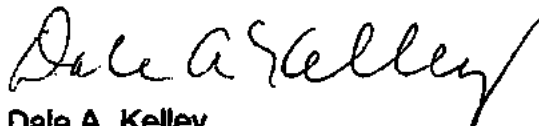
Guided anglers far and away take the largest share of the sport harvest of both salmon and halibut. Despite years of urging by the commercial fleet, and recently by many charter operators, the charter fleet remains unlimited and continues to grow. When the Pacific Salmon Treaty was signed in 1986, there were 225 licensed charter operators in Southeast Alaska. In 1999, there were well over 1300. Though some individuals are supportive, the guided sportfishing industry has not yet stepped forward and taken responsibility to ensure that the harvesting capacity of their fleet is limited.

As long as the guided sportfishery remains unlimited, it has the potential to grow and expand its harvest, further distorting the historic sharing pattern of the user groups. Resident anglers, consumers of commercially caught product, and commercial fishermen invested in the IFQ program are the individuals that stand to lose the most under the current scenario.

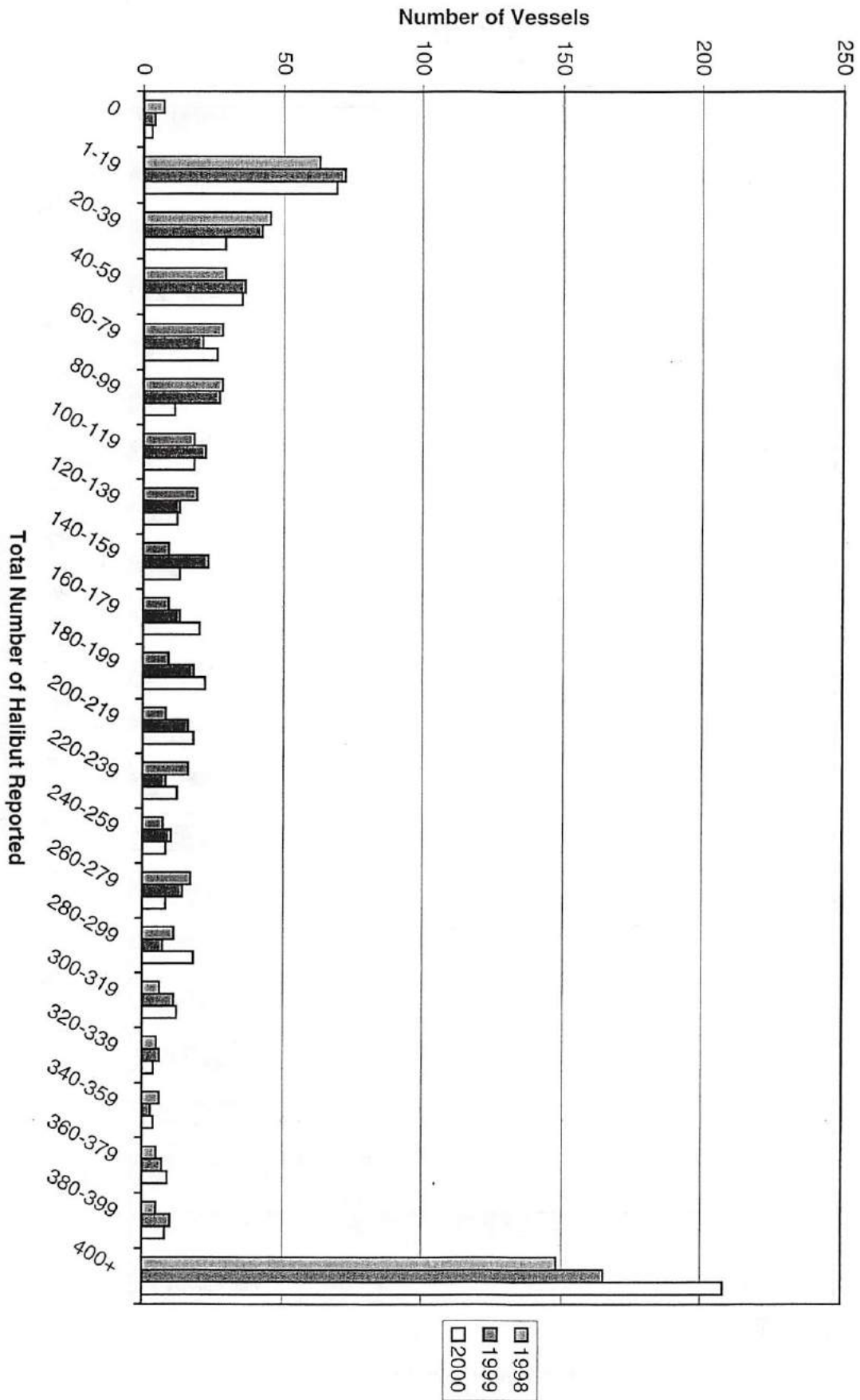
ATA supports a market driven IFQ program for charterboat operators. After seven years of Council discussion and negotiation, we recognize that others in the commercial and guided sportfishing sectors are better suited to discuss alternatives and negotiate the details of such a plan. However, ATA believes it is important that a plan be developed as quickly as possible, to ensure that an equitable arrangement can be worked out to the benefit of all parties.

