

# *News Release*

AGENDA B-7  
FEBRUARY 2007

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P.O. Box 95009, SEATTLE, WASHINGTON 98145-2009

January 22, 2007

## **HALIBUT COMMISSION COMPLETES 2007 ANNUAL MEETING**

The International Pacific Halibut Commission completed its Eighty-third Annual Meeting in Victoria, B.C., with Dr. Laura J. Richards of Nanaimo, B.C. presiding as Chair. The Commission is recommending to the governments of Canada and the United States, catch limits for 2007 totaling 65,170,000 pounds, a 6.7% decrease from the 2006 catch limit of 69,860,000 pounds.

The Commission staff reported on the 2006 Pacific halibut stock assessment which implemented a coastwide estimation of biomass, compared with previous assessments which assessed stock biomass for each individual IPHC regulatory area. The total stock biomass identified by the coastwide assessment is approximately the same as the sum of that from the regulatory area assessments. However, the Commission believed that further examination of options for partitioning the coastwide biomass estimate into estimates of biomass for each regulatory area was required before it adopted the new approach. Accordingly, the Commission relied on the previous methodology of separate regulatory area assessments as the basis for determining catch limits. Lower catch rates in the eastern area of the halibut stock prompted the Commission to recommend more restrictive catch limits for this portion of the stock. Pending recruitment from the 1994 and 1995 year classes appears to be relatively strong in most areas, although Area 4B is showing a notably lower level of recruitment of these same year classes compared with other regulatory areas.

For 2007, the Commission continued with a 22.5% harvest rate for use in Areas 2A through 3A and a rate of 20% for Areas 3B through 4E. Low levels of recruitment and lower estimated levels of productivity in Areas 4B and 4CDE continued to support harvest rates lower than 20% for these areas. Accordingly, the Commission adopted catch limits based on a harvest rate of 15% for Areas 4B and 4CDE. The IPHC conducted additional research projects in Areas 4CDE during 2006 and the results provided an improved assessment base for these areas, however the survey catch rate on the eastern Bering Sea shelf is still estimated to be low, compared with other commercial fishing areas.

### **Seasons and Catch Limits**

The Commission received regulatory proposals for 2007 from the scientific staff, Canadian and United States harvesters and processors, and other fishery agencies. The Commission will recommend to the governments the following catch limits for 2007 in Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

## 2007 Catch Limits

Regulatory Area	Catch Limit (pounds)
Area 2A	
Non-treaty directed commercial (south of Pt. Chehalis)	227,955
Non-treaty incidental catch in salmon troll fishery	40,227
Non-treaty incidental catch in sablefish longline fishery (north of Pt. Chehalis)	70,000
Treaty Indian commercial	461,000
Treaty Indian ceremonial and subsistence (year-round)	33,000
Sport – North of Columbia River	239,636
<u>Sport – South of Columbia River</u>	<u>268,182</u>
Area 2A total	1,340,000
Area 2B (includes sport catch allocation)	11,470,000
Area 2C	8,510,000
Area 3A	26,200,000
Area 3B	9,220,000
Area 4A	2,890,000
Area 4B	1,440,000
Area 4C	1,866,500
Area 4D	1,866,500
	<u>367,000</u>
<i>Area 4E</i>	8,430,000
<i>Area 4 total</i>	
<b>Total</b>	<b>65,170,000</b>

The Department of Fisheries and Oceans, Canada (DFO) will allocate the adopted Area 2B catch limit between sport and commercial fisheries.

The IPHC sets biologically-based catch limits for Areas 4A, 4B, and a combined Area 4CDE. The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). The catch-sharing plan allows Area 4D Community Development Quota (CDQ) harvest to be taken in Area 4E.

The catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC) for Area 2A was adopted by the Commission and is reflected in the catch limits adopted for the Area 2A fisheries. In Area 2A, seven 10-hour fishing periods for the non-treaty directed commercial fishery are recommended: June 27, July 11, July 25, August 8, August 22, September 5, and September 19, 2007. All fishing periods will begin at 8:00 a.m. and end at 6:00 p.m. local time, and will be further restricted by fishing period limits announced at a later date.

Area 2A fishing dates for an incidental commercial halibut fishery concurrent with salmon troll fishing seasons, and the incidental commercial halibut fishery during the sablefish fishery north of Point Chehalis, will be established under United States domestic regulations by the National Marine Fisheries Service (NMFS). The remainder of the Area 2A catch-sharing plan, including sport fishing seasons and depth restrictions, will be determined under regulations promulgated by NMFS. For further information of the depth restrictions in the commercial directed halibut fishery, incidental halibut during the sablefish fishery, and the sport fisheries, call the NMFS hotline (1-800-662-9825).

After reviewing staff information and proposals from the harvesting and processing sector, the Commission approved a season opening date of March 10. The Saturday opening date is to facilitate marketing. Therefore, seasons will commence at 12 noon local time on March 10 and terminate at 12 noon local time on November 15, 2007 for the following fisheries and areas: the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IFQ) and CDQ fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. All Area 2A commercial fishing including the treaty Indian commercial fishery will fall within March 10 – November 15, 2007.

### Regulatory Changes and Issues

The Commission approved regulations to change the California sport fishery possession limit as part of the catch sharing plan. The sport fishery possession limit on land and on the water in California will be one daily bag limit.

For Area 2B, the Commission adopted a regulation to allow the retention of halibut in sablefish trap gear during the halibut IQ season, provided that harvesters had obtained halibut quota shares for the mortality and retention of halibut. This was passed to assist DFO with the Integrated Groundfish Fisheries Plan, which is a three-year pilot program. The regulation will be reviewed at the 2009 IPHC Annual Meeting to determine if retention of halibut in sablefish traps should continue to be allowed.

For Alaska, the Commission agreed to revise the regulation which prohibits the processing or mutilation of sport caught halibut that prevents the determination of the minimum size or number of fish. The regulation change limits the application to on board the catcher vessels only, so that halibut may be subsequently cut up as necessary off of the vessel.

The Commission agreed to change the recording date from December 1 to November 1 for the CDQ managers to report the amount of sublegal-sized halibut retained in Area 4E and 4D CDQ fisheries.

IPHC regulations require that halibut caught in the commercial fishery that are not retained shall be immediately released outboard of the roller and returned to the sea with minimum of injury. The Commission agreed to revise the regulation to allow halibut to be measured on board the vessel to determine if they meet the legal-size limit and to then be returned to the sea with minimal injury.

The Commission noted that Guideline Harvest Levels (GHL) approved by the NPFMC for the charter/guided recreational halibut fishery in Areas 2C (southeast Alaska) and 3A (central Gulf of Alaska) were exceeded in recent years, substantially so in Area 2C (over 40% higher than the GHL in 2006). Commission staff initiated dialogue with the NPFMC to determine what control measures would be enacted by the Council to constrain harvest to the GHLs in 2007. The NPFMC indicated that, although it is committed to management of this fishery to the GHL limits, it would not be able to

complete analyses and develop a regulatory framework to effect control of this fishery until 2008. The Commission, with the support of its advisory bodies, therefore passed a regulation for a one-fish halibut bag limit for sport guided charter fishing in Area 2C from June 15 - July 31, 2007 and for Area 3A from June 15 - 30, 2007. These bag limit regulations will be effective until the implementation by the U.S. government of domestic regulations to achieve halibut mortality reductions consistent with those that would be achieved by the IPHC recommendations. The Commission takes this action with some reluctance but believes the action to be necessary, given the magnitude by which the charter/guided catches exceeded the GHL limits and the belief that such overharvesting puts at risk the achievement of IPHC management goals for the halibut stock.

### Other Actions

The Commission spent considerable time discussing migration, coastwide stock assessment versus closed-area stock assessment, and apportionment among regulatory areas. The Conference Board and Commission staff recommended a workshop be held to allow the industry and agencies to better understand the coastwide stock assessment model. The Commission staff was tasked with determining the best method for the workshop and review, in consultation with the respective agencies.

In addition, the Conference Board requested a report on the effects of hook straightening and careful release in relation to halibut viability. The Commission staff will complete a report prior to next year's Annual Meeting. The Commission will continue its research in Areas 4B and 4CDE, which was also highlighted by the Conference Board.

