


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director 

DATE: January 26, 1998

SUBJECT: Halibut Management

ESTIMATED TIME 2 HOURS

ACTION REQUIRED

- (a) Final action on regulatory amendment for Sitka Sound Local Area halibut management plan.
- (b) Adopt protocol for local halibut management plans.

BACKGROUND

Sitka Sound Local Area Plan

The Sitka Sound local area plan culminates community debate since 1995 to resolve user conflicts resulting from the apparent decline in halibut in Sitka Sound. In May 1995, the Sitka Halibut Task Force unanimously agreed to a statement of findings and a list of voluntary actions. The Task Force was re-formed in 1997 in response to Proposal 270 submitted by the Sitka Tribe of Alaska to the Board last February. Proposal 270 recommended stopping the harvest of halibut, ling cod, rockfish and other bottomfish in the Sitka Sound area because of commercial and charterboat overharvest. The Board then created a Sitka Sound Special Use Area for ling cod. Rockfish are already protected in Sitka Sound. The Board, however, could not implement a local halibut plan because the State lacks jurisdiction over halibut under the Northern Pacific Halibut Act of 1982. Thus, the BOF referred the recommendations to the Council, which does have management jurisdiction.

The Task Force met prior to the June 1997 Council meeting. It clarified that 'non-resident' in Item 8 (of the original task force proposal) referred to non-Sitka residents and requested that the Sitka ADF&G advisory committee be updated annually on commercial and sportfish halibut harvests in Sitka Sound. In September, the Council referred the residency aspect of its proposal back to the Task Force prior to final action. In December, the Sitka advisory committee forwarded the Task Force's November 1997 recommendations to the Council (Item C-2(a)). The Task Force removed its residency requirement and changed the 'D' class vessel trip limit to 2,000 lb.

The EA/RIR analyzes the Sitka Sound proposal as it was previously forwarded to the Council at its June 1997 meeting. As proposed, it would close most of the Sound to commercial halibut fishing by freezer vessels, commercial vessels larger than 35 ft, and halibut charterboats. Commercial vessels less than or equal to 35 ft would be limited to 1,000 lb of halibut per trip. Subsistence, personal use, and unguided sport fishermen could continue to harvest halibut in the Sound. The Council released the EA/RIR to the public in June 1997. Final action was postponed from the September 1997 meeting to allow the Task Force to continue to address the residency requirement. The management proposals addressing the trip limit and residency that have been changed since the Council last addressed this issue are bolded in the list of alternatives included in the analysis below.

Alternative 1. Status Quo. Do not develop a local area management plan for Sitka Sound.

Alternative 2. Create a local area management plan for Sitka Sound with the following provisions:

- (1) Halibut longliners larger than category "D" (> 35 ft LOA) would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof Island to Kruzof Island adjacent to Sinitsin Island, on the North to the Sitka Salmon Derby Boundary on the South.
- (2) Halibut longliners in the category "D" would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries for larger vessels in the North, and inside of a line from Sitka Pt. to Hanus Pt. (14450 Loran Line) and from Hanus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Islands in the South in June, July, and August (Figure 1). 1,000-pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.

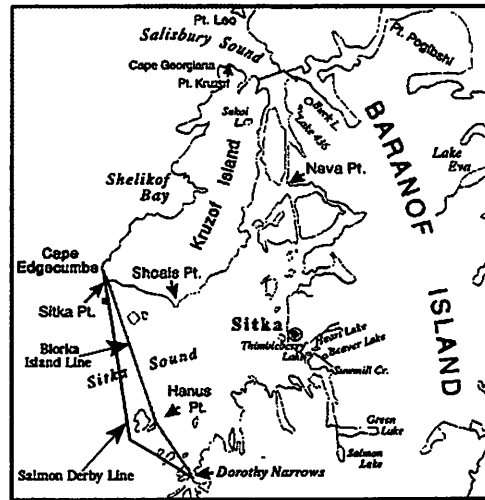


Figure 1. Map of Sitka Sound and vessel boundaries.

- (3) Inside the same areas defined for the category "D" longliners during the months of June, July, and August, fishing for halibut would only be allowed by: (a) personal use fishery; (b) subsistence fisheries; and/or (c) non-guided sport fishery

Suboption: Allow personal use, subsistence, or non-guided sport fishery during June, July, and August for Sitka residents only.

Commercial halibut boats using the proposed closed area increased from 57 to 74 vessels between 1995 and 1996. At the end of 1995, 324 Sitka residents held over 1.7 million lb of halibut IFQ, valued at \$3.0 million. Because of liberalized sweep-up and fish-down allowances, fewer QS holders and vessels are currently active in the fishery. Alternative 2, Part 3, Suboption would benefit the 8,632 residents of Sitka.

Alternative 2 would displace from the closed area approximately 29 commercial category A-C vessels which harvested approximately 106,000 lb of halibut worth \$190,000 ex-vessel in 1996. Around 45 category D vessels would be limited to 1,000 lb of halibut per trip inside the proposed area during the IFQ season, except for June, July, and August when they would be prohibited from fishing inside closed waters with a less restrictive southern boundary (Biorca Island line) than larger commercial vessels (salmon boundary line). The trip limit would have no effect on roughly 32 of the 45 category D vessels harvesting halibut during 1996. Thirteen category D vessels may be required to take multiple trips to harvest their IFQs in the Sound. Up to 61,000 lb of halibut valued at \$173,000 are fished on category D vessels.

Approximately 200 charterboats would have the same closed water boundary as commercial category D vessels during June, July, and August. The Sitka guided halibut harvest of 13,400 fish in 1995 generated estimated gross revenues of \$1,036,800 and total spending of over \$2 million. Alternative 2 may result in approximately 6,000 fewer halibut removed by charter anglers from Sitka Sound; roughly 176,000 lb at 29 lb/fish net weight. These fish still may be intercepted as they enter the Sound, if fishing activity shifts to Salisbury Sound and along the western side of Kruzhof and Baranof islands.

Some effects of Alternative 2 remain unknown: (1) the amount of category A-C IFQs that might be harvested in other statistical areas or landed in other ports; (2) whether the 1,000 lb trip limit would reduce removals from the Sound or just further slow the pace of fishing effort; and (3) the effect of greater running time to fishable waters outside the Sound on charterboat client bookings; (4) future resolutions of halibut subsistence may affect the current agreement.

Local Area Plans

As a result of the submission of the Sitka Sound proposal, the Council has examined the development of future proposals through discussion and staff working papers. A draft protocol has been developed for halibut local area management proposals in consultation with Alaska Board of Fisheries members on the Joint NPFMC/BOF Committee (Item C-2(b)). The protocol, if adopted, would authorize the BOF to call for proposals for a specific area on a 3-year cycle.

Sitka Halibut Task Force (Fall 1997)

Ted Borbridge, Sitka Tribe of Alaska
John Nielson, Sitka Tribe of Alaska
Jay Skordahl, Alaska Longline Fisherman's Association
Mike Coleman, Skiff longliner, alternate, Ivan Gruter
Mary Jo McNally, Sport fisher
Bert Stromquist, Sitka Charter Association
John Brooks, Sitka Charter Association
Bill Paden, Chair, Sitka Fish and Game Advisory Committee
Eric Jordan, Facilitator

The task force was appointed with 7 voting members by Bill Paden: Two subsistence, one day charter, one trip charter, one skiff longliner, one large vessel longliner, and one sport fisher. The purpose of this task force was to reconsider the Sitka Halibut Task Force proposal of last winter because the North Pacific Fisheries Management Council cannot discriminate between the residents of the States and Alaska cannot discriminate between Alaska residents.

We wish to communicate our thanks to Northern Southeast Regional Aquaculture Association for the generous donation of their facility and equipment.

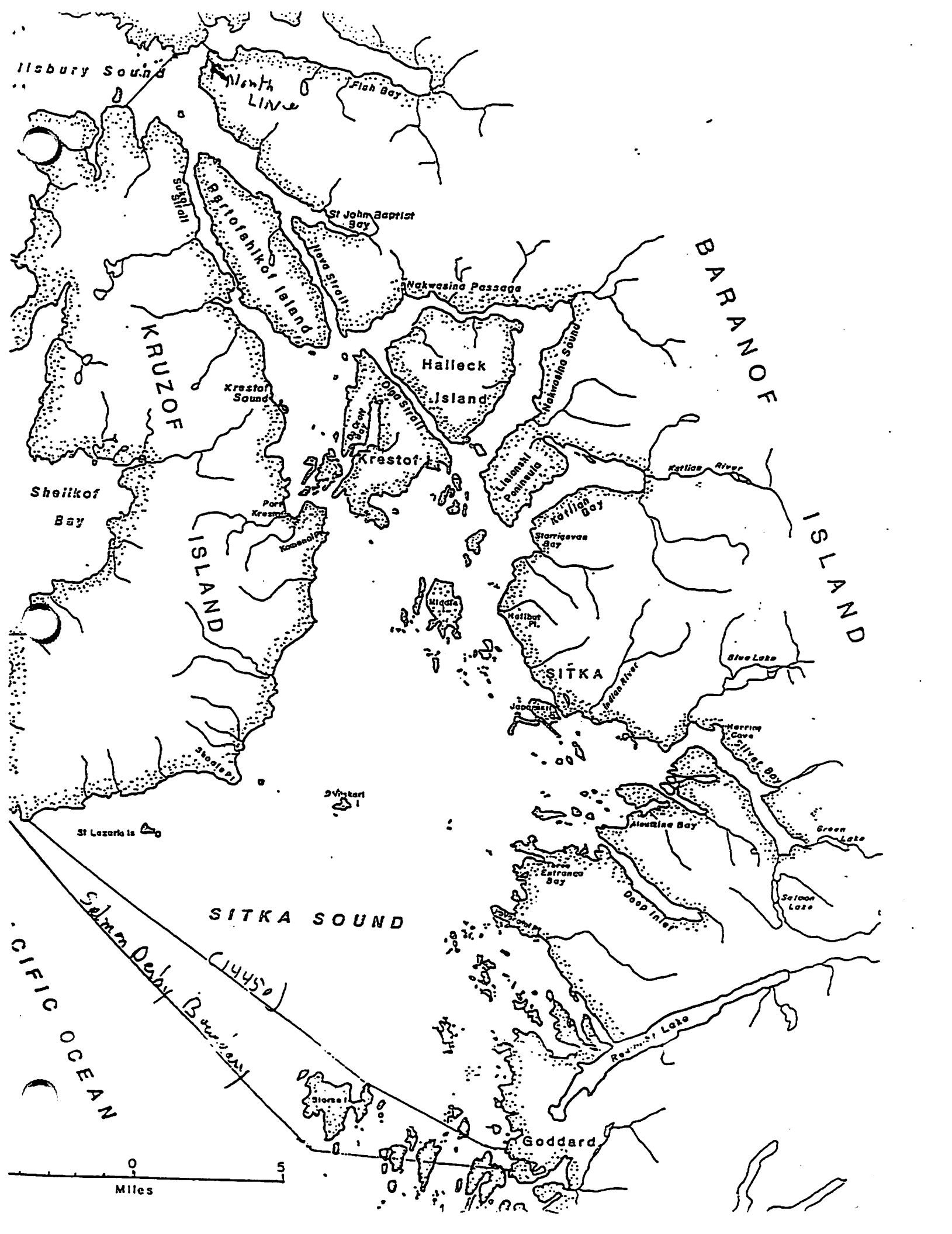
This task force decided to make any "changes" to last winters proposal by consensus and while it not represent the ideal position for different participants the proposal communicates what people were willing to support to find "common ground".

Reason for participating: *"We all really care about halibut."*

Problem Statement: *"Decreased availability of halibut in the Sitka area is diminishing the quality of life for local residents."*

The 1997(fall) Sitka Halibut Task Force Proposes:

- *Reducing by-catch and waste of halibut. The level of trawl by-catch in the Bering Sea and Gulf of Alaska is unacceptable.*
- *That regulations and definitions concerning possession limits be modified to preclude unlimited sport harvest of halibut.*
- *Development of an improved accounting system to have a better understanding and accounting of halibut harvested near Sitka.*
- *Better enforcement of bag and possession limits by increased presence of law enforcement.*
- *Supporting the Sitka Charter Association halibut tagging program.*
- *Halibut longliners larger than "D" class would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof Island to Kruzof Island adjacent to Sinitsin Island, (See Map), on the North to the Sitka Salmon Derby Boundaries on the South. (See Map).*
- *Halibut longliners in the "D" category would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries as for larger vessels in the North, and inside of a line from Sitka Pt. to Hamus Pt. (14450 Loran Line) and from Hamus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Island, (see map), in the South in June, July, and August. 2000 lb trip limit in this area during the time it is open. Catch in Sitka Sound monitored for growth rate.*
- *Retention of halibut would be prohibited in the guided sport fishery inside the same areas defined for the category "D" longliners during the months of June, July, and August. Catch in Sitka Sound monitored for growth rate.*



Dec. 15, 1997

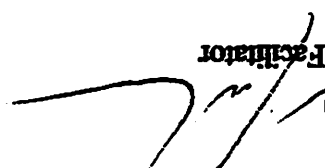
Bill Paden, Chairman
Sitka Fish & Game Advisory Committee

Dear Bill,

In response to your question about clarification of the Sitka Habout Task Force (SHTF) proposal in regards to guided sport trolling for salmon in Sitka Sound while in possession of habout, the proposal is very clear on this matter.

Retention of habout would be prohibited in the guided sport fishery inside the same areas defined for the category "D" longliners during the months of June, July, and August. Catch in Sitka Sound monitored for growth rate.

This issue was discussed at length and the intent of the Sitka Habout Task Force, as was explained at the Sitka fish and game advisory committee meeting, is exactly as it is written in the proposal. "Retention" of habout caught in the proposal area would be prohibited in the guided sport fishery. "Possession" of habout caught outside the area would be permitted in the guided sport fishery while sport fishing for salmon in the proposal area.

Sincerely,

Eric Jordan, Facilitator

Draft Board/Council Protocol on Local Area Management Plans

On February 3, 1998, the Alaska Board of Fisheries and the North Pacific Fishery Management Council adopted this protocol to guide the successful development, processing, and implementation of local area fisheries management plans.

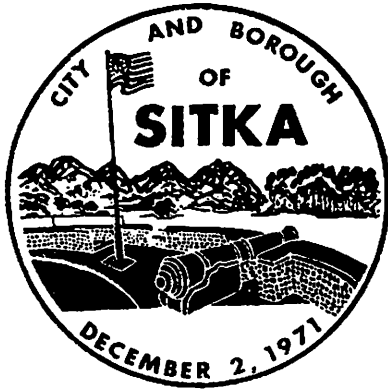
Scope and Content of Proposals

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.

Schedule for Proposal Review and Implementation

- | | |
|-----------|--|
| 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. (Alternatively, the call for proposals could be statewide, but still on a three-year cycle.) |
| April | Deadline for proposals (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 legal issues and whether the proposal violates any of the Magnuson-Stevens Act national standards, or other applicable law. |
| August | 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. |
| September | Joint Board/Council committee meets to review proposal and supporting information. |

- October** Joint Board/Council committee reports to the Council and the Council develops comments for November Board meeting.
- November** 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.
- December** Council would receive the Board's proposal along with available analyses and resolution of any legal issues. The Council will then send the proposal out for public review.
- February** Council schedules final action on proposed area plan. Final plan would then be submitted to NMFS for review and approval of the halibut portion.
- Spring** Final local area management plan could be in place for the upcoming season, for a minimum of three years.