Thank you for the opportunity to comment on this important matter, and for your willingness to serve the public as a member of the Council.

Best regards,



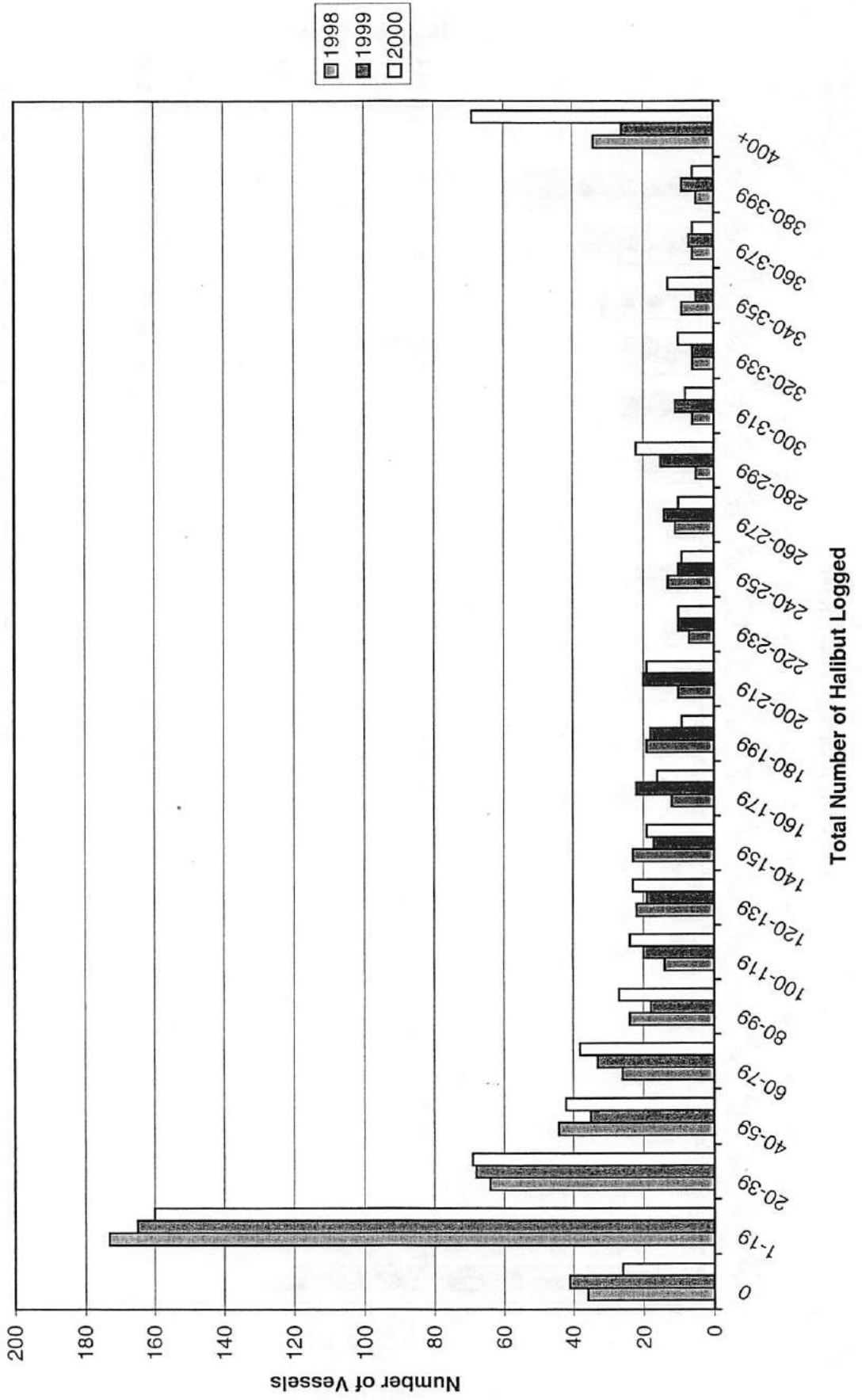
Dale A. Kelley  
Executive Director



Area 3A

JOHN G DODD HAND  
 VALDEZ CHARACTER ASSN  
 0-1 4/13/01

Area 2C



1/10/00  
 158000  
 1-19



April 12, 2001

Re: Testimony regarding the creation of a Charter Boat IFQ Program

Mr. David Benton, Chairman  
North Pacific Fisheries Management Council  
605 West Fourth Avenue, Suite 306  
Anchorage AK 99510-2252

Dear Chairman Benton:

I am here to testify as a commercial halibut fisherman of over 30 years. I am here to reluctantly give up a percentage of my IFQ pounds for another user group. These are pounds that I have earned, and pounds that I have purchased and am still paying for.

I am here to speak in support of Alternative 2, WITH Issue 1, Option 2 (100% cap based on corrected 98-99 charter boat harvests) and WITHOUT any community set-aside (Issue 11). The questions I ask as I look at this alternative are:

1. What have the other user groups given up?
2. Will the sportsman lose any fish?
3. Will the subsistence users lose any fish?
4. Will the Charter fleet lose any fish?
5. Have any of these user groups had to give up any part of their livelihood? Their income? Their retirement? Their investment?
6. How about the other commercial fishing bycatch quotas? Will they now shrink proportionally?
7. Why are the commercial longline IFQ holders taking the full hit to sponsor a new user group?

I am here to say -- If there is a new user group introduced into the existing IFQ program, EACH of the existing user groups should be proportionally taxed. This is the only FAIR and EQUITABLE solution. If this can't be done, then a new user group should not be created.

In addition to asking that each user group proportionally share in the creation of an Charter IFQ program, I am also here to speak against the 125% cap. When the commercial halibut IFQ program was created, we didn't get 125% of our catch. In fact, I only got 20% of what I caught. Receiving 100% of the cap is more than fair. If they want more fish, they can do what I did and buy more.

I also question the science behind this decision. Unlike the commercial halibut longline fleet, which has always been subject to regulation and cap limitations, and has been intensely studied, the charter boat industry has grown so fast that it has been impossible to get a stable assessment of their impact on the environment and the resource.

Finally, I wish to speak about the proposed community set aside. It sounds like a CDQ to me... If the communities want to have a CDQ program, they need to propose one. This proposal needs a great deal more time and attention than it is being given here. There are dangerous precedents

that could be set by its creation. It lacks full detail. It adds to the number of vessels that will be fishing without the corresponding science to understand their impact.