The Commission honoured Mr. Dylan Hardie of Courtenay, B.C. as the fifth recipient of the IPHC Merit Scholarship. Mr. Hardie was presented with a certificate and plaque, as well as the scholarship of \$2,000 (U.S.). The Commissioners expressed their continued support for the scholarship program and commended the Scholarship Committee for their efforts in assessing the candidates.

The recommended regulations for the 2007 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The next Annual Meeting of the Commission is planned for Oregon, at or near Portland, from January 22 to 25, 2008. The United States Government Commissioner, Dr. James W. Balsiger of Juneau AK, was elected Chair for the coming year. The Canadian Government Commissioner, Dr. Laura J. Richards of Nanaimo B.C., was elected Vice-Chair. Other Canadian Commissioners are Clifford Atleo (Port Alberni, B.C.) and Gary Robinson (Vancouver, B.C.). The other United States Commissioners are Ralph Hoard (Seattle, WA) and Phillip Lestenkof (St. Paul, AK). Dr. Bruce M. Leaman is the Executive Director of the Commission.

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Conference Board Report  
83<sup>rd</sup> Annual Meeting  
January 16<sup>th</sup> – 19<sup>th</sup> 2007  
Victoria, B.C. Canada

United States	Canada
Alaska Charter Association	Annieville Halibut Association
Alaska Longline Fisherman's Association	Canadian Sablefish Association
Alaska Travel Association	Gulf Crab Fishermen's Association
Alaska Trollers Association	Gulf Troller's Association
Aleutian Pribilof Is. Association	Halibut Advisor Board
APICADA Vessel Inc.	Huu-Ay-Aht First Nation
Area 3B /4A False Pass	North Pacific Halibut Fishermen's Association
Central Bering Sea Fishermen's Association	Northern Trollers Assoc.
Coastal Villages Region Fund	Nuu-Chah-Nulth Tribal Council
Cordova District Fishermen United	Pacific Coast Fishing Vessel Owners Guild
Concerned Area M	Pacific Longline Halibut Fisherman's Association
Deep Creek Charter Boat Association	Pacific Troller's Association
Deep Sea Fishermen's Union of the Pacific	SFAB - South
Fishing Vessel Owners Association	SFAB - North
Halibut Coalition	SFAB – Main
K Bay Fishermen Association	Steveston Halibut Association
Kodiak Assoc. of Charter Boat Operators	T. F. N.
Kodiak Longliners Association	Ucluelet F.N
Kodiak Vessel Owners Association	
Lake & Peninsula Borough	
Makah Fisheries Management	
North Pacific Fisheries Association	
Pelican Advisory Panel Board	
Petersburg Charter Boats Association	
Petersburg Vessel Owners Association	
Quiliute Indian Nation	
Quinault Indian Nation	
Seafood Producers Coop	
SE Alaska Fishermen's Alliance	
Sitka Charter Boat Assoc.	
Sitka Halibut & Blackcod Marketing Association	
St. Paul Fishermen's Association	
Tribal Government of St. Paul	
United Fishermen of Alaska	
Washington Trollers Association	
Westport Charter Association	

## **REVIEW CONFERENCE BOARD VOTING ROSTER**

The United States section accredited 36 organizations for participation for the 2007 conference board proceedings.

The Canada section accredited 1~~8~~<sup>9</sup> organizations for participation for the 2007 conference board proceedings. (55)

## **SELECT CHAIRPERSON FROM CANADA AND THE UNITED STATES**

On the Canadian side, George Cormier was selected as Chair.

On the United States side, Robert Alverson was selected as Co-Chair.

### **CONFERENCE BOARD RECOMMENDATIONS TO IPHC**

#### **A. SEASON DATE RECOMMENDATIONS FOR ALL AREAS**

The Conference Board presents to the Commission a split decision from the harvesters for an opening date.

The United States section supports an opening date of Sunday, March 4 for the following reasons:

1. In area 2A there is a problem with the bycatch of yellow eye rock fish. The bycatch is minimized with an early March opening date as opposed to a later opening.
2. There is a similar bycatch problem in area 2 C with yellow rock fish and demesel shelf rock fish which is mitigated with an earlier March opening date.
3. The market has gained acceptance for an earlier March availability of fresh halibut. In March 2006 the Canadians and U.S. fishers landed 7 million pounds in the month of March. (pg 15 bluebook) A later opening is going to require this fish to compete against fish landed later in the year.
4. The industry is still concerned about maximizing the availability of wild caught halibut versus any availability of farmed raised halibut.
5. With regards to migration concerns the staff presented data that showed the harvest of halibut in SE Alaska for both inside and outside waters. It did not appear the migration was large from the amount of fish being caught.

Canada's position during the discussion on opening dates was March 25<sup>th</sup>. Canadian delegates continue to have concerns over the interception of 2B fish by SE Alaskan fishermen in late February and early March. IPHC knowledge of winter spawning migration of halibut remains sketchy and there is no clear determination of how many fish are in a given area at a given time. Canadian delegates are hopeful that the PAT tag releases scheduled for February and March 2007 will further clarify the migration issue for future years.

**B. CATCH LIMIT RECOMMENDATIONS**

Some members of the Conference Board are concerned by the dramatic changes presented in this year's assessment and the short time frame available for industry and scientific review. In particular, we are concerned by, as yet, unanswered questions about selectivity, migration and using the surveys for apportionment. Changes in the apportionment process have significant economic impacts and should be carefully discussed, evaluated and peer reviewed through the scientific communities. We urge the Commission to establish an Industry Workgroup in 2007 with representatives from all areas tasked with reviewing model assumptions, survey techniques and alternative apportionment processes.

In making catch limit recommendations, the Conference Board took each area up separately. Several members wished the record to express that their support for an individual area catch limit did not necessarily reflect support for the new model's apportionment system.

**CATCH LIMIT RECOMMENDATIONS – ALL AREAS**

The Conference Board's recommendations for 2007 are as follows:

2A	1.34 million pounds
2B	11.97 million pounds
2C	8.51 million pounds
3A	26.01 million pounds
3B	12.83 million pounds
4A	3.98 million pounds
4B	1.97 million pounds
4CDE	3.65 million pounds
Total	70.26 million pounds

**COMMENTS ON CATCH LIMIT RECOMMENDATIONS**

**Area 2A**

The representatives that participate in 2A want the Commissioners to be aware there appeared to be several anomalous conditions that occurred during the 2006 set line survey. These conditions included excessive dogfish in the area of the Olympic peninsula, activities of the at sea whiting fleet in the Astoria area and Northern Olympic Peninsula, and oxygen dead zones off of Oregon. The 2A recommendation is based on using the old 2005 method. Commercial CPUEs from the Tribes and non-treaty participants do not track with a 43% reduction that occurred in the set line survey.

## **Area 2B**

Area 2B representatives believe that the coast wide method of apportionment proposed by IPHC staff requires additional work and/or analysis on selectivity, migration, and further discussion with regard to the use of set line surveys to determine area apportionment. In line with this rationale, the 2B representatives recommended a catch limit which is in line with the old 2005 method. The recommended catch limit is 1.25 million pounds less than the 2006 harvest limit. This is 36% of the staff's recommended reduction in 2B.

## **Area 2C**

The harvest limit in 2C represents a 2.1 million pound reduction from the 2006 harvest limit. This is 75% of the staff's recommended reduction in 2C. There were three participants in opposition. The one from Pelican wanted to see a 10% overall reduction. The other two wanted to see staff recommendations. None of the participants from 2C believe it would be fair to take this amount of reduction and be required to absorb any GHF overages from the charter boat fleet.

## **Area 3B and 4A**

The Conference Board is supporting staff recommendations. There was one in opposition in area 3B and 4A who wanted 2006 harvest limits retained for an additional year.

## **Area 4B and 4CDE**

There were no oppositions to the staff recommendations.

## **IPHC STAFF REGULATORY PROPOSALS: 2007**

### **Catch sharing plans 2A**

The Conference Board unanimously supported the staff recommendation found in the PFMC catch sharing plan for area 2A. By supporting the 2A catch sharing plan the sport fishing possession limits in California were also accommodated.

### **Reporting Date for the CDQ managers for area 4D and 4E**

The Conference Board accepted the staff recommendations.

### **Careful release of halibut**

The Conference Board supported the staff recommended wording change which would allow fish to be brought on board and measured for size.