City and Borough of Sitka

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January 16, 1998

Attn: Rick Lauber
North Pacific Fisheries Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501

RECEIVED

JAN 20 1998

N.P.F.M.C.

Dear Mr. Lauber:

The City & Borough of Sitka Assembly strongly supports the Sitka Halibut Task Force proposal. This proposal helps to resolve a very contentious problem for our citizens and represents a collaborative agreement by all interested parties.

The Sitka Halibut Task Force members have invested a tremendous amount of effort in their recommendations for this proposal. Acceptance of this compromise will offer a significant chance of reversing the depletion of the halibut population in Sitka Sound.

Thank you for your consideration for approval and implementation of the Sitka Halibut Task Force proposal.

Sincerely,

Stan J. Filler, Mayor
City and Borough of Sitka



- Russell's
- Mac's Sporting Goods
- Rain Country Surplus

January 21, 1998

Rick Lauber, Chair NPFMC
 605 West 4th Avenue, Suite 306
 Anchorage, AK 99501-2252

RECEIVED
 JAN 21 1998
 N.P.F.M.C

Dear Mr. Lauber:

I am writing this letter to express my concern about the declining Halibut stocks in the area around Sitka.

I am a sport fisherman as well as a retailer of sporting goods in Sitka. It is apparent both in my personal experience and from listening to hundreds of sport and subsistence users that the size and number of Halibut have sharply diminished. It is my understanding that the creel census in the Sitka area conducted by the State of Alaska also supports this view.

The primary reason for the decrease in stocks for this area seems to be tied to the growth of the Charter fishing industry in Sitka.

I strongly encourage the NPFMC to adopt the recommendation of the Sitka Fish and Game Advisory Board. I further recommend as stated in my letter to you dated December 12, 1994, that the Halibut bag limit for all sport and subsistence fishing be reduced to one fish per day.

Sincerely,

Ron McClain

Date: 1/23/98
To: Jane DiCosimo, NPFMC
From: Cliff Tincher, Sitka
Re: written comments on local area management plan for
halibut in Sitka Sound

I moved to Sitka in 1992 and caught three halibut in Sitka Sound that year, fishing from a 13 foot whaler. The largest, and only, fish I kept weighed about 60 lbs. I threw 10 and 20 pounders back so they could get bigger.

In 1993 I caught an 87 pound halibut in the same spot. This fish fed three families for 6 months.

Since 1993, fishing the same amount or more in the same places, I have caught exactly one halibut, weighing about 5 pounds. During this same period the charter halibut effort out of Sitka has increased X% (you have the figure so you can fill in the number). Your scientists tell me that halibut are pretty much local fish. Charter boats pick up their customers in town so they target the same halibut holes I do, or pick off fish outside before they can get inside.

Charter boats catch fish that would have gone to local tables. I see them day in and day out filleting ping pong paddles on the dock. These fish are SOLD, and this is a COMMERCIAL FISHERY.

*Cliff Tincher
202 Observatory
Sitka, AK*

RECEIVED
JAN 23 1998
N.P.F.M.C.

January 27, 1998

RECEIVED

JAN 27 1998

N.P.F.M.C

To: Richard B. Lauber, chairman
From: Robert B. LaGuire
Subject: Sitka Halibut Task Force Proposal

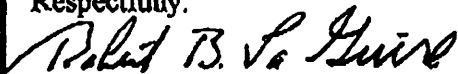
I would like to take some of your time and discuss this proposal. The Sitka Fish and Game Advisory Committee, which I am a member passed, the Proposal.

Due to the my experience of halibut fishing in this area for the past fifty years and watching the catch in this area drop in the past five years (due to the increasing pressure of the charter fleet) to where you can no longer catch a halibut without many hours of fishing. I was in favor of more restrictions in this Proposal.

As President of the Sitka Sportsman's Association I had this Proposal presented to the Board for action. The Board as such, would have passed this Proposal; but we were representing over 400 members, covering all types of fishing, and we felt each member should write to the Council their own wishes.

Thank you for the appointment to the GHF Committee

Respectfully:



Robert LaGuire

AGENDA C-2
FEBRUARY 1998
Supplemental

**A-WARD CHARTERS**

P.O. BOX 631 ANCHOR POINT, ALASKA 99556

(907) 235-7014

January 26, 1998
Chairman Rick Lauber
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK. 99501-2252

RECEIVED

JAN 26 1998

Dear Rick,

N.P.F.M.C

Once again the council shows its lack of understanding and interest in the Halibut Charterboat issue. I am very disappointed in the recent appointment to the Charterboat Committee of Bob LaGuire and Mary Jo McNally, not only are these individuals very staunch outspoken anti charterboat people but they have no involvement in the tourism industry, and they are not impacted by the Charterboat GHL.

As non-guided fishermen they don't even have a limitation on their harvest so they have nothing but interference to offer this "user group" committee.

Why can't this council realize that there is only need of those impacted recreational fishermen that are guided and charterboat operators needed on this committee, just those impacted by the GHL restrictions should be involved in the development of the restrictions, or as is indicated by the recent elevation of the TAC, the increase in bag limits that will provide the means to harvest our full GHL.

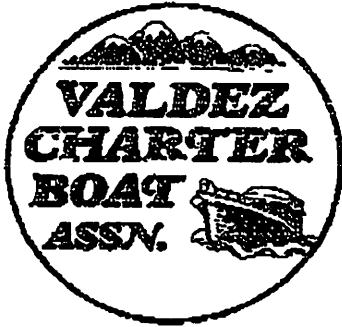
Many times we have heard this council tell us how they are doing everything possible to accommodate us, but when we see the appointees and the two "ringers" from Sitka of all places, we don't feel you are. Sitka just handed the council their Sitka Sound Management Plan which is not fully supported by the Sitka Charter Fleet and is not supported at all by other Charter Fleets, but that was for Sitka, their plan will not work in Cook Inlet, which if you will recall is why this committee was created.

I hope you will see the logic in this letter and replace the two named above with two persons that use charterboat services and thus will be impacted by the committee/council plan to remain within the GHL.

Thank you for this consideration.

Most Respectfully,

Robert Ward



VALDEZ CHARTER BOAT ASSOCIATION
P.O. BOX 2850
VALDEZ, AK 99686

RECEIVED

JAN 26 1998

N.P.F.M.C

Januray 26, 1998
Chairman Rick Lauber
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, Ak. 99501-2252

Dear Mr. Lauber,

I received a fax of Bob Wards letter to you just minutes ago and interestingly I was preparing to put together a letter on this very same subject. I will save myself some trouble and send Bobs letter to you again, I could not have said it better myself.

If your intention is to get anything useful out of this meeting lets do away with company shills from Sitka. Bob LaGuire and Mary Jo McNally will only prove to be disruptive to this process.

Respectfully,

A handwritten signature in black ink, appearing to read "John Goodhand".

John Goodhand, President
Valdez Charter Boat Association

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JAN 26 1998

acms 040198

page 1

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**Post Office Box 1679, St. Hermans Harbor, Kodiak, Alaska 99615
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January 23, 1998

Mr. Richard B. Laubar, Chairman
North Pacific Fishery Management Council
605 W. 4th Avenue, Room 306
Anchorage, AK 99501

Mr. Doug Vincent-Lang
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, AK 99518

Board of Directors
International Pacific Halibut Commission
PO Box 95009
Seattle, WA 98145

Director, Sport Fish Division
1255 W. 8th Street
PO Box 25562
Juneau, AK 99802

Mr. Dave Hanson,
Chairman GHL Committee
605 W. 4th Avenue, Room 306
North Pacific Fishery Management Council
Anchorage, AK 99501

Mr. Joe Kyle
Mr. Ed Dersham
Mr. Mike Bethers
Mr. Larry McQuarrie
Mr. John Goodhand
Mr. Bob Laguire
Ms. Mary Jo McNally
Mr. Doug Ogden

Chairmen, Directors, and Committee Members

Purpose of the letter:

Adventure Charters and Marine Services, Inc. (ACMS), an Alaska Corporation, is requesting a written response from the NPFMC as to whether the commission will be instituting a type of quota system for the halibut sports fishing charter industry. Halibut sports fishing is a critical element in our business in yearly revenue and if a quota system is implemented, ACMS will have to reluctantly and radically adjust it's business plans and policy to a consumptive mode to protect it's future interest.

Rationale:

Due to the uncertainties of the intent of recently required reporting by the NPFMC of sports caught

acms 040198

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halibut on charter vessels, catch information might be used to develop a quota or individual quota system. The recent GHL's appointments to not include a Kodiak Area representation. Coupled with the NPFMC's creditability in the charter industry we may need to position our business into a consumptive halibut industry to protect our future by speculation of securing a quota windfall in the years to come.

Our business deals principally in the recreational market, selling the Alaskan experience. Even though other nonfishing markets complement the halibut sport fishing industry in our business, selling an Alaskan halibut fishing experience is the critical element for this companies success.

We at ACMS cater to two sports fishing markets; the Alaskan "meat for the freezer" resident or personal-use fisherman (who options not to own a boat) and the nonresident sports fisherman, partaking in the Alaskan experience for both consumptive and non-consumptive recreation.

Resource conservation is critical in our industry, and we at ACMS feel we take a lead in conserving our resources with the following policy:

- **catch & return of breeding stock fish** (over 100 pounds) and by offering a full day complementary halibut charter on us;
- emphasis that smaller (usually male) halibut are better eating (30 to 40 lb range);
- **pre-departure announcement** about protecting the resource, photographing rather than killing the catch, and the associated costs and inconvenience of packing, storing and shipping of fish back to there homes;
- and **incorporation of the Alaskan experience** with dialogue detail on marine mammals, fish, birds, local interest and history for non- consumptive fishermen.

This policy of protecting the resource, promoting the Alaskan Experience in a customer oriented company has and will lead to success with our corporation.

However, this uncertainty and need for clarification by NPFMC , has left ACMS at risk and we at ACMS may need to adopted the following policy until there is a clear understanding that the charter fisheries will not be regulated by a quota system. Already charter business are starting to adopt some of these following policies to protect their futures and not be shortchange if IFQ's are instituted.

acms 040198

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ACMS may institute the following policies for 1998 if clarification by the NPFMC is not in a timely manner.

- market fish catching not sports fishing;
- coin marketing phrases as "fill your freezer for less";
- target large halibut only;
- require customers keep large fish;
- fish limit charters - race out to the grounds, get limits, return, go out again;
- increase personnel staffing, deckhands, skippers, and receptionist;
- double fish limit over night charters;
- fish 16 sports fishermen per boat instead of 8 sports fishermen;
- reduce the charter price as a loss leader;
- invest in sports caught fish processing personal use industry;
- target the Anchorage market;
- 1998 season goal mid May to September, 100 catching days, 48 halibut limits at 2 halibut per day, mean weight 70 pounds @ 70% utilization= 480,000 pounds per boat goal;
- solicit other sports fishing charter business to do the same;
- ACMS will form a cooperative with other charter businesses in promoting fish catching with Anchorage (1998) and the lower 48 states (1999) by package pricing with hotels and airlines. (Seattle and other west coast cities);
- and ACMS will maintain this policy until written assurance by the IPHC that a quota system will not be instituted.

This aforementioned policy sickens me, but the handwriting is on the wall and unless the NPFMC can give the charter industry that quota systems will not be instituted, a wholesale fish killing industry will develop. It is not in anyones best interest to set ourselves up to slaughter fish, initiate price wars and drive wedges between sports fishermen and commercial fishermen.

ACMS urges the NPFMC, and/or other responsible agencies, to adapt a reporting system that accounts for all halibut sportsfish caught by all sportsfishermen that indicates how the fish was caught-yet does not identify a specific charter vessel. This report can indicate catch, place, time, location, how caught (whether personal craft or charter craft) and weight. It makes good sense and puts more creditability on a census without developing a consumptive charter industry.

Remember, in my business, I catch fishermen, not halibut. My revenue is generated by offering a viable way for sports fisherman to catch fish they are entitled to catch.

acms 040198

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Are we next going to have IFQ's for raincoats or airline tickets? Please consider the economic benefit that I receive from sportsfisherman catching halibut on my vessel is not to distant from the taxi, hotel, airline, sportstop, restaurant, and candy store trying to make a living on tourist coming into our state to experience Alaska. If we are regulated, lets start regulating the travel agencies, airlines, hotels, taxi's, sporting shops and any other industry that ties into the tourism and recreational industry before tourist and sportsmen come to Alaska. **Halibut is the bait to catch the fisherman to come to Alaska.**

Conclusion:

I urge the commission for an immediate response to this quota question. Regulate the fishery not the industry.

Sincerely



William N. Spencer

Presentation to the North Pacific Fishery Management Council

by Eric Jordan, facilitator Sitka Halibut Task Force, February 4th, 1998.

Chairman Richard Lauber, distinguished members of the North Pacific Fishery Management Council, council staff, and members of the public. My name is Eric Jordan. I was first asked to serve as a facilitator for a group appointed to look into problems local people had catching a halibut to eat in the Sitka Sound area by Sitka Fish & Game Advisory Committee Chair, Sue Sturm, in the spring of 1995. Between then and now I have been asked to work with three different task forces of Sitka residents representing halibut user groups to identify and propose solutions to the "halibut problem" in Sitka Sound. Each time each group has come to consensus that there is a problem and developed a plan to solve the problem. Each time the Sitka Fish & Game Advisory Committee and other groups have unanimously endorsed the problem statement and the plan to solve the problem.

I want to communicate our appreciation for the Board of Fish and North Pacific Fishery Management Council family. We have worked hard within the system to find a solution. I was asked to facilitate in part because I have served 15 years on the Sitka Fish & Game Advisory Committee and 8 years on the Council's Advisory Panel.

We know of the great wisdom the members of the Council family will bring to our proposal and the many factors you will be considering that are beyond our perspective.

In particular we want to thank Jane DiCosimo of the Council Staff, and Doug Vincent-Lang, of the Alaska Dept. of Fish & Game for their invaluable assistance in finding our way through seemingly insurmountable legal and constitutional obstacles. I also want to thank the Board of Directors of the Alaska Marine Conservation Council and in particular my boss, Dorothy Childers, for allowing me to spend staff time and resources on this project for the last year.

I have advised the task force members that you may, in your wisdom, need to modify their proposal. It is not a take or leave it proposal, and they have already made modifications to meet concerns raised by the Council family. However, please consult with us about any changes because the proposal as presented represents a series of concessions and balances between user groups. Some modifications may not upset this balance, others could seriously jeopardize the possibility of groups working together in the future.

I will be showing you the information which has compelled very different user groups, who are in fierce allocation battles on other fronts, to come together to support a plan so non-chartered fishermen can once again catch a halibut to eat in Sitka Sound. I want to emphasize that without this data and the personal experiential testimonies we have heard in Sitka there would be no Sitka Halibut Task Force and there would be no consensus on a proposal for your consideration.