Of the alternatives being proposed for the Charter Boat IFQ program, I support Alternative 2, WITH Issue 1, Option 2 (100% cap based on corrected 98-99 charter boat harvests) and WITHOUT any community set-aside (Issue 11).

Respectfully Submitted,



Kenneth M. J. Simpson  
Captain, F/V Lady Simpson

F/V Lady Simpson  
Kenneth M.J. Simpson  
Owner / Operator / Captain  
7948 Highlander Drive  
Anchorage AK 99518

## Charter IFQ'S

### Just Say No!

### Top Ten List

- 1) Over time, the price of a charter will increase by the dock price of the fish being caught.
- 2) One fish charters will spring up overnight.
- 3) Trophy fish charters, where you only get to keep fish over 100 pounds, will start.
- 4) Cook Inlet rock fish and ling cod populations will be overfished to the point of depletion.
- 5) Increased effort in the sport salmon troll fishery will require some form of limited entry.
- 6) Illegal charters will be rampant.
- 7) Enforcement costs @ \$250 per landing in the commercial fishery. Who is going to pickup the tab for enforcement in the sport fishery.
- 8) Until the price of a charter increases almost \$100, the quota drain will be exclusively toward the commercial sector.
- 9) Does anyone familiar with the National Marine Fisheries Service Alaska Enforcement Division seriously want to give this agency the right for warrantless entry and warrantless search and seizure over every tourist charter boat in the state?
- 10) The U.S. sport fish lobby is the gorrilla sleeping on the sidelines. They will file suit. Why wake the gorrilla?

Joe Simpson  
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Council members,

My name is Joe Simpson I have operated a charter on Cook Inlet since 1990. I am opposed to IFQs or GHI. I am for a fair reallocation of the resource shifting a bigger part to general public. This board is commercially dominated so their position generally is for the commercial fleet. The division of this public resource should take into account who owns this resource. It is unacceptable to hear the NPFMC says the resource is fully utilized and is adopting a GHI or IFQs to address this non-existing problem. The commercial fleet has had major increases in the last 6-7 years. Their harvest in 1995 was 44 million lbs. In 1998 they took 70 million lbs. The sport harvest during that time leveled off with no major increase. By-catch in all commercial fisheries has stayed at about 13 million lbs a year. This is a lot of fish. I think the council has a responsibility to address this problem before it puts a cap on the charters. Some areas of state have too many charter boats operating in them which limited entry or a moratorium in those areas could solve the problem. New entrants should go to areas that are not overcapitalized. We also need areas of sport fishing only with no commercial harvest in most areas of country when there is a shared public resource there is a fair split of resource. The Alaska State Constitution states that all residents shall share equally in all fish & game with no user group receiving priority. Fisheries within federal waters are held in public trust for the people of the United States. Public trust principles are thus applicable to any allocation of fishing rights. The government has an affirmative duty to take the public trust into account in conferring IFQs. Such allocation cannot be irrevocable but remain subject to the government's continuing supervisory responsibility over them to hold and manage them on behalf of the people. Although fishing privileges can be granted they remain subject to modification in light of current knowledge and current needs. The current need is a fair division of this resource. I realize the commercial fleet has dominated this resource but it is time to give back to general public. We are not asking for huge amounts of fish but fair increase for all. Some see this as a guided angler issue. It is not. It is about fair access for all anglers. They talk about GHI as the status quo. This is also unfair. This is not law but a recommendation of this commercially dominated council. Status quo means the existing state of affairs. Implementing IFQs is also unreasonable. Take away competition and limit access and prices will go up. Quality of trips may also suffer. There is no need for any of these proposals. The main thing is the public needs more access of the resource not a final action on this non-existing problem. Thank you.

, Joe Simpson

source of information iphc web page also the current npfmc web page halibut issues

**Incidental catch and mortality of pacific halibut 1962 to 1999 by Gregg H. Williams Senior biologist iphc**