### **Hook Straightening**

Currently restrictions in the freezer longline fishery for Pacific cod allows for hooks to be straightened out as part of the careful release program. Concerns were expressed by some members that they were seeing increased numbers of halibut with broken jaws. It is unknown if the cause is from the methods of careful release therefore the Conference Board would like a report from the NMFS Observer Program regarding careful release and viability of the released fish.

### **Determining the minimum size of sport caught halibut in Alaska**

The Conference Board supported this recommendation and notes it applies to catcher vessels in Alaska.

### **Achieving sport harvest targets in Area 2B, 2C and 3A**

Area 2B delegates indicated that a process for insuring that the 2B recreational fishery remains within its share of the Canadian CEY will be undertaken in time to insure no recreational overage in 2007. Therefore, the Canadian delegation does not want to make any recommendation to Commissioners on this matter, preferring to resolve it using the aforementioned process.

Area 2C and 3A: The U.S. section of the Conference Board endorsed staff recommendations and urges the Commission to take corrective action in 2007 to keep the guided sport sector in 2C and 3A to domestic harvest limits unless comparably effective measures are implemented by June 15, 2007, through the Council, the Secretary of Commerce or ADFG. This was supported by 30 commercial groups and opposed by 6 charter group organizations from the U.S. section.

The Conference Board set up a working group of five charter organizations and five commercial organizations to see if a compromise could be reached on this issue. The working group report is as follows:

### **2C AND 3A CONFERENCE BOARD WORKING GROUP MINUTES**

#### Conference Board Working Group

Dan Hull, Cordova District Fishermen United  
Tory O'Connell, SE Alaska Fishing Alliance  
Per Odegaard, Fishing Vessel Owners Assoc.  
Linda Behnken, Alaska Longline Fishermen's Assoc.  
Tom Ohaus, Sitka Charter Boat Owner's Assoc.  
Larry McQuarrie, Sportsmen Lodge/ATIA  
Peter Hanson, Dall Island Group  
Chaco Pearman, Kodiak Association of Charterboat Operators  
Julianne Curry, Petersburg Vessel Owner's Assoc.  
Rex Murphy

The Working Group met for several hours Tuesday night and again Wednesday morning to discuss IPHC staff charter sector management recommendations. The

group could not come to agreement on any compromise positions on management actions by the IPHC for the charter sector in 2C and 3A. The charter sector does not believe that the IPHC is the appropriate body to decide this issue, and that it belongs instead in the NPFMC (Council) process. The commercial sector believes it is appropriate for the IPHC as well as the Council.

Working group consensus points:

1. The group supports the conservation mandate of the IPHC.
2. There are allocation implications either way the IPHC acts on this issue.
3. Although there's no agreement on management measures by the IPHC for 2007, the group supports the Council process to develop management measures for 2C for 2008.
4. The group supports the State of Alaska's commitment to use its Emergency Authority to prohibit the retention of halibut by skipper and crew, and to limit the number of lines fished to the number of paying customers in both 2C and 3A for 2007. The group also asks that the IPHC take into account the effects of these measures when setting the charter sector's catch limits in 2C and 3A for 2007.
5. While a moratorium is not a management tool to control charter harvest, it is an essential step. Therefore, the group strongly encourages the Council to develop and implement a moratorium that effectively reduces effort and holds to the 2005 control date, taking into consideration the concerns expressed by communities with underdeveloped charter fleets.
6. The group strongly encourages the Council to make the development and implementation of a permanent solution a top priority by providing appropriate levels of staffing and resources. The group also strongly encourages NMFS to make its administrative role of review and approval in the Council regulatory process a top priority to prevent delay of resolution to this issue.

The U.S. commercial section feels the IPHC is the appropriate management body to take interim restrictive measures, such that, the existing domestic allocations approved by the Secretary of Commerce between charter boat and commercial interest are complied with in areas 2C and 3A. The IPHC informed the NPFMC of the unregulated charter industry in 1993. The United States government set the allocation between the commercial and charter interest on August 8, 2003, as found in the Federal Register for Rules and Regulations of the United States. The NPFMC passed those allocations in 2000 and reaffirmed them unanimously in April 2006. The NPFMC does not have regulatory authority at this time to enforce the current allocations between charter and commercial interests. If IPHC takes no action they will be reallocating the resource away from the commercial fleet, a sector that has not exceeded their allocation in ten years. In the event that regulations are not developed by the NPFMC, Secretary of Commerce, or the State of Alaska by June 15, 2007, the

interim restrictions of the IPHC would be in place and provide a mechanism to enforce U.S. allocations in area 2C and 3A.

There was a minority statement to this action. It is as follows:

The guided sport members of the conference board, who represent all sectors of the charter halibut industry, wish to go on record regarding recommendations from the International Pacific Halibut Commission (IPHC) staff for achieving sport harvest in areas 2C and 3A. We request that the Commission take no action on the proposal to limit the charter halibut as it is a matter of domestic allocation that should remain with the North Pacific Fishery Management Council (NPFMC).

We support the short and long-term goals currently underway with the NPFMC and believe the best result for user groups will come from the council process. Alaska Department of Fish & Game is moving toward a statewide limited entry program for charter vessels and permanent solutions are moving through the Council process at this time. We are committed to a fast track resolution of this issue and urge all of the members of the U.S. delegation of the conference board, IPHC staff and the IPHC Commissioners to express their concerns over the lack of progress to the NPFMC. We also urge you to support the recommendations of the charter halibut stakeholders committee of the NPFMC in its efforts to establish a moratorium by 2008.

## **INDUSTRY REGULATORY PROPOSALS 2007**

### **Retention of halibut in sablefish trap gear {Area 2B only} Proposals 1 and 6**

Two proposals were received related to this subject - one from an industry association and one from the Department of Fisheries and Oceans. The two proposals were different. The proposal from the industry association requested that sablefish trap vessels be allowed to retain and land halibut during the halibut season and be given a mortality allowance for its estimated halibut mortality in sablefish traps during the closed period. The proposal from DFO requested that sablefish trap vessels be allowed to retain and land halibut during the halibut season. The requests are being made in light of the new Groundfish Integration Pilot Program being implemented in Canada, where all groundfish fleets are accountable for specific groundfish bycatch and must secure quota for retained/landed or an assessed amount of release mortality.

After some discussion and clarification questions, a request was made of the Conference Board to support the common aspect of each request, which was support for halibut retention in sablefish trap gear during the open halibut season. The Conference Board did not support the request.

It was pointed out there are a number of fisheries other than sablefish that catch halibut during the halibut season and the closed seasons and the implications of halibut bycatch retention go far beyond that of the sablefish trap fleet in Canada.

**Proposal 2 - March 15<sup>th</sup> opening**

The Conference Board had dealt with this issue earlier in the agenda.

**Proposal 3 - prohibited filleting of charter boat halibut in 2C**

The Conference Board supported this action for area 2C, if adopted by the Commission this would require charter boats in area 2C to bring their fish in whole or bring in the carcass with the fillets. There was one group in opposition for the U.S. Section which was the Alaska Charter Boat Association. All other groups supported this. The principle area of concern is where to dispose of the carcasses. The Conference Board was informed that 90% of charter-delivered halibut in Sitka is not being assessed for size and weight.

**Proposal 4 - require circle hooks**

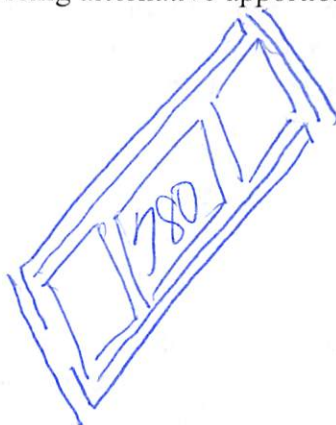
This proposal was dropped as IPHC intends to do a viability study on different types of hooks.

**Proposal 5 - reduce guide sport bag limit**

This was addressed under previous Conference Board activity.

**Other Business**

1. The Conference Board supported a motion to continue the tagging and research in areas 4CDE and area 4B.
2. The Conference Board supported a motion to have IPHC staff coordinate a working group that would include all interested parties from the United States and Canada that would be tasked with reviewing the new model assumptions advanced by staff at the 2007 Annual Meeting and assessing alternative apportionment processes.