Descriptions of overhead display presentation

1. Shows the area we are proposing for special regulation. All the area is within about 15 miles of Sitka.
2. Shows the "Sitka Area" from the "Statewide Sportfish Harvest Survey"
3. Shows the growth in the number of sport anglers fishing the "Sitka Area".
4. Shows the growth since 1986 and decline since 1994 in the sport halibut harvest in this area.
5. Shows the Sitka creel census approximate area.
6. Shows the halibut harvest by chartered vs. Non-chartered anglers in Sitka Creel Census Area, 1992-1997.
7. Shows the same figures on a line graph and gives a % of the catch figure for 1997.
8. Shows the "Sitka Sound including Vitskari Rocks" area. This is the closest area to our proposal for which we could get sport fish data. This information is from the Statewide Harvest Survey Information- Unpublished.
9. Shows the difference between this area and the Sitka Halibut Task Force proposal area.
10. Shows the decline in total sportfish halibut harvest from 1993-96 in the Sitka Sound including Vitskari Rks area.
11. Shows the halibut harvest by chartered anglers from 1993-96 in the Sitka Sound including Vitskari Rks. area.
12. Shows the decline in halibut harvest by non-chartered anglers from 1993-96 in the Sitka Sound including Vitskari Rks. area.
13. Shows the decline in halibut harvested by Alaska resident anglers in the Sitka Sound including Vitskari Rks. area from 1993-96.
14. The fourteenth overhead is a line chart showing the decline in halibut harvested by residency of non-chartered anglers in the Sitka Sound including Vitskari Rks. area from 1993-96.
15. Shows the result of Council adoption of the Sitka Halibut Task Force Proposal on the Chartered halibut harvest in Sitka Sound.
16. Introduces some overheads on the commercial fishery.
17. Shows a growth in the number of commercial halibut fishermen fishing in the proposed restricted area between 1995 and 1996.
18. Shows the # of commercial vessels by class size fishing the proposed restricted area in 1996.
19. Shows the commercial halibut harvest in pounds from the proposed restricted area in 1996.
20. Shows the category "D" IQ pounds landed at the port of Sitka from 1995-97.

Summary and Conclusion

The information here is especially compelling to those of us who have been involved in this effort from the beginning. One of the first things that the 95 task force did was schedule a community meeting and workshop about the halibut situation in order to bring the problem into focus. We had a representatives from the Alaska Dept. of Fish & Game, Art Schmidt; from the North Pacific Fishery Management Council, Linda Behnken and Dan Falvey; and a representative from the International Pacific Halibut Commission, Steve Hoag; attend the meeting.

We had about 60 participants divided into about 10 people per table. One of the things we asked each group to do was as accurately as possible predict what they thought would happen to their ability to catch halibut in Sitka Sound to eat if existing halibut fishing regulations did not change. The picture described by nearly every participant in every group was one of fewer halibut to catch and increasing conflicts between user groups.

Then we asked each group to describe what they would like to see in terms of their ability to catch a halibut to eat. It was one that most people had enjoyed just a few years ago with many stories of wonderful, joyous experiences. Then we all decided to *change the future* by working together to propose a plan to conserve and share halibut near Sitka.

As facilitator for this effort I want to say a few words about the commitment and intensity of the task force. This proposal was not easily worked out. The participants knew that serious proposals that have changed the way fisheries are managed across this state have come from Sitka. Decisions were made with the very real expectation that the proposal would be enacted. Virtually every word and comma was carefully considered in a painstaking process of consensus. But in the end I and I think I speak for all the participants were inspired by the ability and willingness of hard nosed fishermen to make the concessions so that people could continue to go out on their own in small skills from Sitka to catch a halibut to eat.

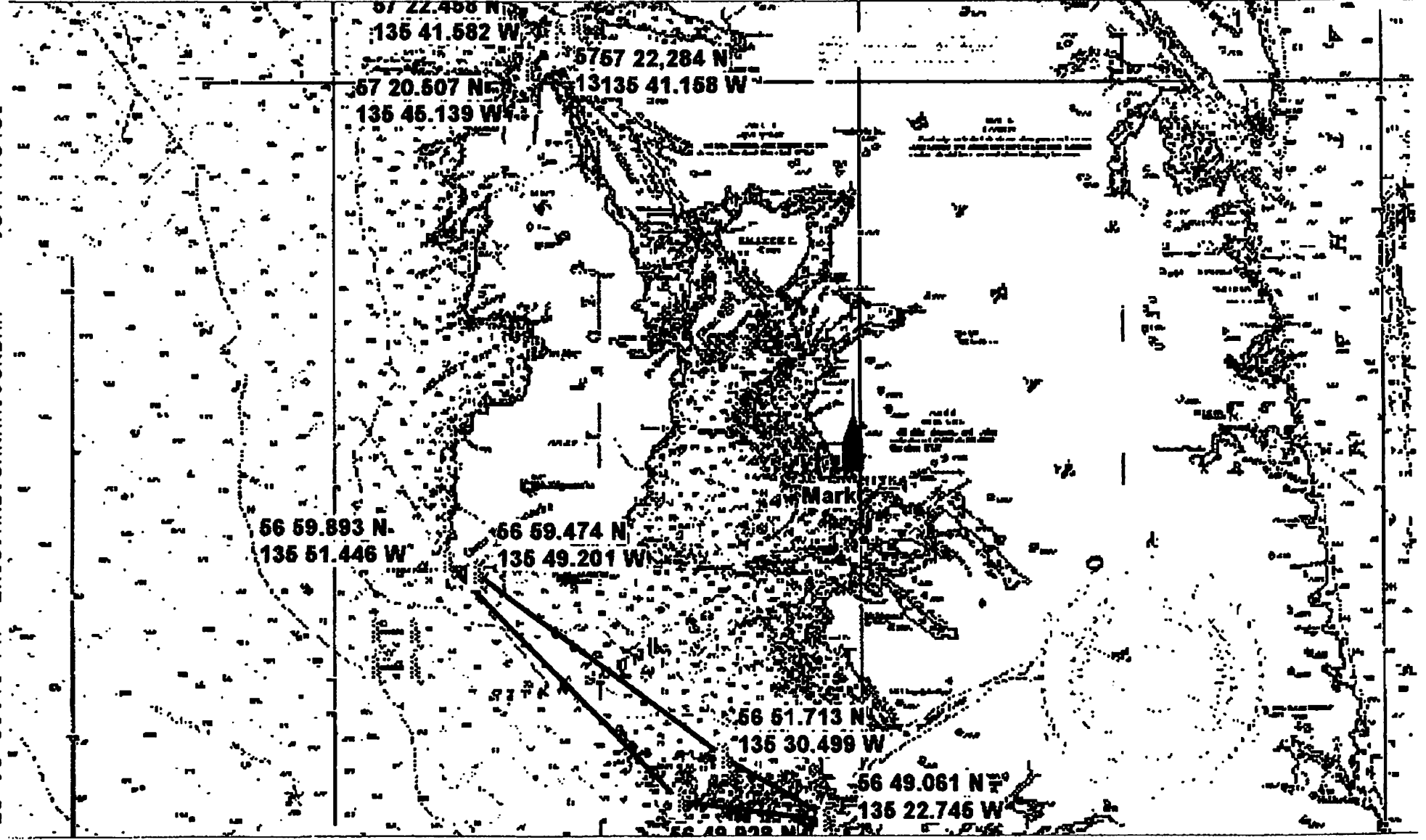
We have done our part, now we ask you to help us over the final hurdle and set a model not only for us in Sitka Sound, but for any other community that faces the challenge of conserving and sharing halibut near their place.

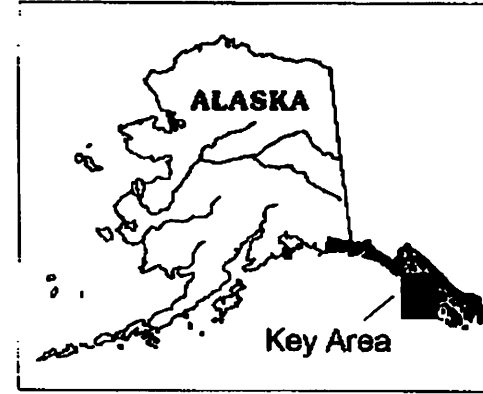
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ERIC AND SARAH JORDAN

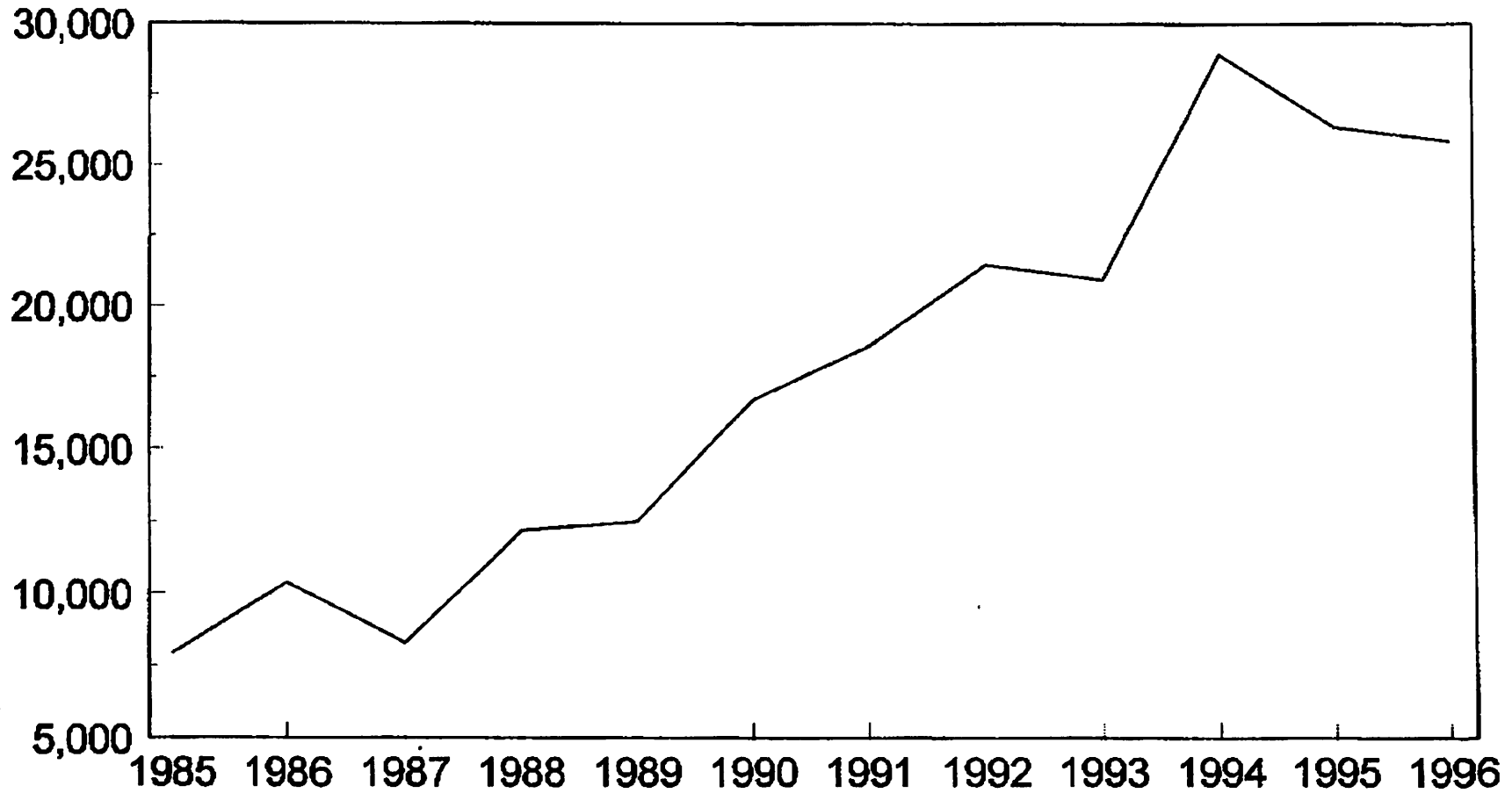
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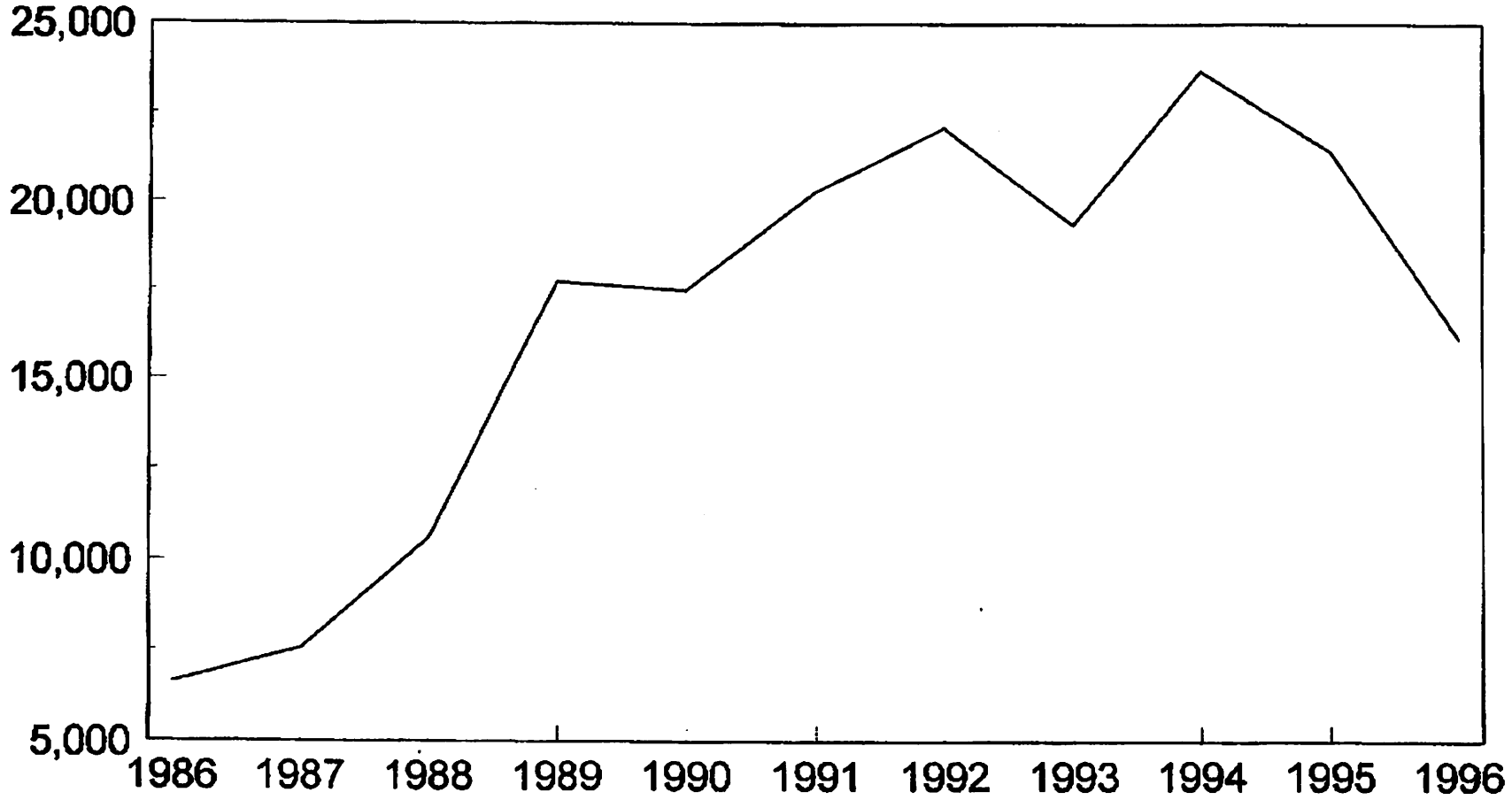


Sitka Area from "Statewide Harvest Survey"
(Howe, et. al 1997)