## **Discussion of IPHC management options for the 2007 sport charter fishery in Alaska**

### **IPHC staff**

NPFMC Meeting February 7, 2007

Portland, OR

### **Introduction**

International Pacific Halibut Commission (IPHC) first enacted regulations for the sport fishery in 1973, in response to repeated requests by federal and state/provincial agencies, who sought consistency and uniformity in regulation of the sport fishery in all areas. Since then, IPHC sport fishery regulations have focused on daily bag and possession limits, size limits, gear specifications, catch limits, and seasons.

- IPHC regulations set the bag limit at three fish per day in 1973, reduced it to one fish per day in 1974 due to conservation concerns, and raised to two fish per day in 1975.
- The yearly sport fishing season was March 1 – October 31 from 1973 to 1984, and changed for several years until it was set at February 1 – December 31 in 1986.
- Sport charter vessels were required to get an IPHC vessel license from 1984 to 1997.
- The creation of the Pacific Fishery Management Council (PFMC) Area 2A Catch Sharing Plan in 1988 created an allocation framework and provided administrative tools for recreational catch management in Area 2A.

IPHC regulations for the Alaskan sport fishery have remained relatively unchanged since 1998. However, recent domestic allocation decisions and absent management actions to assure compliance with these decisions have resulted in a failure of the IPHC to achieve its management and conservation targets. The IPHC has existing regulations for the sport fishery, which could be changed to address these compliance and conservation concerns as well as assist in the achievement of domestic allocation targets. This paper lays out options for the sport charter fisheries in Areas 2C and 3A for the Commission to consider, with discussion based on available analysis previously conducted by the North Pacific Fishery Management Council (NPFMC or Council). This paper was used in developing the staff recommendations to the Commission concerning the recreational fisheries, for 2007. Table 1 provides a summary of sport harvests in all IPHC areas during 1995-2006.

### **Current IPHC sport fishery regulations in Alaska**

Current sport regulations specific to Alaska are shown in Table 2. The basic regulations pertaining to sport catch in Alaska are the bag limit of two fish per person per day, a possession limit of two bag limits, and a season of February 1 through December 31.

### **Charter fishery options being examined by the NPFMC for 2008 in Area 2C**

At its December 2006 meeting, the Council determined there was insufficient time to analyze and adopt restrictions on the 2007 charter halibut fishery. Consequently, the Council tasked their staff with analyzing a set of measures which could be implemented for the 2008 fishery. These measures include:

1. One trip per vessel per day;
2. No retention by skippers and crew;
3. Annual catch limits of 4 or 5 halibut;
4. One fish bag limit for June, July, August, or entire season;
5. Trophy size limit for second fish of 45, 50, 55 or 60 inches;
6. A season closure date of August 15, 31, or September 15;
7. Charter fishery closure on a specific day of the week (pick a specific day); and/or
8. Minimum size limit of 32 inches.

## **Discussion**

In a letter to IPHC (dated December 20, 2006), the Council asked that if the Commission decided to adopt regulations to regulate the charter harvest, the Council "...urges that the Commission consider a suite of options that offer the potential to reduce the charter harvest while doing the least damage to the charter industry." Given the suite of options identified by the NPFMC, it would be appropriate for the Commission to consider the same suite of options.

Our review of these options is based primarily on previous analyses conducted by NPFMC staff as part of the ongoing development of charter fishery management in Areas 2C and 3A. Most of the options have been analyzed in some form or at least discussed in concept. The following section presents the available information on each option. The discussion is summarized in Table 3.

### **Option 1: One trip per vessel per day**

#### ***Summary***

This option would limit each charter vessel to no more than one trip per 24-hour period during the sport season. It is not specified if the 24-hour period is midnight-to-midnight, or some other time frame. The intent of this measure is to prohibit operators from running two trips per day, i.e., one in the morning which returns at midday, and a second trip in the afternoon. Certain operators, particularly in Area 2C, operate multi-day trips away from port, where fishing is conducted late on day one, and a second trip on day two. Whether this type of business is impacted will depend on how the "per day" time frame is defined.

#### ***Analytical Results***

Analysis by Northern Economics (2005) using ADF&G charter logbook data from 2002-2004 indicated there would be only a minimal reduction in catch with this measure. The estimated catch reductions ranged from 0.5 to 1.2 percent in Area 2C, and 3.0 to 4.4 percent in Area 3A. These estimated savings assume that the displaced clients do not rebook on other vessels. Charter operators believe, however, that replacement bookings would likely occur, thus diluting the effectiveness of this measure.

Logbook data showed that a minority of the operators conduct more than one trip per calendar day at some point during the season, but that the number of operators that depend on this business model is relatively few. These latter operators would be severely impacted by this prohibition, and would be forced to change their business. Discussions with charter operators indicated that multiple-trip per day operators are more frequent in Area 3A than in 2C. However, operators in the Area 2C ports frequented by cruise ships (e.g., Ketchikan, Juneau, and Sitka) would likely be the most hard-hit.

Discussions with charter operators suggested that this option would likely lose its effectiveness over the long term, as vessels strive to operate with fewer empty seats and clients look for other open vessels.

### **Option 2: No retention by skippers and crew**

#### ***Summary***

This option would prohibit the retention of halibut by the charter vessel crews. In May 2006, ADF&G adopted a prohibition on skipper/crew retention of all species on all charter vessels for 2006. They have recently announced they intend to continue this prohibition for 2007 for both areas.

#### ***Analytical Results***

ADF&G logbook data for 1999-2001 accounted for 3.3 to 4.5 percent of the annual charter harvest in Area 2C and 7.7 to 10.5 percent in Area 3A (Northern Economics 2005). Skipper/crew harvests increased during the three year period but it was not known if this represented an increasing trend in the harvest over the long term. Thus, estimates of the effect on catch used the lower end of the range as an estimate of the minimum effect on catch.

A tangential issue has been the difficulty in actually estimating the skipper/crew harvest. The postal Statewide Harvest Survey has customarily been used to estimate sport harvests of halibut and other species. However, the phrasing of the survey questions has resulted in confusion about if these harvests have been attributed to charter or private harvests. Therefore, it is unclear whether the historical harvests were recorded under charter (when fish were given to clients) or non-charter harvest (when retained by crew), or whether they were recorded in their entirety. Nonetheless, when ADF&G introduced the measure in 2006, the estimated savings were deducted entirely from the charter harvest. ADF&G intends to clarify the survey in the upcoming year.

### **Option 3: Annual catch limits of 4 or 5 halibut**

#### ***Summary***

This option would limit the harvest by charter anglers to either 4 or 5 fish per year. It would have no effect on anglers fishing from bareboat charters, whereby a client rents a boat and tackle without a guide, or those fishing private vessels. Similarly, it would not affect those same anglers if they chose to fish on an unguided vessel for a portion of the season.

#### ***Analytical Results***

North Economics (2005) reported on an analysis by ADF&G on a 5 and 6 fish annual limit for Area 2C, using 2004 logbook data. The results showed that a 6-fish limit would reduce annual harvest by nearly 7.0 percent, while a 5-fish limit would result in a 12.2 percent reduction.

The measure is unlikely to affect the clientele of most charter operators. Most clients, especially those from cruise ships, usually take only one trip annually. Very few charter clients take enough trips to be impacted by this restriction. The greatest impact would likely be felt by the clientele of lodge operators and operators providing multi-day packages. The effectiveness of this measure would be reduced by the introduction of bareboat charters.

#### **Option 4: One fish bag limit for June, July, August, or entire season**

##### ***Summary***

This option would replace the existing 2-fish bag limit with a 1-fish bag limit for some specified time period or the entire season. The current regulation (Table 1) allows for a 2-fish daily bag limit during the entire season.

##### ***Analytical Results***

A 1-fish daily bag limit was analyzed by NPFMC as part of its initial development of the Guideline Harvest Level (NPFMC 2001). Using ADF&G logbook data for 1998-1999 and preliminary data (to November 15) for 2006, the following percentage reductions in the annual catch were estimated if a 1-fish limit was enacted in the specified month:

Month	Area 2C			Area 3A		
	1998	1999	2006	1998	1999	2006
May	2	1	2	5	4	5
June	12	10	10	14	13	13
July	14	14	15	17	16	18
August	10	14	12	7	10	10
September	1	1	1	1	2	2
<b>Full Year</b>	<b>39</b>	<b>40</b>	<b>40</b>	<b>44</b>	<b>45</b>	<b>47</b>

These estimates do not take into account any possible change in effort or angler behavior. For example, a 1-fish bag limit may have a greater effect if anglers decide that catching just one fish is not worth the cost of the trip. On the other hand, a charter operator may be able to fill client limits more quickly because there are fewer fish to catch, and return to port and make another trip in the day. Another factor is the potential for highgrading by anglers as they continue fishing for a larger, i.e., more acceptable, fish to retain. These estimates do not include any amount of discard mortality from released fish. This effect will be discussed under the following Option.

The updated evaluation of the 1-fish bag limit restriction based on 2006 logbook data differed little from the 1998-1999 data. That evaluation also noted that some dissipation of the benefits of the measure might occur through increases in mean weight of retained fish and increases in charter fishing effort.

#### **Option 5: Trophy size limit for second fish of 45, 50, 55, or 60 inches**

##### ***Summary***

This measure would require that the second fish caught by a charter client be greater than a specified minimum size limit. In this case, this minimum size is specified higher than needed from a biological justification but more on a conservation basis, i.e., to reduce harvest. The intent with this measure is to keep the 2-fish bag limit but have the second fish be of a "trophy" size that would be difficult to catch.

##### ***Analytical Results***

This measure has not been previously examined or analyzed. However, expected direct reductions in catch would likely be of a similar magnitude of the 1-fish bag limit at the highest size limit choice, without factoring the increased mortality resulting from culling through



multiple fish in attempting to capture this larger trophy fish. The catch of fish above the specified size would add to the harvest of the first fish caught, resulting in somewhat lower catch reduction. The amount would depend on the size limit adopted, with a higher size limit (e.g., 55 or 60 inches) causing less catch.

The discussion makes no adjustment for the sequence in which the halibut are caught. For example, the first fish caught by an angler may be the fish which exceeds this trophy limit, and the angler may continue fishing, i.e., catch and release, till he is satisfied with the size of his second fish.

The mortality of the halibut that are caught and discarded below this size limit would have to be accounted in the sport fishery removals as discard mortality. This is likely to be significant. At present, no mortality is associated with discarded fish in the charter (or any other sport fishery), although it is accounted for in the commercial fishery. However, the numbers of fish discarded in the charter sport fishery are substantial (Fig. 1). Preliminary data on discards in the charter fishery from 2006 ADF&G charter logbooks were submitted to the Commission as part of public testimony at its Annual Meeting in January and are summarized below.

<b>IPHC Area</b>	<b>Halibut Kept</b>	<b>Halibut Discarded</b>	<b>Discards as Percent of Retained Catch</b>
2C	110,086	51,155	46.5%
3A	260,494	321,925	123.6%

These data do not account for the added discarding that would occur under a trophy fish bag limit scenario. At the January IPHC Annual Meeting, ADF&G staff presented estimates of the proportion (by weight) of the charter harvest that was below the trophy size. However, those estimates do not correctly represent the discarding that would occur under a trophy scenario because the estimates are based on retained catch and do not account for either existing discards or the additional discard that would accrue as anglers attempted to access the additional trophy fish beyond their first fish bag limit.

Data to estimate the magnitude of discards and mortality associated with trophy-fish management scenario are limited. However, IPHC staff did examine the impact of the existing and incremental mortality by estimating the size frequency of the halibut population in each area, and then estimating the proportion of the population below particular sizes. This provides an estimate of the number of fish that might be caught and discarded before encountering and catching the trophy fish of a particular size.

The frequency of particular lengths of fish in the population can be estimated from IPHC surveys in 2006 (Fig. 2). These frequencies may underestimate the occurrence of the smallest fish in the population, and encountered by some segments of the recreational fishery, because the hook size used on IPHC surveys (16/0 hook) is larger than that used by many recreational anglers, and because the surveys are restricted to water deeper than 20 fm. However, the table below does provide a minimum estimate of the percentage of the population that is below the specific trophy fish sizes and that would be encountered by the recreational fishery, for Areas 2C and 3A.

Trophy fish Length (inches)	Percent less than Length in Area 2C	Percent less than Length in Area 3A
45	88.5	91.8
50	94.1	96.5
55	97.4	98.7
60	98.9	99.5

These data indicate that a substantial number of fish smaller than even a 45 in trophy fish would generally be encountered before an angler would encounter the trophy-sized fish. These encounters of the smaller-sized fish would create mortality additional to that occurring from the existing discarding practices within this fishery. It is difficult to estimate the amount of this incremental mortality without knowledge of the condition of discarded fish. However, IPHC staff believes that this mortality could be significant and does not endorse a trophy-fish framework without a better understanding of the incremental mortality that will be associated with it.

#### **Option 6: A season closure date of August 15, 31, or September 15**

##### ***Summary***

This measure would close the charter fishery season earlier than the current date of December 31. Current IPHC regulations (Table 1) do not separately identify seasons for guided and unguided sport fisheries. If they adopt this option, the Commission would need to determine if they want to specify separate seasons for the two sectors, or if the earlier closure date applies to all sport fishing in Alaska.

##### ***Analytical Results***

This option has not been previously analyzed. However, some insight can be taken from the data shown in Option 4. Those data show that only 1 and 1-2 percent of the annual Area 2C and 3A charter harvest, respectively, occurred in September. Charter operators have noted that their effort substantially declines after Labor Day, so similar reductions of one percent per month for the remainder of the year are probably reasonable. This would suggest that a closure date of September 15 would have only a very small reduction in catch, probably less than five percent in each area.

Progressively earlier closures of August 15 and 31 would likely be of the same magnitude, although the reductions become greater as the closure occurs earlier into August. Assuming August effort is constant through the month, an August 15 closure would minimally add another 5 and 3.5 percent to Area 2C and 3A, respectively.

As with other options, this does not take into account any change in angler behavior, e.g., to book earlier into the summer. This type of change would be less probable in Area 2C, where anglers come from the cruise ships.

This option can be expected to have a major impact on operators who do advance booking of trips. It is well known that many operators' book trips at least one year in advance, and these businesses would be impacted financially through cancellations or refund fees if they can't rebook their clients.

## Option 7: Charter fishery closure on a specific day of the week (pick a specific day)

### Summary

This option would prohibit sport charter fishing for halibut on specific days of the week. Presumably this could apply to the entire season, or some part of the season, i.e., a month. This measure has not been previously analyzed. In Area 2A, the sport seasons are structured around being open certain days of the week, and it is known that weekend effort is greater than weekday effort. It is unknown if this effort pattern would be the same in Areas 2C and 3A.

### Analytical Results

No analysis is available to evaluate this option. Data from Option 4 illustrate the possible reduction in annual catch from enacting a 1-fish bag limit for specific months. While not the same option as this, the Option 4 data can be used to gauge the magnitude of catch reduction created by this option by further dividing the monthly impact down into a daily impact. Realizing that the results would depict, in essence, a 1-fish bag limit for one day, a total closure would likely be no more than twice the estimated results. It is also necessary to assume that effort is equal for week and weekend days, and is constant through the month.

The following table shows that bag limit of 1-fish for one day per week will likely have only a small impact on the catch during May through September, i.e., 5.1% in Area 2C and 5.7% in Area 3A. Thus, prohibiting fishing for a single day per week for May-September would probably result in less than 10% reduction in catch.

Month	# days	Area 2C			Area 3A		
		% annual reduction	% per day	Daily x 4 days	% annual reduction	% per day	Daily x 4 days
May	31	2	0.065	0.26	5	0.161	0.65
June	30	12	0.400	1.60	14	0.467	1.87
July	31	14	0.452	1.81	17	0.548	2.19
August	31	10	0.323	1.29	7	0.226	0.90
September	30	1	0.033	0.13	1	0.033	0.13
<b>Total</b>		<b>39</b>		<b>5.088</b>	<b>44</b>		<b>5.742</b>

This is only meant as an approximation of what could be expected. Given the assumptions, a weekend closure may have a higher percent reduction if effort is higher on weekends, or lower if a week day closure.

This does not take into account any replacement booking by clients to other days of the week. This type of client reaction would increase the harvest on those days and may offset some or all of any expected reduction in catch.

As in Option 6, this measure would impact charter operators that book their trips in advance.

## Option 8: Minimum size limit of 32 inches

### Summary

Under this option, a minimum size limit of 32 inches would be enacted on halibut caught by the sport charter fishery. This is the same minimum size limit applied to the commercial fishery, which has been in place since 1973. Currently, the sport fishery has no minimum size limit.