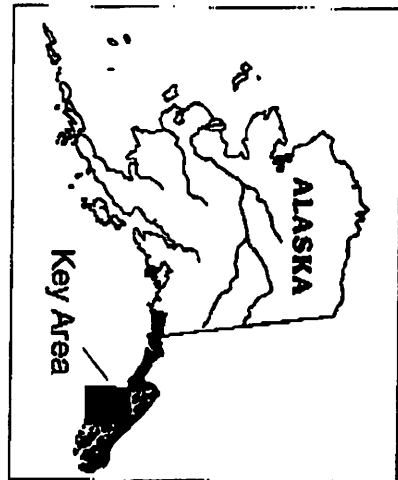
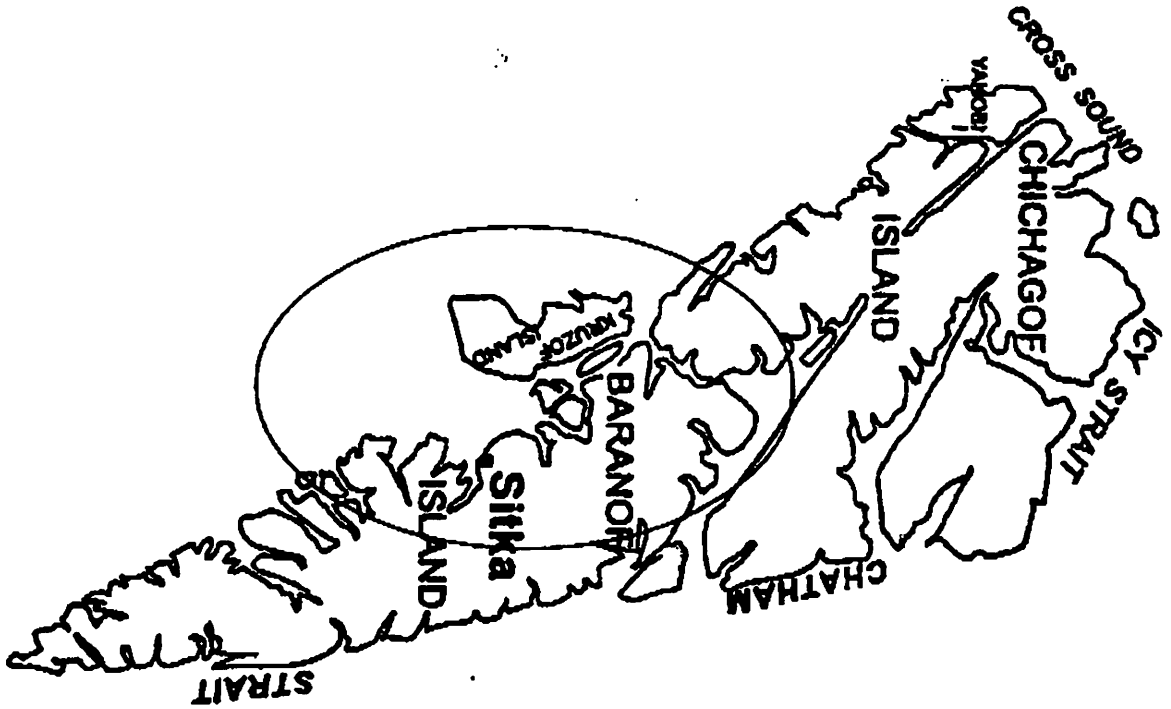
Number of Anglers Fishing Sitka Management Area (Baranof and Chichagof Islands).



Halibut harvest by the sport fishery in the Sitka Management Area (Baranof and Chichagof Islands).



Sitka creel census approximate area

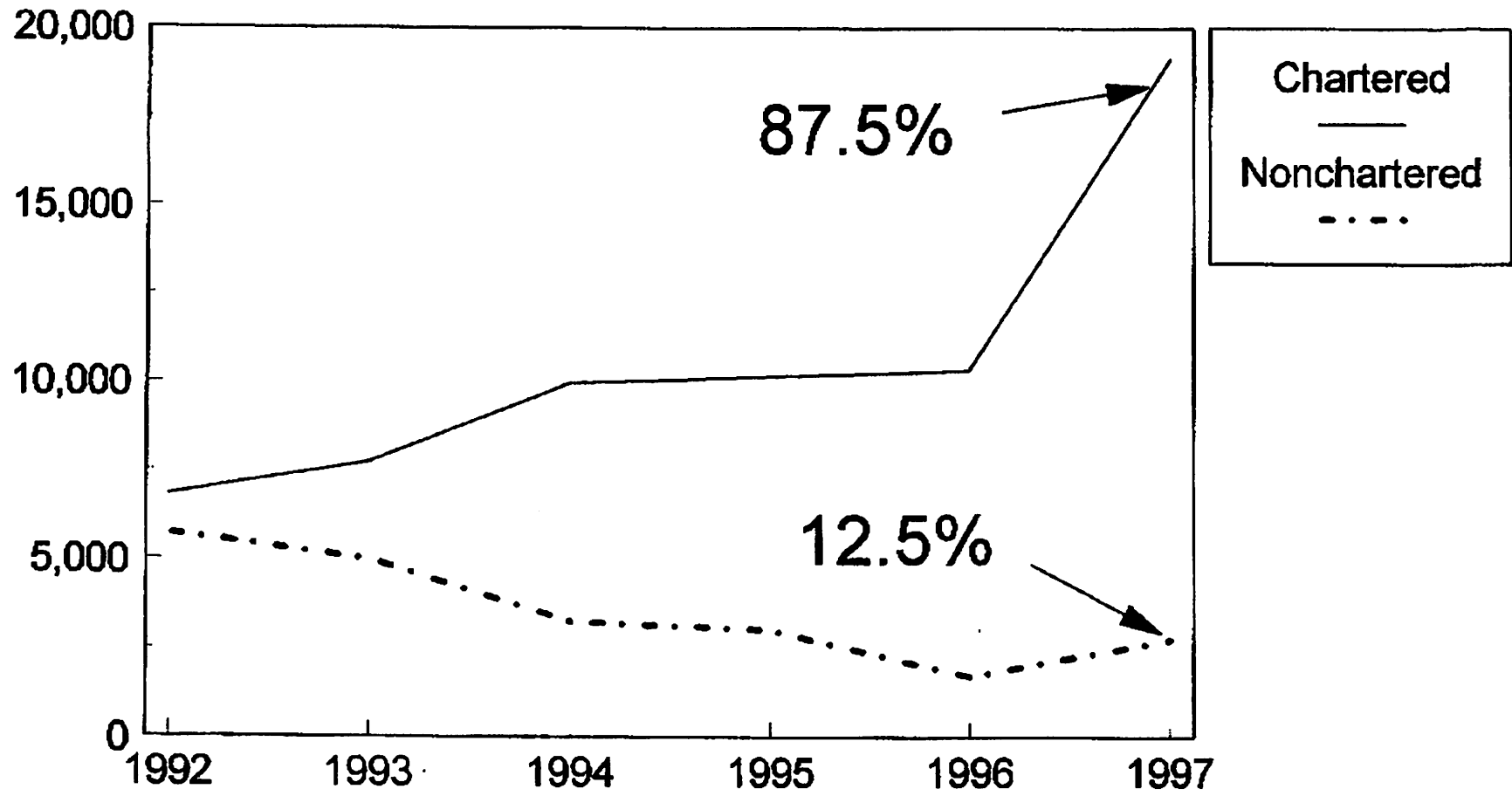


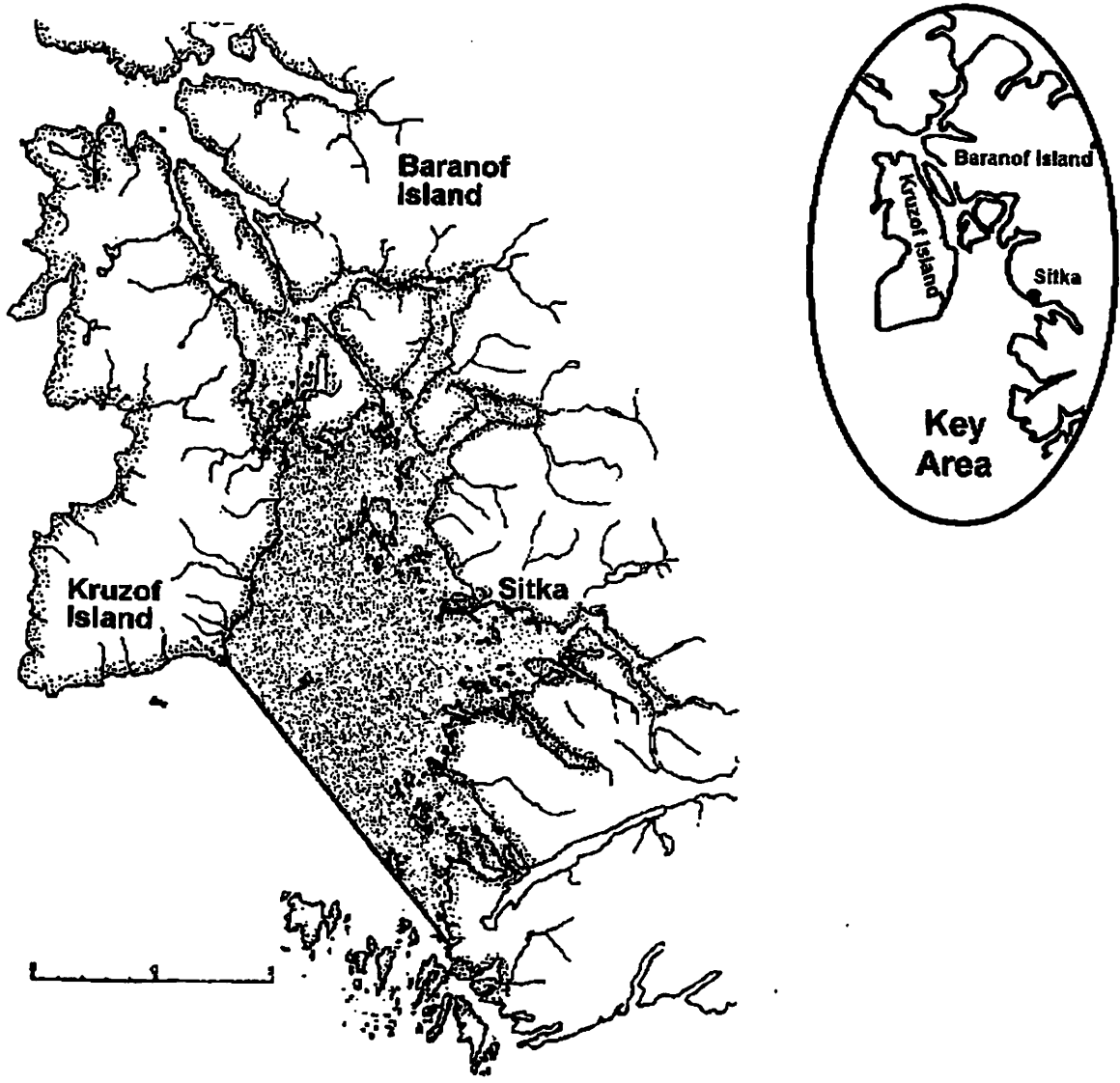
Number of halibut harvested by chartered and non-chartered anglers in Sitka, 1992-1997 (from creel census data).

<u>Year</u>	<u>Chartered</u>	<u>Non-Chartered</u>
1992	6,824	5,725
1993	7,722	5,000
1994	9,958	3,227
1995	10,149	3,002
1996	10,319	1,696
1997*	19,123	2,729

* Average round weight of halibut from creel census in 1997 was 27.7 lbs. which is equivalent to net weight of 20.8 lbs.

Halibut harvest by chartered vs non-chartered anglers in Sitka Creel Census Area, 1992-1997



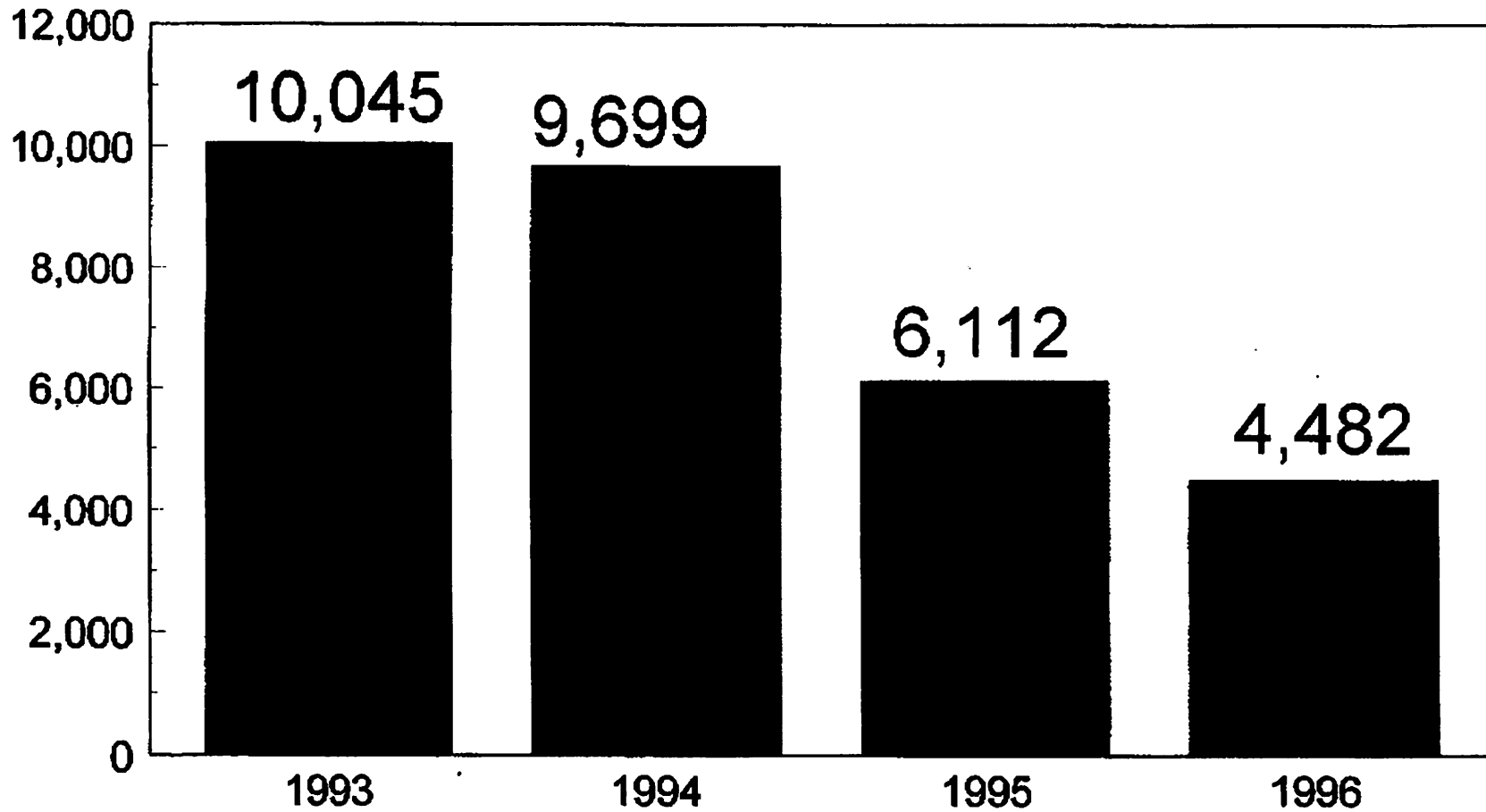


“Sitka Sound including Vitskari”* - area smaller than Sitka Creel Census. *Statewide Harvest Survey Information - Unpublished