### ***Analytical Results***

No previous analysis has been conducted on applying this measure to the sport fishery. The size composition of the removals by the sport fishery is similar to that observed on the IPHC surveys in most areas. The impact of the different size frequency of the recreational catch on available yield is relatively minor (Hare and Clark 2007). Past experience with size limits in the sport fishery in various forms has occurred in Area 2A. When a minimum size limit was used, it was found that while the catch of very small fish was substantially reduced, the overall average weight went up as anglers were then required to retain larger fish. Despite a somewhat reduced harvest in numbers of fish, the higher average weight caused the harvest in pounds to increase. Thus, the adoption of a minimum size limit for the recreational fishery would likely increase the total removals by the sport charter sector.

In addition, if this option is adopted, estimates of the amount of discarded small halibut would need to be made to properly account for the total removals.

### **References**

- Hare, S.H. and Clark, W.G. 2007. Discussion paper on 'regularizing' of bycatch, sport, and subsistence catch. Int. Pac. Halibut Comm. Report of Assessment and Research Activities 2006:191-196.
- North Pacific Fishery Management Council and Alaska Department of Fish and game. 2001. Environmental Assessment/ Regulatory Impact Review/Initial Regulatory Flexibility Analysis for a regulatory amendment to implement management measures under a guideline harvest level and/or moratorium for Pacific halibut in Areas 2C and 3A. North Pacific Fishery Management Council, Anchorage, AK. 215 p.
- Northern Economics, Inc. 2005. Regulatory Impact Review/Initial Regulatory Flexibility Analysis for alternatives to lower charter halibut retention in IPHC Areas 2C and 3A. Prepared for the North Pacific Fishery Management Council, December 2005. Northern Economics, Inc, Anchorage, AK. 31 p.

**Table 1. Sport catch of Pacific halibut (millions of pounds, net weight). Values shown for 2006 in Alaskan areas are projections based on the ADF&G Statewide harvest survey, and reflect the prohibition on skipper/crew fish. Data current as of December 15, 2006.**

Year	Area 2A	Area 2B	Area 2C			Area 3A			Area 3B	Area 4	Total
			Guided <sup>1</sup>	Unguided	Total <sup>2</sup>	Guided <sup>3</sup>	Unguided	Total <sup>2</sup>			
1995	0.236	0.887	0.986	0.765	1.751	2.845	1.666	4.511	0.022	0.055	7.463
1996	0.229	0.887	1.187	0.943	2.129	2.822	1.918	4.740	0.021	0.077	8.084
1997	0.355	0.887	1.034	1.139	2.172	3.413	2.100	5.514	0.028	0.069	9.025
1998	0.383	0.887	1.584	0.917	2.501	2.985	1.717	4.702	0.017	0.096	8.585
1999	0.338	0.859	0.939	0.904	1.843	2.533	1.695	4.228	0.017	0.094	7.379
2000	0.344	1.021	1.132	1.126	2.258	3.140	2.165	5.305	0.015	0.073	9.017
2001	0.446	1.015	1.202	0.723	1.925	3.132	1.543	4.675	0.016	0.029	8.106
2002	0.399	1.260	1.275	0.814	2.090	2.724	1.478	4.202	0.013	0.048	8.011
2003	0.404	1.218	1.412	0.846	2.258	3.382	2.046	5.427	0.009	0.031	9.348
2004	0.487	1.613	1.750	1.187	2.937	3.668	1.937	5.606	0.007	0.053	10.703
2005	0.484	1.841	1.952	0.845	2.798	3.689	1.984	5.672	0.014	0.050	10.860
2006	0.521	2.262	2.027	1.004	3.033	3.947	2.141	6.088	0.011	0.063	11.978

<sup>1</sup>Guideline Harvest Level (GHL) for Area 2C = .1432 million pounds, beginning in 2004.

<sup>2</sup>Discrepancies in totals due to rounding.

<sup>3</sup>Guideline Harvest Level (GHL) for Area 3A = 3.65 million pounds, beginning in 2004.

**Table 2. 2006 IPHC sport fishery regulations which apply to Alaska.**

- 
1. No person shall engage in sport fishing for halibut using gear other than a single line with no more than two hooks attached; or a spear.
  2. In all waters off Alaska
    - a. the sport fishing season is from February 1 to December 31;
    - b. the daily bag limit is two halibut of any size per day per person.
  3. Any minimum overall size limit promulgated under IPHC or NMFS regulations shall be measured in a straight line passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail.
  4. No person shall fillet, mutilate, or otherwise disfigure a halibut in any manner that prevents the determination of minimum size or the number of fish caught, possessed, or landed.
  5. The possession limit for halibut in the waters off the coast of Alaska is two daily bag limits.
  6. Any halibut brought aboard a vessel and not immediately returned to the sea with a minimum of injury will be included in the daily bag limit of the person catching the halibut.
  7. No person shall be in possession of halibut on a vessel while fishing in a closed area.
  8. No halibut caught by sport fishing shall be offered for sale, sold, traded, or bartered.
  9. No halibut caught in sport fishing shall be possessed on board a vessel when other fish or shellfish aboard the said vessel are destined for commercial use, sale, trade, or barter.
  10. The operator of a charter vessel shall be liable for any violations of these regulations committed by a passenger aboard said vessel.
-

**Table 3. Summary of information on eight management options for the 2007 Areas 2C and 3A sport charter fishery.**

<b>Option</b>	<b>Pro/Con</b>	<b>Est. Catch Reduction</b>	<b>Commentary</b>
<b>1. One trip per vessel per day</b>	<b>Pro:</b> Reduces catch. <b>Con:</b> Displaced clients may move to other open vessels	<b>Area 2C:</b> 0.5-1.2% <b>Area 3A:</b> 3.0-4.4%	Analysis based on 2002-4 logbook data by ADF&G. May not have any effect if displaced clients rebook with other operators. Greater impact in 3A due to the more frequent occurrence of 2-trip days by 3A operators. This option may not be practical in 2007 given advance bookings.
<b>2. No retention by skipper and crew</b>	<b>Pro:</b> Expected to reduce catch. Broad support within industry. <b>Con:</b> Catch reduction difficult to measure.	<b>Area 2C:</b> 3.3-4.5% <b>Area 3A:</b> 7.7-10.5%	Catch reductions based on 1999-2001 ADF&G logbook data. This measure was enacted by ADF&G in 2006. ADF&G has already gone on record regarding its plans to continue the prohibition on skipper/crew retention of halibut on charter vessels in 2007.
<b>3. Annual catch limit of 4 or 5 halibut</b>	<b>Pro:</b> Expected to reduce catch. <b>Con:</b> Would require additional U.S. federal reporting process at substantial cost.	<b>Area 2C:</b> ± 12% <b>Area 3A:</b> Unknown (for 5-fish option)	Reductions have only been estimated for Area 2C for a 5-fish option A 6-fish option was estimated at 7% reduction in catch. NMFS has recently reviewed this option and advised NPFMC against adoption due to additional requirement for reporting and cost.
<b>4. One fish bag limit for June, July, August or entire season</b>	<b>Pro:</b> Direct reduction in angler harvest. <b>Con:</b> May increase discard mortality	<b>Area 2C:</b> 39-40% <b>Area 3A:</b> 44-45% (entire season shown)	Analysis based on 1998-1999 logbook data. Values shown to the left are for the entire season. See discussion for this option for monthly catch reductions. Discard may increase if anglers desire larger fish than they initially catch.
<b>5. Trophy size limit of 45, 50, 55 or 60 inches (for second fish)</b>	<b>Pro:</b> Less disruptive to charter marketing. <b>Con:</b> Would likely cause significant discard mortality.	<b>Area 2C:</b> < 39-40% <b>Area 3A:</b> < 44-45% (based on 1-fish bag)	No previous analysis. Estimates based on the 1-fish bag limit. Those estimates would be lower depending on the size limit chosen and the success of anglers in catching fish of that size. Thus, catch reductions shown are a maximum of what could be expected. Savings could be dissipated by increased discard mortality.
<b>6. Season closure date of August 15, 31, or September 15.</b>	<b>Pro:</b> Easily enforced. <b>Con:</b> Substantial impact on operators that have already booked dates for 2007.	<b>Area 2C:</b> < 5% <b>Area 3A:</b> < 5%	This option may not be practical for 2007 given advance bookings. Commission would have to decide if this applies to only charter fishery or all sport fishing in AK.
<b>7. Charter fishery closure on specific day of week</b>	<b>Pro:</b> Easily enforced. <b>Con:</b> Anglers may likely rebook on other dates, canceling out any reduction.	<b>Area 2C:</b> 10% <b>Area 3A:</b> 10% (based on May-Sept.)	This option may not be practical for 2007 given advance bookings. Estimates shown are for May through September time period. This option currently used in Area 2A.
<b>8. Minimum size limit of 32 inches</b>	<b>Pro:</b> Would reduce mortality on juveniles through reduced catch. <b>Con:</b> Increases the average weight, potentially resulting in an increase in catch in pounds. Some mortality of sublegals would occur through discard.	<b>Area 2C:</b> Likely increase <b>Area 3A:</b> Likely increase	Same limit as in the commercial fishery. Potential for the increase in average weight, meaning that total fishing effort would need to be reduced to achieve same or lower level of removals.

## Kept and Discarded Halibut in 2006 Charter Fisheries (Source: Preliminary ADF&G Charter Logbook data)

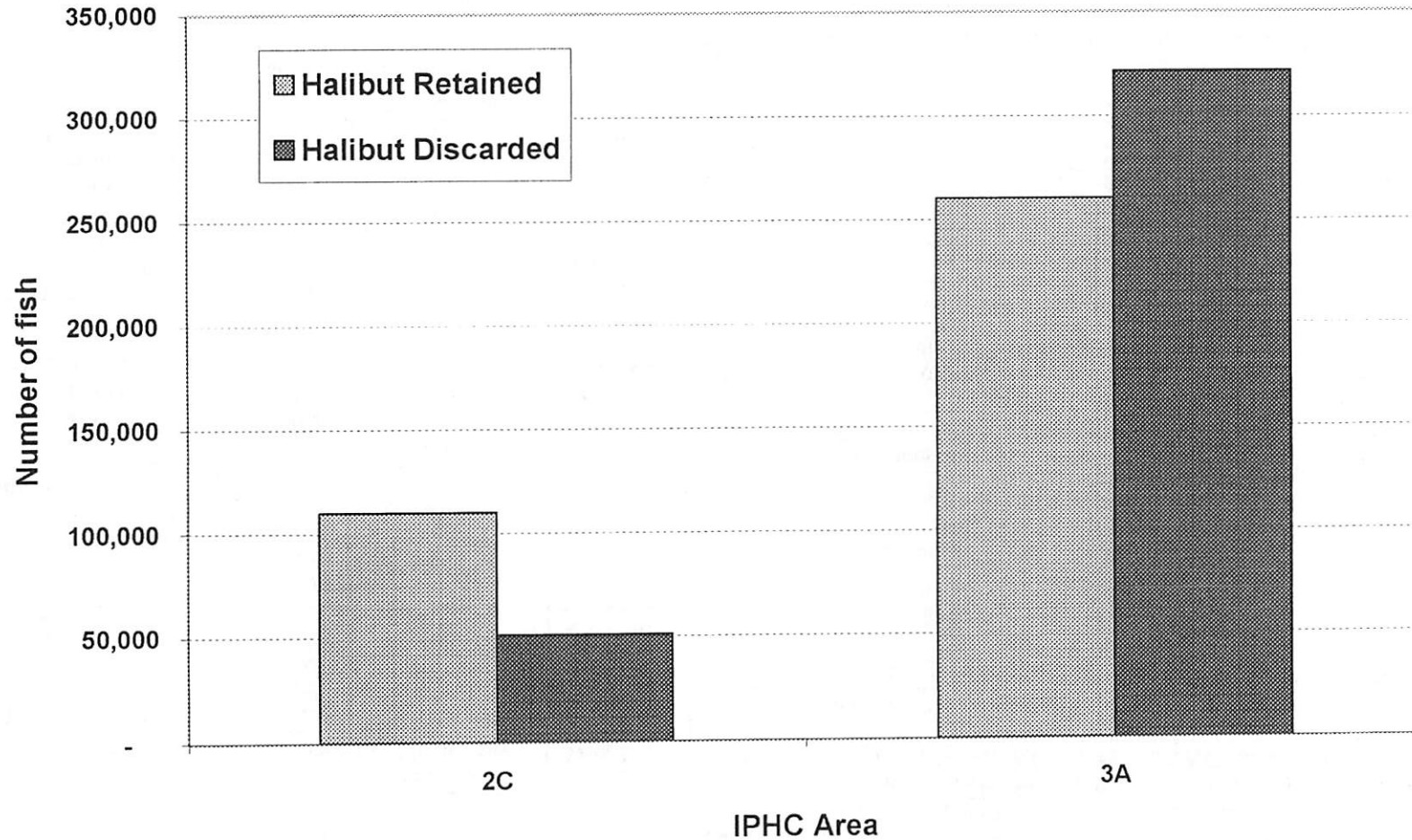


Figure 1. Kept and discarded halibut in Areas 2C and 3A from charter logbook data, 2006.



# IPHC Survey Length Frequencies 2006

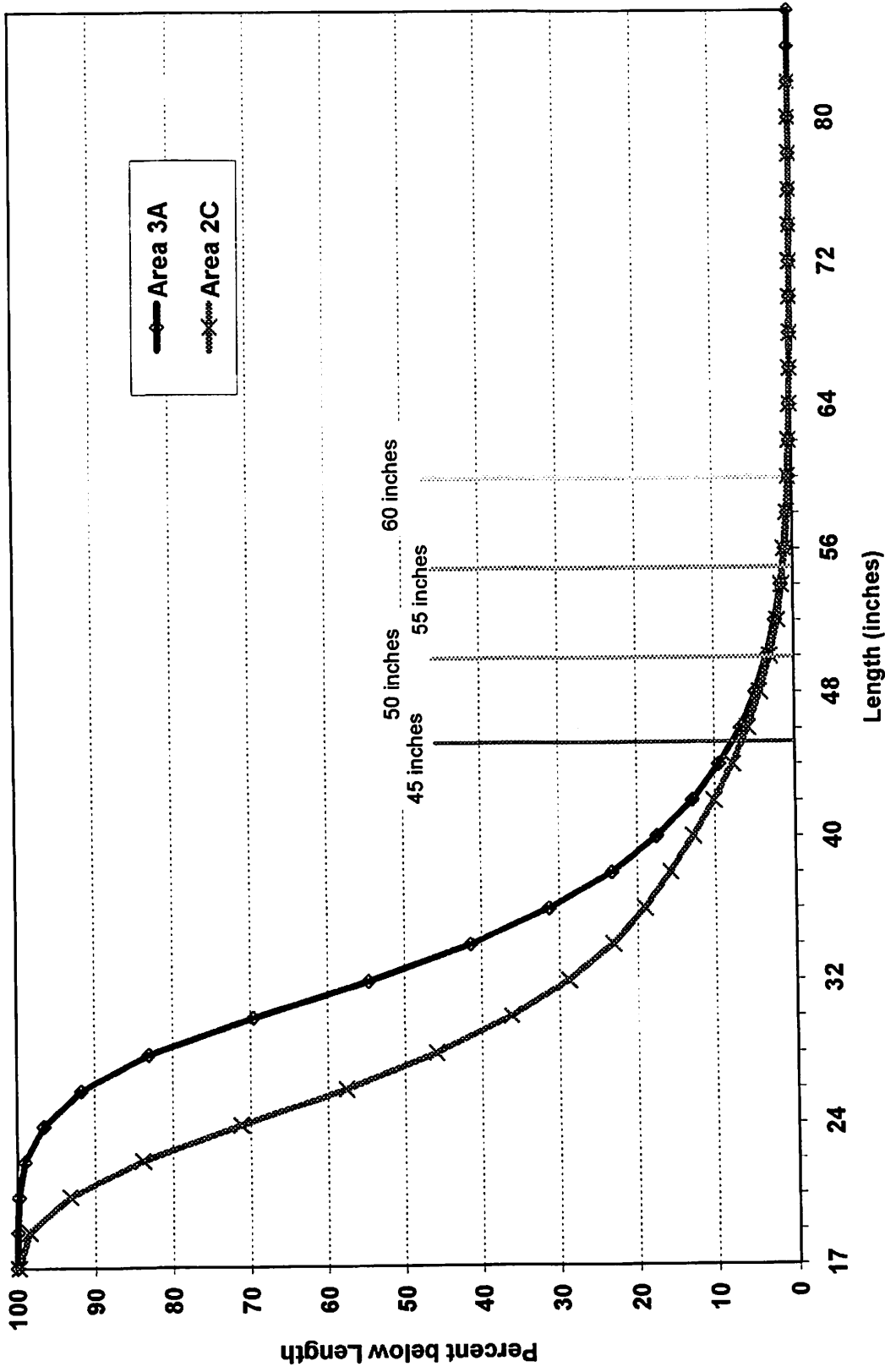


Figure 2. Length frequency distribution of halibut captured on IPHC stock assessment surveys in Areas 2C and 3A in 2006, illustrating percentage of fish smaller than proposed trophy fish limits.