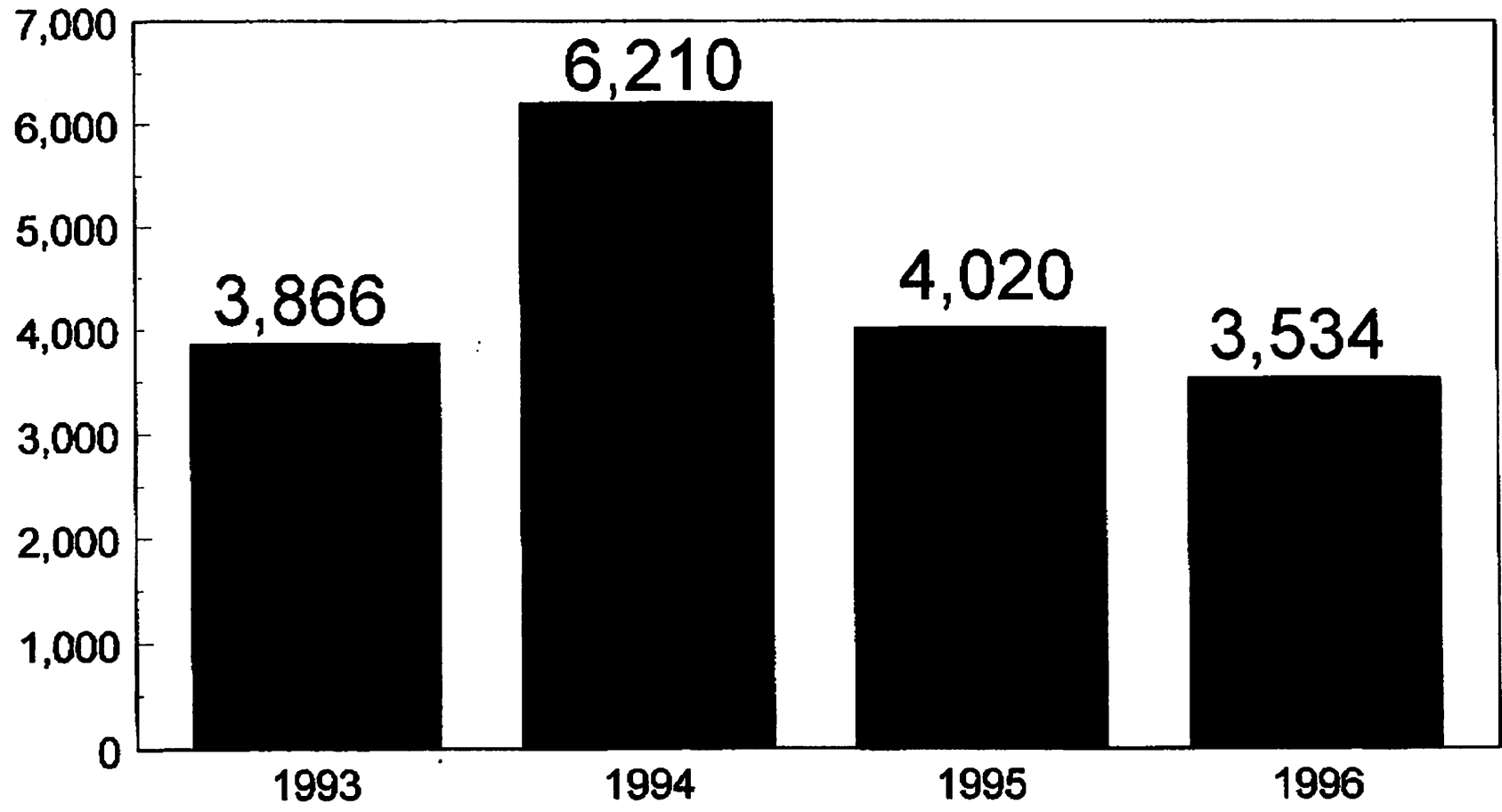
Data for area called "Sitka Sound including Vitskari" are from unpublished Statewide Harvest Survey data.

- This area is somewhat smaller than proposed restricted area.
- Does not include Biorka Island or any Salisbury Sound harvest.
- While trends in this area reflect what is happening in proposed restricted area, harvest estimates will be less than in larger restricted area.

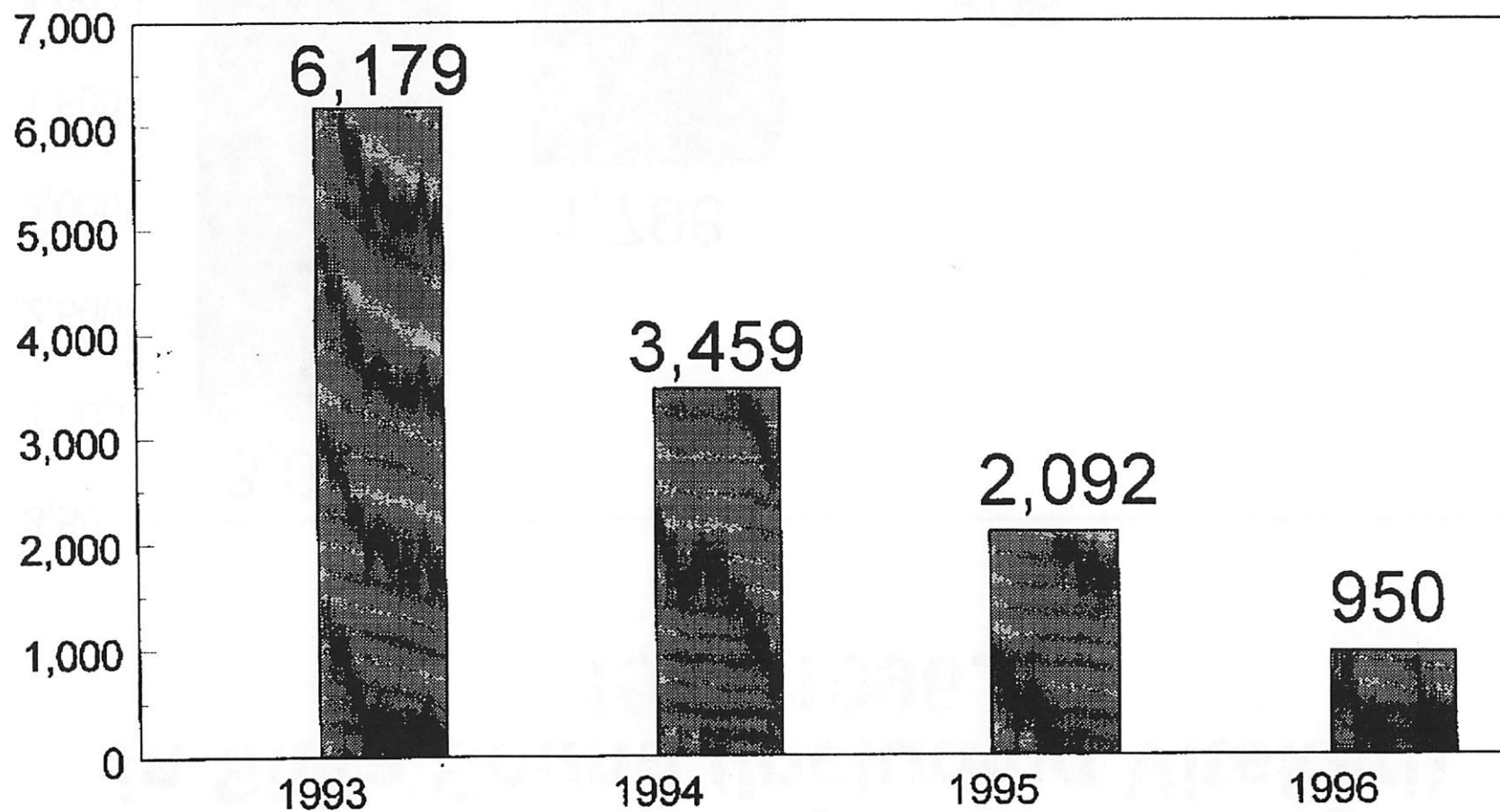
Halibut harvest in Sitka Sound (including Vitskari) 1993-1996.



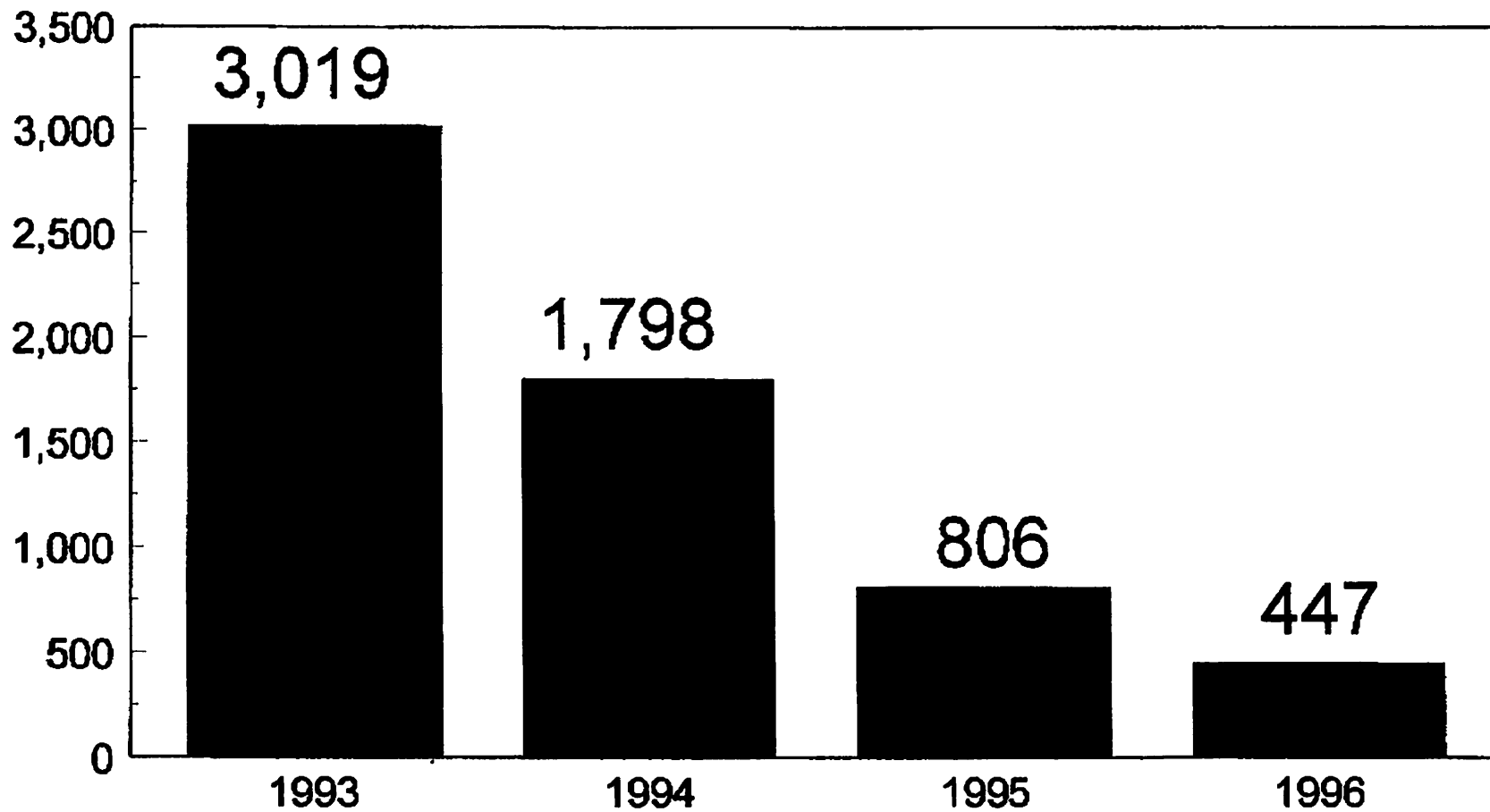
Halibut harvest by chartered anglers in Sitka Sound (including Vitskari) 1993-1996.



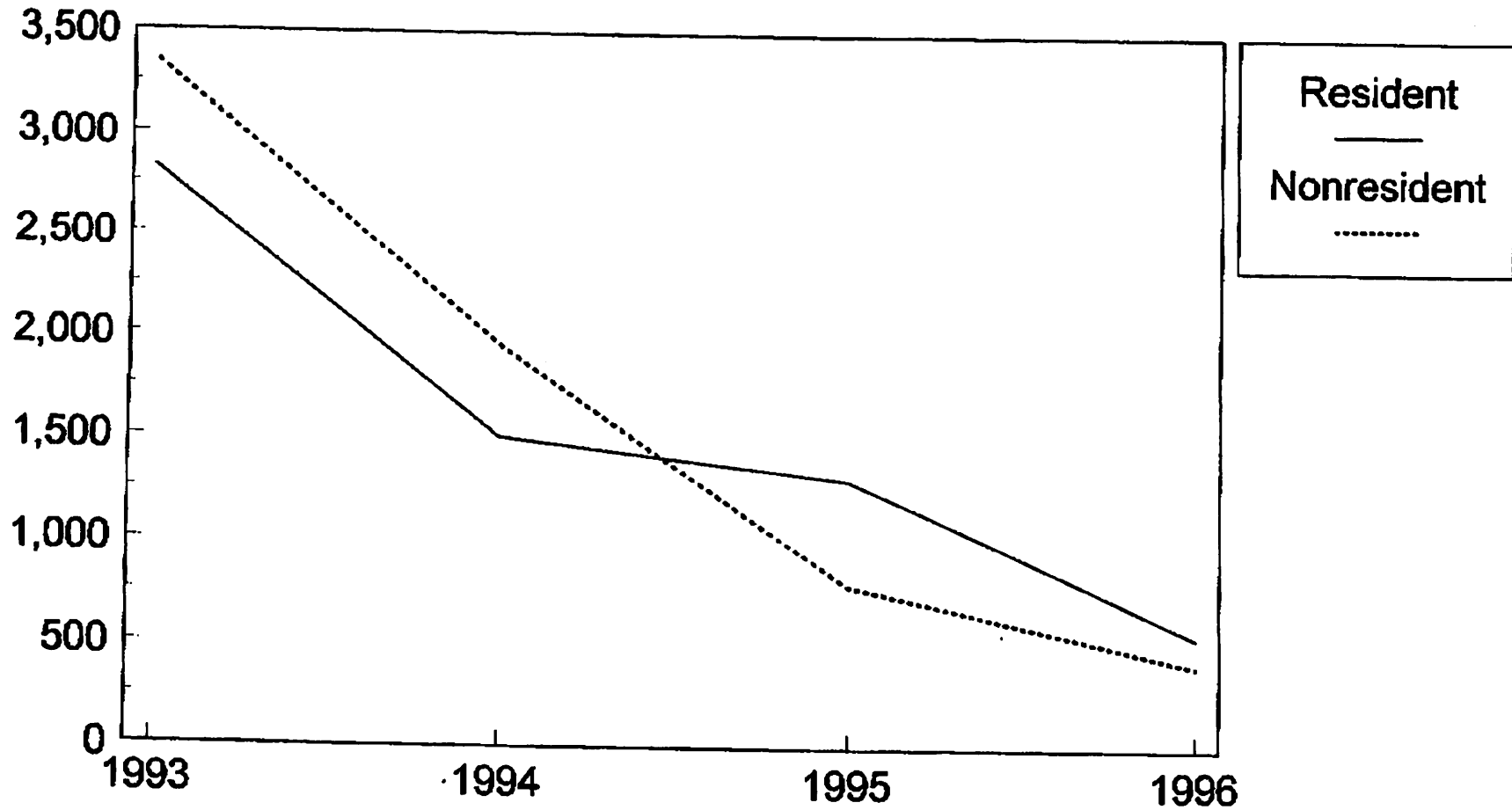
Halibut harvest by nonchartered anglers in Sitka Sound (including Vitskari) 1993-1996.