# STATE OF ALASKA

SARAH PALIN  
GOVERNOR

AGENDA B-7  
Supplemental  
FEBRUARY 2007

## DEPARTMENT OF FISH AND GAME OFFICE OF THE COMMISSIONER

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January 25, 2007

Dr. James W. Balsiger  
Regional Administrator  
National Marine Fisheries Service - Alaska Region  
U.S. Department of the Interior  
PO Box 21668  
Juneau, AK 99802-1668

**RECEIVED**  
JAN 31 2007  
N.P.F.M.C.

Dear Dr. Balsiger:

As you might expect, the Alaska Department of Fish and Game (ADF&G) is concerned with the International Pacific Halibut Commission's (IPHC) decision last week to adopt a one halibut bag limit for chartered anglers fishing from June 15 to June 30 in Area 3A and from June 15 to July 31 in Area 2C. Our interest centers around the IPHC's determination that a conservation problem exists, and that the IPHC did not consider other regulatory options to reduce harvest that would have a lesser impact on the charter industry and its clients.

To help reduce the potential for overfishing in either area 3A or 2C, ADF&G staff examined several options and provided the IPHC with our best estimates of the projected harvest savings of various regulatory controls on the guided sport fishery. The IPHC decided not to use these estimates. ADF&G understands how a growing guided sport fishery affects other sectors, including the directed individual fishery quota (IFQ) fishery. However, we do not believe the IPHC process is the correct venue to resolve this allocation issue.

We are also concerned with the IPHC's decision to use the guideline harvest levels (GHL) as an estimate of future removals. We believe that the projection provided by ADF&G would provide a more reasoned approach. Using the GHL instead of a realistic harvest projection potentially underestimates the actual removals by the charter sector, thereby creating the potential for overages of constant exploitation yields (CEY) and resultant over-fishing.

Regarding one particular action, we do not believe the IPHC bag limit will result in the desired savings in Area 3A. The recommended rule by the IPHC calls for a one fish bag limit for two weeks. Given expected changes in angler behavior (anglers rebooking to an earlier or later date or choosing to high grade by keeping a larger fish), it is likely that few, if any, biomass may be saved under the adopted rule. ADF&G has issued an emergency order prohibiting retention of fish (including halibut) by skipper and crew and a limitation on the number of lines fished equal to the number of clients onboard from May 1 to December 31. We believe this prohibition will do more to reduce harvests within acceptable levels than the IPHC action.

January 25, 2007

Most immediately, I request your guidance in determining the best avenue to bring this back to the North Pacific Fishery Management Council (NPFMC) process. We believe the NPFMC process allows for a full analysis of impacts of identified regulatory options on various sectors, and possible collateral impacts on state-managed fisheries due to shifts in angling effort. We do not believe that the IPHC fully addressed these factors in its recent annual meeting. We are also concerned with the inadequate time for review, synthesis, and analysis of new information by staff and the industry provided by the IPHC process.

I understand that as part of the IPHC motion in adopting these bag limit reductions, Commissioner Hoard stated that the regulations would only go into effect if the United States did not take independent action, to assure the CEYs in both areas were not exceeded, by June 15th. Do you anticipate that the Secretary of Commerce might intervene in this process and, if so, how and when? Do you think that ADF&G and the National Marine Fisheries Service (NMFS) should request NPFMC action on this issue prior to June 15th? Finally, do you believe that the NMFS can or will initiate an emergency rulemaking process to assure CEYs in these areas are not exceeded?

Additionally, the state is concerned that the IPHC adopted catch limits based on the former closed-area assessments, rather than based upon the staff-recommended catch limits comprising a coastwide assessment with area apportionment. The IPHC staff made a compelling case for using the coastwide assessment and presented evidence that the closed-area assessments overestimate abundance in the eastern areas such as 2B and 2C and underestimate abundance in the western areas such as 3B and 4A. Reverting to catch limits based on closed-area assessments appears to increase the conservation risk in the eastern areas and results in a reallocation of fish away from Western Alaska. Additionally, the catch limits adopted by the IPHC result in application of differential harvest rates among the areas, many of which are higher than those recommended by IPHC staff in light of new information regarding halibut movement.

Jim, some of these issues are time sensitive. If there are opportunities to modify the IPHC's reduction of halibut charter bag limits, while retaining reasonable control of the sport charter harvest in 2007, I would appreciate your efforts to help us identify and achieve them. Thank you.

Sincerely,



Denby S. Lloyd  
Acting Commissioner

cc: Bruce Leaman, Executive Director, IPHC  
Doug Mecum, Deputy Regional Administrator, NMFS  
Stephanie Madsen, Chair, NPFMC  
Chris Oliver, Executive Director, NPFMC  
Mel Morris, Chair Alaska Board of Fisheries  
Jim Marcotte, Executive Director of Alaska Board of Fisheries



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January 29, 2007

Honorable Carlos M. Gutierrez  
Secretary of Commerce  
US Department of Commerce  
1401 Constitution Ave NW  
Washington, DC 20230

Dear Secretary Gutierrez,

United Fishermen of Alaska (UFA) fully supports the actions taken by the International Pacific Halibut Commission (IPHC) to implement bag limit restrictions for 2-6 weeks on the charter sector. The IPHC was not left with many options to pursue when the North Pacific Fisheries Management Council (NPFMC) at their Dec 2006 meeting discussed options and determined that an emergency rule was inappropriate, didn't meet the criteria and that a fast track regulatory package also would not be able to be in place for the 2007 season. The letter sent from the NPFMC to IPHC, along with past NPFMC actions and pending actions, pointed to the charter sector as the sector that created the conservation concern of exceeding the allowable level of halibut removals that the IPHC had set.

UFA is willing to support other management options that might be less onerous to the charter sector, as long as they can be in place for the 2007 season and will have at least the same effect or more of curtailing the harvest.

UFA also agrees with the detailed comments submitted by the Halibut Coalition and would by reference ask that you consider the points made in their comments.

UFA commends the actions of the IPHC commissioners and fully believes that they took appropriate action for the long-term health and sustainability of the resource.

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Dragger's Association • Alaska Independent Tendermen's Association • Alaska Longline Fishermen's Association  
Armstrong Keta • At-sea Processors Association • Bristol Bay Reserve • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association  
Cordova District Fishermen United • Crab Group of Independent Harvesters • Douglas Island Pink and Chum • Fishing Vessel Owners Association  
Groundfish Forum • Kenai Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association • North Pacific Fisheries Association  
Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association • Petersburg Vessel Owners Association  
Prince William Sound Aquaculture Corporation • Purse Seine Vessel Owner Association • Seafood Producers Cooperative • Sitka Herring Association  
Southeast Alaska Fisherman's Alliance • Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Seiners Association  
Southern Southeast Regional Aquaculture Association • United Catcher Boats • United Cook Inlet Drift Association • United Salmon Association  
United Southeast Alaska Gillnetters • Valdez Fisheries Development Association • Western Gulf of Alaska Fishermen

Honorable Carlos M. Gutierrez

UFA represents thirty-four Alaska commercial fishing organizations from fisheries throughout Alaska and its offshore waters. We appreciate your consideration of our input on this important matter.

Sincerely,



Mark Vinsel  
Executive Director

CC:

Honorable Condoleezza Rice, U.S. Secretary of State  
Honorable Ted Stevens, U.S. Senate  
Honorable Lisa Murkowski, U.S. Senate  
Honorable Don Young, U.S. House of Representatives  
Honorable Sarah Palin, Governor, State of Alaska  
Dr. James Balsiger, N.M.F.S.  
Dr. Bruce Leaman, Executive Director, I.P.H.C.  
Chris Oliver, Executive Director, NPFMC