Halibut harvested by resident anglers in Sitka Sound (including Vitskari) 1993-1996.



Halibut harvest by residency of non-chartered anglers in Sitka Sound (including Vitskari) 1993-1996.

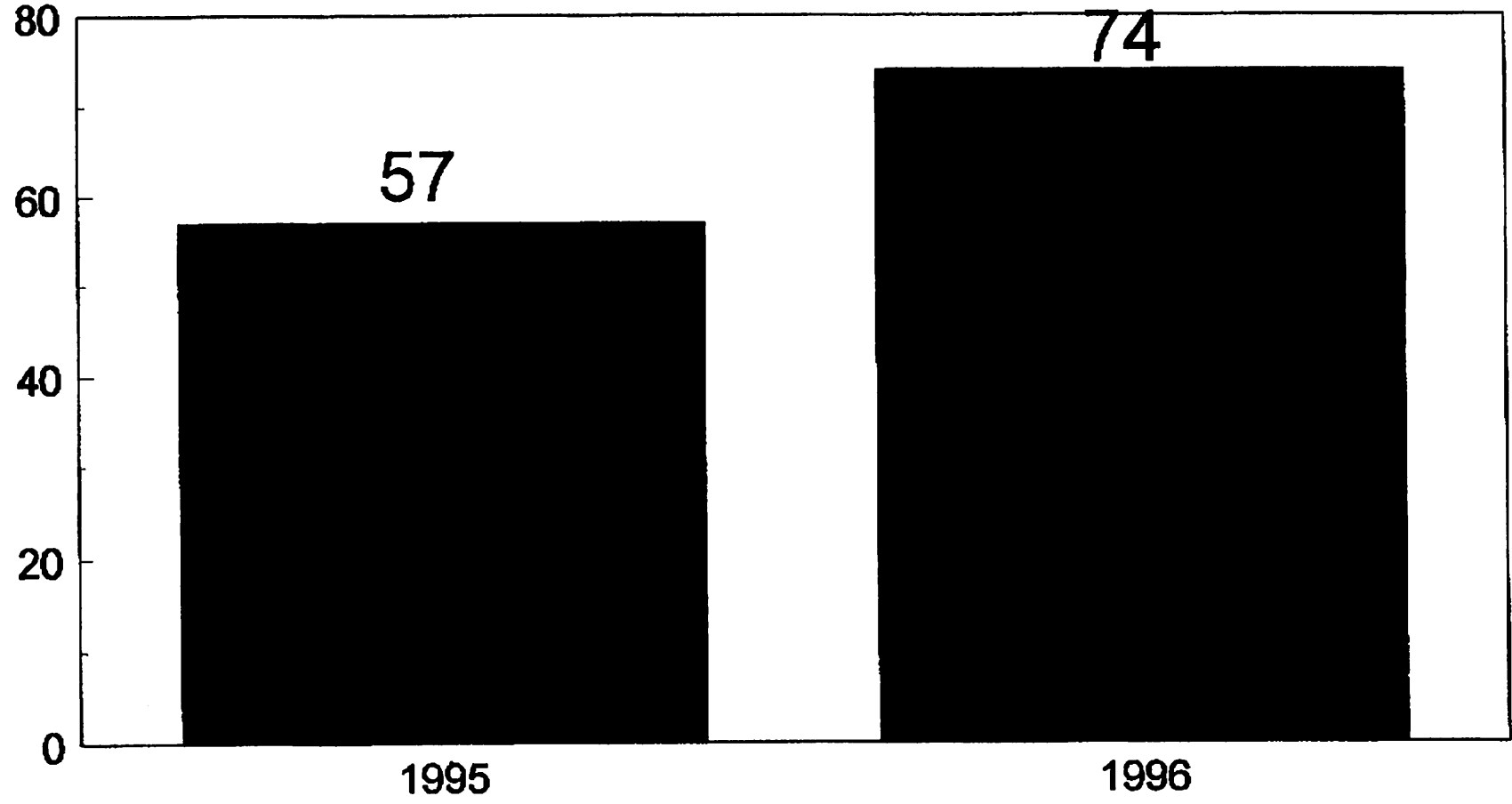


"Alternative 2 may result in approximately 6,000 fewer halibut removed by charter anglers in Sitka Sound"

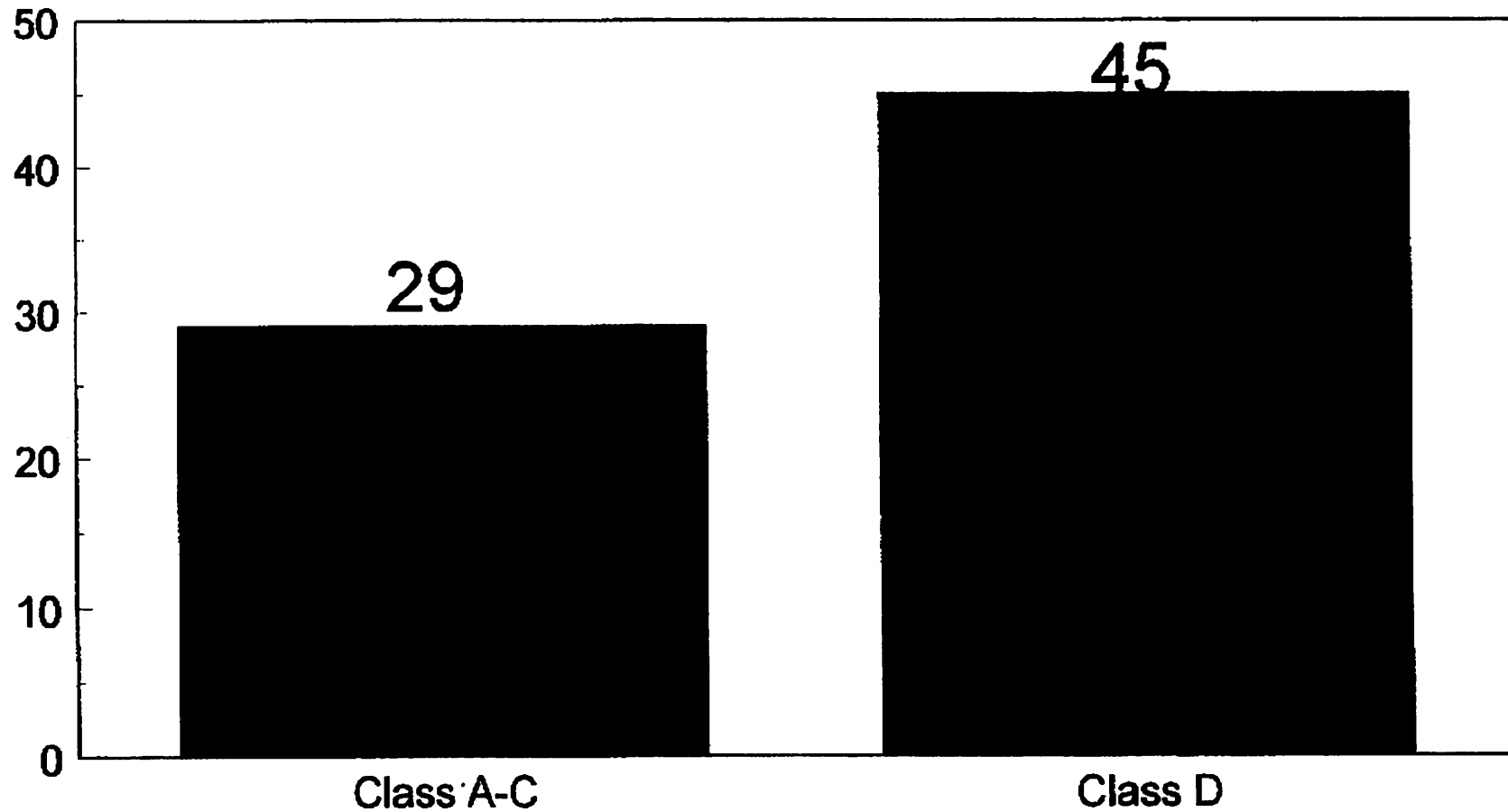
(Council staff analysis).

Commercial Fishery Information

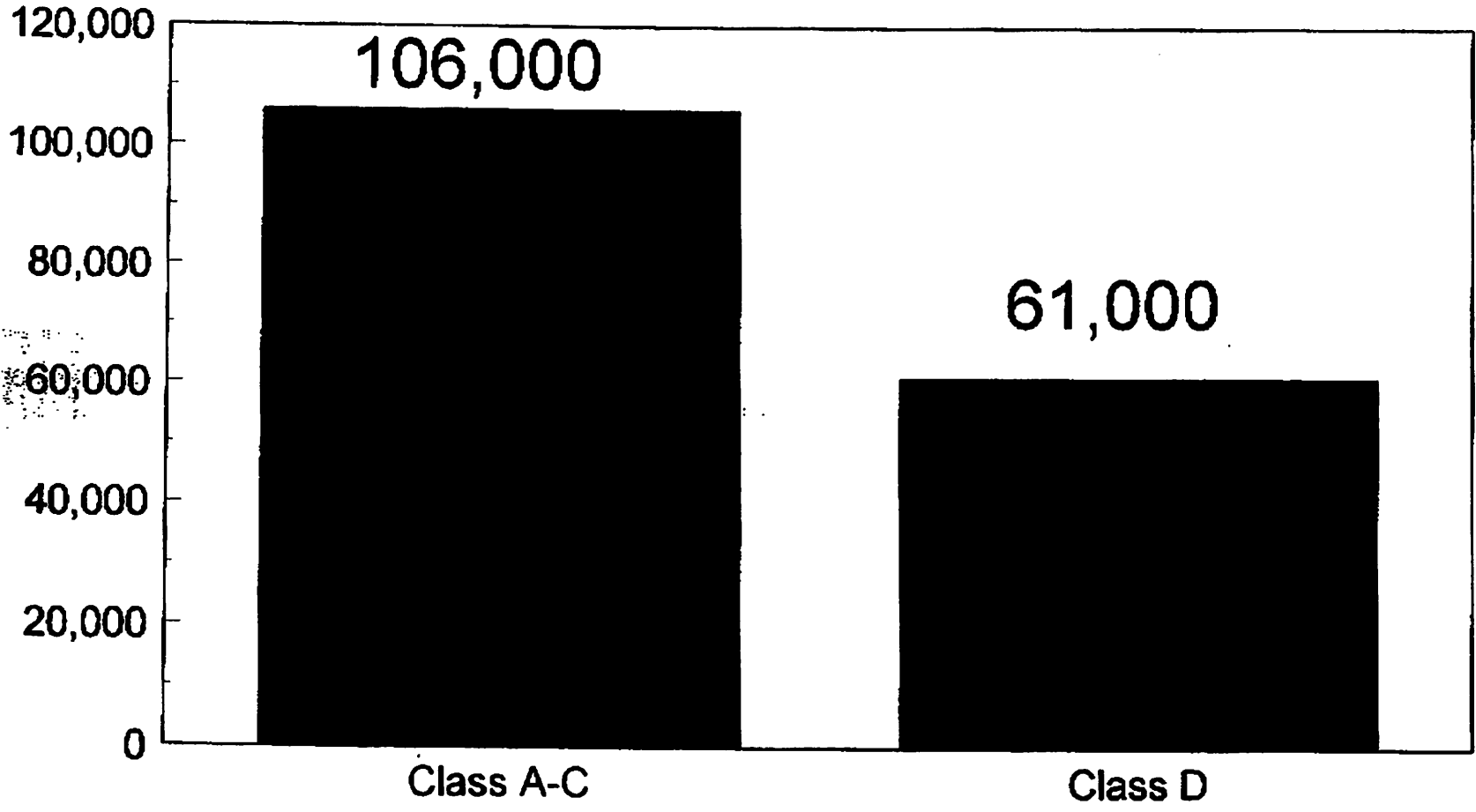
No. of commercial halibut vessels fishing proposed restricted area. (Council Staff analysis)



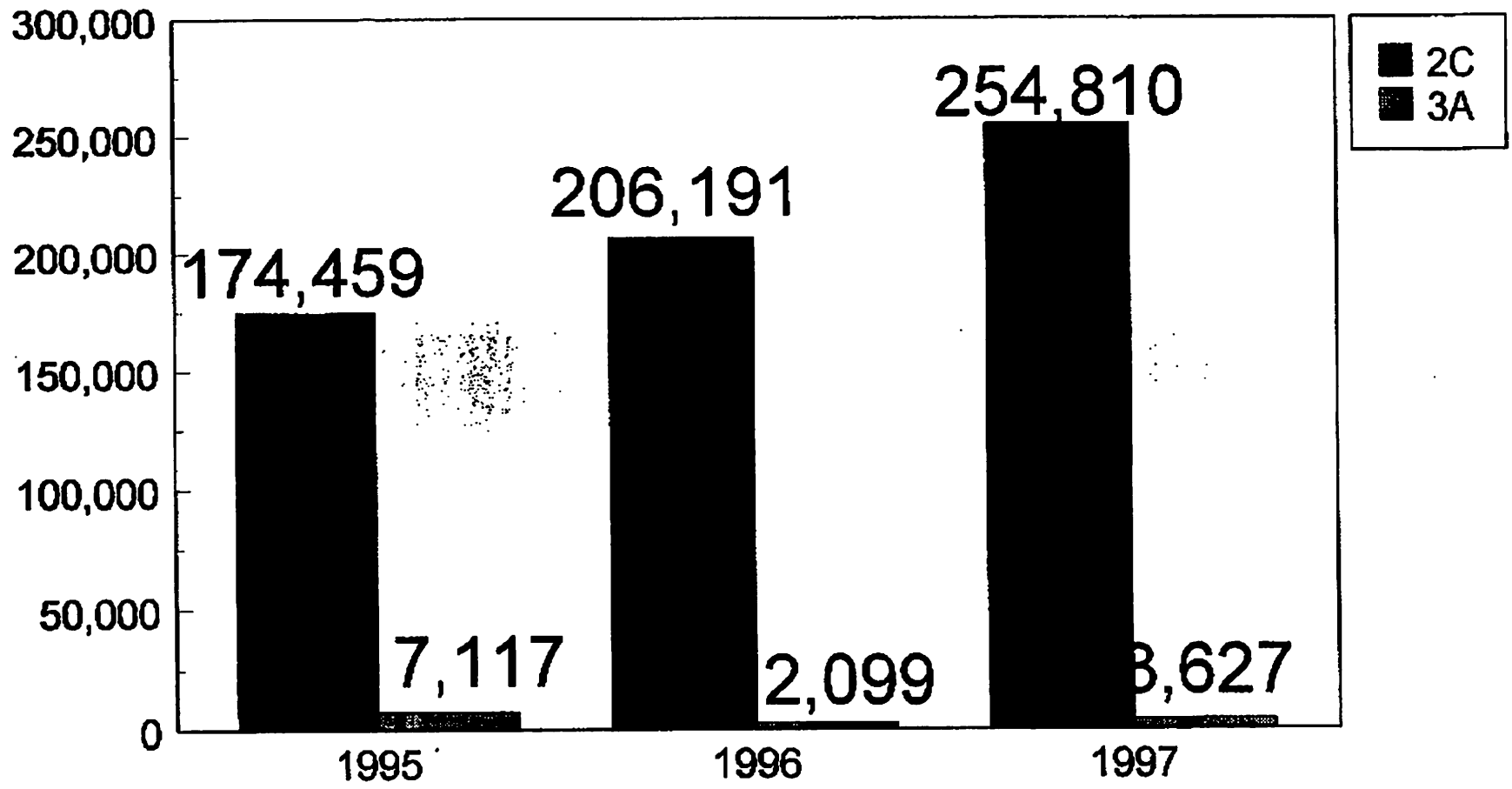
No. of commercial vessels by class fishing proposed restricted area, 1996. (Council staff analysis)



Halibut harvest (pounds) in Sitka proposed restricted area by vessel class, 1996. (Council staff analysis).

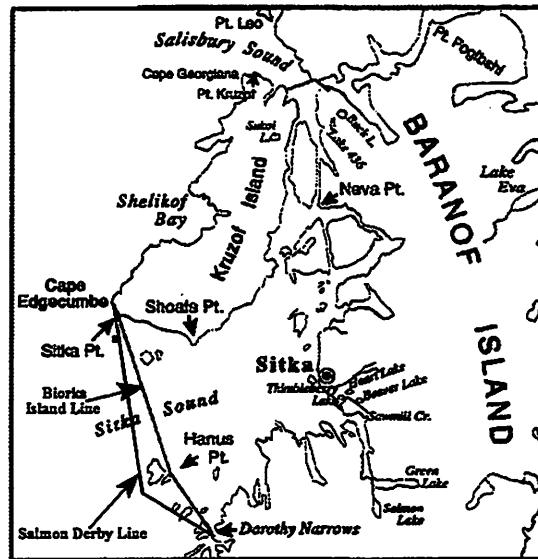


IFQ pounds landed on Category "D" vessels at the port of Sitka (NMFS data).



DRAFT FOR PUBLIC REVIEW

ENVIRONMENTAL ASSESSMENT/REGULATORY IMPACT REVIEW
OF
A REGULATORY AMENDMENT
FOR A
LOCAL AREA HALIBUT MANAGEMENT PLAN FOR SITKA SOUND



prepared by

Staff

North Pacific Fishery Management Council

July 1, 1997

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EXECUTIVE SUMMARY

The North Pacific Fishery Management Council is considering a local area management plan for halibut in Sitka Sound, Alaska. The analysis includes the following management alternatives:

Alternative 1. Status Quo. Do not develop a local area management plan for Sitka Sound.

Alternative 2. Create a local area management plan for Sitka Sound with the following provisions:

- (1) Halibut longliners larger than category "D" (>35 ft LOA) would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof Island to Kruzof Island adjacent to Sinitsin Island, on the North to the Sitka Salmon Derby Boundaries on the South.
- (2) Halibut longliners in the category "D" would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries for larger vessels in the North, and inside of a line from Sitka Pt. to Hanus Pt. (14450 Loran Line) and from Hanus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Islands in the South in June, July, and August. 1,000-pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.
- (3) Inside the same areas defined for the category "D" longliners during the months of June, July, and August, fishing for halibut would be allowed in the: (a) personal use fishery; (b) subsistence fisheries; and/or (c) non-guided sport fishery.

Option: by Sitka residents only.

The proposed alternative would close most of Sitka Sound to commercial halibut fishing by freezer category vessels, commercial vessels larger than 35 ft, and halibut charterboats. Commercial vessels less than or equal to 35 ft would be limited to 1,000 lb of halibut per trip. Subsistence, personal use, and unguided sport fishermen would continue to be allowed to harvest halibut from the otherwise closed waters of the sound. Charterboats would be allowed to troll for salmon in waters of the Sound closed to bottomfishing for halibut that had halibut that were caught in open waters onboard the vessel. An option would limit participation in the personal use, subsistence, and/or non-guided sport fisheries to Sitka residents only.

In January 1997, the Sitka Halibut Task Force, appointed by the chairman of the Sitka Fish and Game Advisory Committee in turn appointed by the BOF, identified the problem in the halibut fisheries in Sitka Sound to be decreased availability of halibut in the Sitka area which was diminishing the quality of life for local residents. The Task Force identified a list of statements that supported the need for a Sitka Sound halibut management plan. Limited data from commercial landings reports and sportfish surveys indicate increased effort and halibut removals from Sitka Sound.

During initial review in June 1997, the Council revised Alternative 2 to reflect the Sitka Halibut Task Force recommendation from its June 9, 1997 meeting which clarified its intent that Alternative 2, Part 3 apply only Sitka residents. Alternative 2, Part 3, Option was added to the EA/RIR to limit halibut harvests inside Sitka Sound to Sitka residents only in the personal use, subsistence, and non-guided sport halibut fisheries as a separable action item due to possible enforcement or legal limitations. This change reflects the original proposal. There is no legal impediment to limiting halibut harvests to specific Alaska community residents, however, the Council must balance the needs of local communities with those of all owners of the resource.

International Pacific Halibut Commission staff report that quantitative evidence of localized depletion of halibut stocks does not exist. Small-scale local depletion does not have a significant biological effect for the resource as a whole. Ultimately, counter migration and local movement tend to fill in areas with low halibut density, although continued high exploitation will maintain local depletion. However, estimates of biomass and rates of local movement are not available to manage small areas. Additionally, two attempts to deplete a localized area with a period of continuous fishing were unsuccessful. Staff, however, does confirm that halibut commercial fishery catch-per-unit-effort (CPUE) in Sitka Sound is 67 percent of halibut CPUE outside the sound.

Individual vessels harvesting halibut from proposed closed waters in Sitka Sound increased from 57 to 74 vessels between 1995 and 1996. At the end of 1995, 324 Sitka residents held over 1.7 million lb of halibut IFQ, valued at \$3.0 million. Because of liberalized sweep-up and fish-down allowances, fewer QS holders and vessels are currently believed to be active in the fishery.

Alternative 2 would displace approximately 29 commercial category A-C vessels from waters inside Sitka Sound to other Area 2C waters to harvest their halibut IFQs. These vessels harvested approximately 106,000 lb of halibut worth \$190,000 ex-vessel in 1996. Around 45 category D vessels would be limited to 1,000 lb of halibut per trip inside proposed closed waters of the sound for the duration of the IFQ season, except for June, July, and August when they would be prohibited from fishing inside closed waters with a less restrictive southern boundary (Biorka Island line) than larger commercial vessels (salmon boundary line). The trip limit would have no effect on roughly 32 of the 45 category D vessels harvesting halibut during 1996. Thirteen category D vessels may be required to take multiple trips to harvest their IFQs in the sound. Up to 61,000 lb of halibut valued at \$173,000 are fished on category D vessels.

Approximately 200 charterboats would have the same closed water boundary as commercial category D vessels during June, July, and August. The Sitka guided halibut harvest of 13,400 fish in 1995 generated estimated gross revenues of \$1,036,800 and total spending of over \$2 million. Alternative 2 may result in approximately 6,000 fewer halibut removed by charter anglers from Sitka Sound; roughly 176,000 lb at 29 lb/fish net weight. These fish, however, may be intercepted as they enter the sound if fishing activity shifted to open waters outside the Sound.

A number of effects of Alternative 2 remain unknown: (1) the amount of category A-C IFQs that might be harvested in other statistical areas or landed in other ports; (2) whether the 1,000 lb trip limit would reduce removals from the sound or just further slow the pace of fishing effort; and (3) the effect of greater running time to fishable waters outside the sound on charterboat client bookings. Limited federal and state enforcement resources make the enforcement of proposed halibut local areas problematic.

None of the alternatives is likely to significantly affect the quality of the human environment.

1.0 INTRODUCTION

The North Pacific Fishery Management Council is considering options to allocate Pacific halibut among subsistence, personal use, sport, charter, large commercial boat, and small commercial boat users in Sitka Sound Alaska. Final action to adopt a final local area management plan for Sitka Sound is scheduled for September 1997.

This document is the Environmental Assessment/Regulatory Impact Review (EA/RIR) for a regulatory amendment to create a local area management plan for Sitka Sound. The National Environmental Policy Act (NEPA), Executive Order (E.O.) 12866, and the Regulatory Flexibility Act (RFA) require a description of the purpose and need for the proposed action as well as a description of alternative actions which may address the problem. Section 2 contains a discussion of the environmental impacts of the alternatives. Section 3 contains a Regulatory Impact Review (RIR) which addresses the requirements of both E.O. 12866 and the RFA that economic impacts of the alternatives be considered.

1.1 Management Background

The domestic fishery for halibut in and off Alaska is managed by the International Pacific Halibut Commission (IPHC) as provided by the "Convention Between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and the Bering Sea" (Convention) signed at Washington March 29, 1979, and the Northern Pacific Halibut Act of 1982 (Halibut Act), P.L. 97-176, 16 U.S.C. 773 c (c). The Convention and the Halibut Act authorize the respective North Pacific Fishery Management Council (Council) established by the Magnuson-Stevens Act to develop regulations governing the Pacific halibut catch in U.S. waters which are in addition to but not in conflict with regulations of the International Pacific Halibut Commission.

The IPHC is responsible for conducting biological assessments of the halibut resource and setting catch limits to protect the resource and maximize yield in IPHC Regulatory Area 4 which incorporates the Bering Sea and Aleutian Islands. The North Pacific Fishery Management Council has the responsibility of allocating fishing privileges among U.S. fishermen. McCaughran and Hoag (1992) provide a discussion of management authority of the IPHC and the Council relating to halibut.

The Council does not have a fishery management plan (FMP) for halibut, however, the Council developed a limited access system involving individual fishing quotas (IFQs) and community development quotas (CDQs) for the halibut fishery. This system is implemented by federal regulations under 50 CFR part 679, Limited Access Management of Fisheries off Alaska under authority of the Magnuson Fishery Conservation and Management Act of 1975, P. L. 94-265, 16 U.S.C. 1801. Federal regulations implemented under the Halibut Act can be found at 50 CFR part 300, subpart E, Pacific Halibut Fisheries.

The Council is also scheduled for final action on two separate halibut management issues: (1) charterboat fishery in September 1997 and (2) subsistence/personal use fishery in February 1998.

1.2 Purpose and Need for Action

In September 1996, the Council initiated a process to facilitate development and implementation of local area halibut management plans for those areas where local conflicts have been identified. The Council concurrently approved development of a regulatory amendment to analyze the 1995 recommendations of the Sitka Fish and Game Advisory Committee Halibut Task Force.

In January 1997, the Sitka Halibut Task Force, appointed by the chairman of the Sitka Fish and Game Advisory Committee in turn appointed by the BOF, identified the problem in the halibut fisheries in Sitka Sound to be decreased availability of halibut in the Sitka area which was diminishing the quality of life for local residents. IPHC staff confirms that halibut commercial fishery catch-per-unit-effort (CPUE) in Sitka Sound is 67 percent of halibut CPUE outside the sound (R. Trumble, pers. commun.).

The Task Force identified a list of statements that supported the need for a local halibut management plan in Sitka Sound: halibut stocks are in decline; halibut recruitment is at relatively low levels; halibut are maturing at a smaller size; protection of halibut spawning stock is important for future recruitment; most halibut return to the same general area when mature; trawl bycatch of halibut is at unacceptably high levels; subsistence/personal use fishermen prefer halibut less than 100 lb; charter effort is growing; non-charter sport catch has decreased; commercial catches have decreased; and the IFQ fishery has changed commercial fishing patterns.

During their joint meeting in February 1997, the Alaska Board of Fisheries (BOF) forwarded the final 1997 recommendations of the committee to the Council. The BOF also informed the Council that subsequent to the agreement by the Task Force, enforcement issues were raised regarding retention of halibut in closed waters while salmon trolling. Task Force members who testified to the Council at the April 1997 Council meeting also reported that a few aspects of the proposal remained unresolved.

During initial review in June 1997, the Council revised Alternative 2 to reflect the recommendation of the proposal by the Sitka Halibut Task Force at its June 9, 1997 meeting which clarified its intent that Alternative 2, Part 3 apply only to Sitka residents. Alternative 2, Part 3, Option was added to the EA/RIR to limit halibut harvests inside Sitka Sound to Sitka residents only in the personal use, subsistence, and non-guided sport halibut fisheries. This option would also prohibit the use of 'bare-boat' rentals, which are considered unguided vessels operated by lodges. The Task Force also clarified that its support of Alternative 2 was tied to legal retention of halibut caught by the guided sport halibut fishery outside the halibut closed area while salmon trolling inside the halibut closed area.

Charterboats would be allowed to troll for salmon in waters of the Sound closed to bottomfishing for halibut that had halibut that were caught in open waters onboard the vessel. Enforcement aspects of retention of halibut in closed waters is discussed in Section 3. Lastly, the Task Force requested that the Sitka Fish and Game Advisory Committee be provided with an annual report of halibut removals from all fishing sectors.

The Sitka local area management plan is the first community-based local area plan for halibut to be submitted to the Council for its consideration. In April 1997, the Kodiak Fish and Game Advisory Committee informed the Council that it would be forwarding a proposal in January 1998. Additional communities are expected to also submit proposals for local halibut management. In its decision, the Council must balance the needs of local communities with those of all owners of the resource.

1.3 Management Action Alternatives

Alternative 1. Status Quo. Do not develop a local area management plan for Sitka Sound.

International Pacific Halibut Commission staff informed the Council that quantitative evidence of localized depletion of halibut stocks does not exist. Small scale local depletion does not have a significant biological effect for the resource as a whole. Ultimately, counter migration and local movement tend to fill in areas with low halibut density, although continued high exploitation will maintain local depletion. However, estimates of biomass and rates of local movement are not available to manage small areas. Additionally, two attempts to

deplete a localized area with a period of continuous fishing were unsuccessful (Geernaert et al. 1992, Kaimmer and Deriso 1988).

Under Alternative 1, local communities could adopt voluntary use plans. Sitka Sound halibut user groups in practiced a 'gentlemen's agreement' for many years before submitting a request for federal regulation.

Alternative 2. Create a local area management plan for Sitka Sound with the following provisions:

(1) Halibut longliners larger than category "D" (> 35 ft LOA) would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof Island to Kruzof Island adjacent to Sinitsin Island, on the North to the Sitka Salmon Derby Boundary on the South.

(2) Halibut longliners in the category "D" would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries for larger vessels in the North, and inside of a line from Sitka Pt. to Hanus Pt. (14450 Loran Line) and from Hanus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Islands in the South in June, July, and August (Figure 1). 1,000-pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.

(3) Inside the same areas defined for the category "D" longliners during the months of June, July, and August, fishing for halibut would be allowed in the: (a) personal use fishery; (b) subsistence fisheries; and/or (c) non-guided sport fishery.

Option: by Sitka residents only.

The 1997 Sitka Sound proposal, forwarded to the Council by the Alaska Board of Fisheries (BOF), is the culmination of community debate since 1995 to resolve conflicts identified between gear and user groups resulting from the apparent decline in halibut resource within Sitka Sound (Appendix I). A draft addendum to the 1997 proposal was submitted to the Council at its February 1997 meeting (Appendix II) In May 1995, the Sitka Halibut Task Force unanimously agreed to a statement of findings and a list of voluntary actions agreed upon by all sectors (Appendix III). The Task Force was reformed in 1997 in reaction to Proposal 270 submitted by the Sitka Tribe of Alaska to the BOF for its February meeting in Sitka. Proposal 270 requested BOF action to close the harvest of halibut, ling cod, rockfish and other bottomfish in the Sitka Sound area from commercial and charter industry overharvest. The BOF took action at that meeting to create a Sitka Sound Special Use Area for ling cod; rockfish are already protected in Sitka Sound. The BOF referred the Halibut Task Force proposal to the Council since it does not have management jurisdiction over halibut.

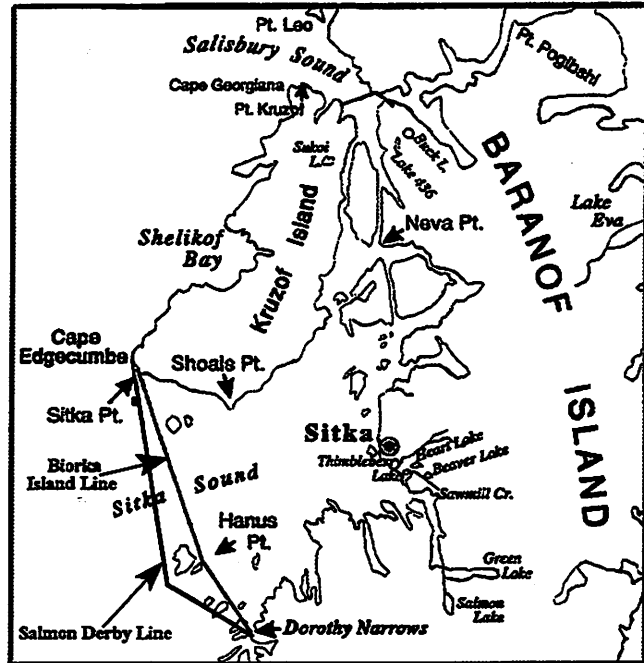


Figure 1. Proposed halibut closed areas for Sitka Sound.

2.0 NEPA REQUIREMENTS: ENVIRONMENTAL IMPACTS OF THE ALTERNATIVES

An environmental assessment (EA) is required by the National Environmental Policy Act of 1969 (NEPA) to determine whether the action considered will result in significant impact on the human environment. If the action is determined not to be significant based on an analysis of relevant considerations, the EA and resulting finding of no significant impact (FONSI) would be the final environmental documents required by NEPA. An environmental impact statement (EIS) must be prepared for major Federal actions significantly affecting the human environment.

An EA must include a brief discussion of the need for the proposal, the alternatives considered, the environmental impacts of the proposed action and the alternatives, and a list of document preparers. The purpose and alternatives are discussed in Section 1. Section 2 contains a discussion of the environmental impacts of the alternatives. Section 3 contains the RIR. Section 6 contains the summary and conclusions of the analysis. The preparer is listed in Section 7.

The environmental impacts generally associated with fishery management actions are effects resulting from (1) harvest of fish stocks which may result in changes in food availability to predators and scavengers, changes in the population structure of target fish stocks, and changes in the marine ecosystem community structure; (2) changes in the physical and biological structure of the marine environment as a result of fishing practices, e.g., effects of gear use and fish processing discards; and (3) entanglement/entrapment of non-target organisms in active or inactive fishing gear.

None of the proposed alternatives would have such impacts on the environment. This action would have no significant impact on the environment.

2.1 Impacts on Endangered or Threatened Species

Endangered and threatened species under the ESA that may be present in the Gulf of Alaska and the Bering Sea and Aleutians Islands include:

Endangered

Northern right whale	<i>Balaena glacialis</i>
Sei whale	<i>Balaenoptera borealis</i>
Blue whale	<i>Balaenoptera musculus</i>
Fin whale	<i>Balaenoptera physalus</i>
Humpback whale	<i>Megaptera novaeangliae</i>
Sperm whale	<i>Physeter macrocephalus</i>
Snake River sockeye salmon	<i>Oncorhynchus nerka</i>
Short-tailed albatross	<i>Diomedea albatrus</i>
Steller sea lions (western stock)	<i>Eumetopias jubatus</i>

Threatened

Steller sea lion	<i>Eumetopias jubatus</i>
Snake River spring and summer chinook salmon	<i>Oncorhynchus tshawytscha</i>
Snake River fall chinook salmon	<i>Oncorhynchus tshawytscha</i>

None of the management alternatives is expected to have an effect on endangered or threatened species for the same reasons cited above.

2.2 Finding of No Significant Impact

Neither of the alternatives negatively impacts the halibut population in Sitka Sound or the IPHC Regulatory Area 2C management unit. Alternative 2 proposes to reallocate non-commercial halibut removals from Sitka Sound to the 8,632 residents of Sitka in order to decrease fishing effort on a local population of halibut they deem to be depleted.

None of the alternatives is likely to significantly affect the quality of the human environment; preparation of an environmental impact statement for selection of any of the alternatives as the proposed action would not be required by Section 102(2)(C) of the National Environmental Policy Act or its implementing regulations.

3.0 REGULATORY IMPACT REVIEW

This section provides information about the economic and socioeconomic impacts of the alternatives including identification of the individuals or groups that may be affected by the action, the nature of these impacts, and quantification of the economic impacts where possible.

The requirements for all regulatory actions specified in E.O. 12866 are summarized in the following statement from the order:

In deciding whether and how to regulate, agencies should assess all costs and benefits of available regulatory alternatives, including the alternative of not regulating. Costs and benefits shall be understood to include both quantifiable measures (to the fullest extent that these can be usefully estimated) and qualitative measures of costs and benefits that are difficult to quantify, but nevertheless essential to consider. Further, in choosing among alternative regulatory approaches, agencies should select those approaches that maximize net benefits (including potential economic, environment, public health and safety, and other advantages; distributive impacts; and equity), unless a statute requires another regulatory approach.

This section also addresses the requirements of both E.O. 12866 and the Regulatory Flexibility Act to provide adequate information to determine whether an action is "significant" under E.O. 12866 or will result in "significant" impacts on small entities under the RFA.

E. O. 12866 requires that the Office of Management and Budget review proposed regulatory programs that are considered to be "significant." A "significant regulatory action" is one that is likely to:

- (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
- (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

A regulatory program is "economically significant" if it is likely to result in the effects described above. The RIR is designed to provide information to determine whether the proposed regulation is likely to be "economically significant."

The proposed action would create a local area management plan to allocate the Pacific halibut resource among subsistence, personal use, sport, charter, large commercial boat, and small commercial boat users in Sitka Sound, Alaska.

3.1 Economic and Social Impacts of the Alternatives

3.1.1 Alternative 1. Status Quo. Do not develop a local area management plan for Sitka Sound.

The IPHC considers the halibut resource to be a single population. Egg and larval drift and subsequent counter migration by young halibut cause significant mixing within the halibut population. The IPHC sets halibut harvests in regulatory areas in proportion to abundance. This harvest philosophy protects against overharvest of what may be separate, but unknown, genetic populations, and spreads fishing effort over the entire range to prevent regional depletion. Small scale local depletion does not have a significant biological effect for the resource as a whole. Ultimately, counter-migration and local movement tend to fill in areas with low halibut density, although continued high exploitation will maintain local depletion. However, estimates of biomass and rates of local movement are not available to manage small areas. Local depletion affects mainly vessels with limited mobility, which cannot move to adjacent areas of higher abundance. Options for managing local areas with high fishing pressure fall within two extremes: little or no restrictions that lead to maximum fishing opportunity, but low abundance and low catches; or severe restrictions with reduced seasons, bag limits, quotas, and participation that lead to high abundance and high catch rates for those allowed to fish (R. Trumble, pers. commun.).

Two attempts to deplete a localized area with a period of continuous fishing were unsuccessful. In 1988, the IPHC conducted a depletion and tagging study in the northern portion of Area 2B inside Dixon Entrance on a small, productive fishing ground known locally as the Sitka Spot (Geernaert et al. 1992). Halibut catch varied with time but depletion was not observed. An earlier depletion fishing experiment was conducted in the Charlotte region off Carpenter Bay, just inside and north of Cape St. James in Hecate Strait in Area 2B (Kaimmer and Deriso 1988). There was little change in halibut size composition from day to day, and although showing an initial decline in CPUE, the catch rate over the eight day study remained stable, indicating high rates of migration into the experimental area (IPHC 1988).

The status quo alternative would have no negative impact on the halibut resource. However, competition for the resource by users would continue to increase as the local population in Sitka Sound declines and effort increases. Sitka Sound residents have requested that action be taken to reduce fishing pressure on halibut within the sound.

3.1.2 Alternative 2. Create a local area management plan for Sitka Sound with the following provisions:

(1) Halibut longliners larger than category "D" (>35 ft LOA) would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof

Island to Kruzof Island adjacent to Sinitsin Island, on the North to the Sitka Salmon Derby Boundaries on the South.

- (2) Halibut longliners in the category "D" would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries for larger vessels in the North, and inside of a line from Sitka Pt. to Hanus Pt. (14450 Loran Line) and from Hanus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Islands in the South in June, July, and August. 1,000-pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.
- (3) Inside the same areas defined for the category "D" longliners during the months of June, July, and August, fishing for halibut would be allowed in the: (a) personal use fishery; (b) subsistence fisheries; and/or (c) non-guided sport fishery.

Option: by Sitka residents only.

Under Alternative 2, a Sitka Sound local area management plan would respond to the public's concerns that a perceived decline in a local population of halibut is causing social and economic hardship to subsistence, personal use, commercial, sport, and charter fishermen. Alternative 2 proposes to protect the interests of subsistence/personal use and non-guided sport anglers by maximizing their access to the halibut resource within Sitka Sound. Alternative 2 may lead to recovery of the local halibut stock by decreasing fishing effort in the sound. Fishing pressure may only be shifted, however, to outside the sound where effort will be exerted to intercept halibut migrating into the sound.

Alternative 2, Part 1 proposes to close the Sound to commercial fishermen possessing halibut category A (freezer vessels), category B (any length LOA), and category C (≤ 60 ft LOA) quota shares. Alternative 2, Part 2 proposes to limit fishermen possessing category D quota shares (≤ 35 ft LOA) to a 1,000 lb trip limit within Sitka Sound and close the sound to commercial category D vessels in the sound at the Biorka Island southern boundary line during June, July, and August. Alternative 2, Part 3 proposes to close the sound at the Biorka Island line at the southern boundary to guided sport vessels in June, July, and August. An option was added to the analysis in June 1997 that would allow only Sitka residents to participate in unguided sport, subsistence, or personal use halibut fisheries within the sound north of the Biorka Island line. This was added to reflect the original Sitka Task Force proposal which aimed to reduce fishing effort on the local halibut population while continuing to meet the needs of local residents to harvest halibut to feed their families.

Alternative 2 mirrors similar action the BOF took in February 1997 to prohibit commercial fishing with troll gear and dinglebars for lingcod in Sitka Sound beginning on June 15, 1997. A 5 percent bycatch limit of lingcod in the halibut longline fishery is allowed. The BOF also lowered the lingcod bag limit from two fish to one for non-resident anglers in the sound; the bag limit remains two fish for outside the sound. The Council, however, is constrained from discriminatory action between residents of different states and can not exclude non-Alaskan U.S. residents from fishing privileges (i.e., lower bag limits).

Other commercial species are also harvested in Sitka Sound. Commercial halibut longlining in the sound in the first two months of the 1997 IFQ season is the highest in the 3 year history of the IFQ fishery (V. O'Connell, pers. commun.). Salmon trollers possessing sufficient halibut IFQs would also be allowed to retain halibut. Sitka Sound is already closed to commercial fishing for demersal shelf rockfish. A small jig fishery for black rockfish is allowed. The sound is open to longlining for Pacific cod, but the fishery is minimal.

Expanding sport fisheries also occur in Sitka Sound. The Sitka Sound charterboat fleet has typically left the dock early in the morning to fish halibut outside Sitka Sound to the north on the western side of Kruzof Island and to

the south on the western side of Baranof Island. After westerly winds pick up between noon and 2 p.m., the boats return to the sound and troll for salmon for the remainder of the charter. Alternative 2, Part 3 would prohibit retention of halibut in closed waters while engaged in fishing activity. Charterboats would be allowed to transit waters of Sitka Sound with halibut onboard. The Sitka Sound proposal contains a recommendation that would prohibit bottomfishing for halibut within the Sound by the guided sport fleet while allowing the use of salmon troll gear and prohibiting the retention of any halibut caught on troll gear within the closed area. This would require additional enforcement interaction with the fleet to ensure that halibut were not retained from illegal gear within the closed area. It would require an increased level of enforcement activity and would make it less likely that effective enforcement of the ban on halibut fishing within the sound would occur.

The creation of the southern boundary line around Biorka Island allows the commercial small boat and charter fleets to continue to fish outside the line but in the shelter of the island during periods of adverse weather. The Biorka Island area may be the only remaining halibut fishing site in Sitka Sound with fishable amounts of halibut.

Note that the proposed action was presented to the Council as a package. The entire proposal would need to be approved to continue the community's consensus support. The Council may also wish to consider the potential effects of final action on halibut subsistence scheduled for February 1998 and halibut charterboats scheduled for September 1997. Consensus on the Task Force proposal may also be affected by proposed changes to halibut bag and possession limits currently scheduled for initial review in September 1997. While some community dissent has been voiced after the agreement was forwarded to the advisory committee related to halibut retention while charter salmon fishing, the Sitka Fish and Game Advisory Committee and its Halibut Task Force still unanimously supported the proposal as of June 1997.

3.2 Identification of the Individuals or Groups that may be Affected by the Proposed Action

A community profile for Sitka produced by the State of Alaska Department of Community and regional Affairs is included below.

Location and Climate

Sitka is located on the west coast of Baranof Island fronting the Pacific Ocean, on Sitka Sound. An extinct volcano, Mount Edgecumbe, rises 3,200 feet above the community. It is 95 air miles southwest of Juneau, and 185 miles northwest of Ketchikan. It lies at approximately 57° 03' N Latitude and 135° 20' W Longitude. The area encompasses 2,881.5 sq. miles of land and 1,968.3 sq. miles of water. January temperatures range from 23 to 35; summers vary from 48 to 61. Average annual precipitation is 94 inches.

History, Culture and Demographics

Sitka was originally inhabited by a major tribe of Tlingits, who called the village "Shee Atika." The site became "New Archangel" in 1799 as the capital of Russian America. St. Michael's Redoubt trading post and fort were built here by Alexander Baranof, manager of the Russian-American company. Tlingits burned down the fort and looted the warehouse in 1802. In 1804, the Russians retaliated by destroying the Tlingit Fort, in the Battle of Sitka. This was the last major stand by the Tlingits against the Russians. By 1808, Sitka was the capital of Russian Alaska. Baranof was Governor from 1790 through 1818. During the mid-1800s, Sitka was the major port on the north Pacific coast, with ships calling from many nations. Furs destined for European and Asian markets were the main export, but salmon, lumber and ice were also exported to Hawaii, Mexico and California. After the purchase of Alaska by the U.S. in 1867, it remained the capital of the Territory until 1906, when the seat of government was moved to Juneau. A Presbyterian missionary, Sheldon Jackson, started a school, and in 1878 one of the first canneries in Alaska was built in Sitka. During the early 1900s, gold mines contributed to its growth. During World War II, the town was fortified and the U.S. Navy built an air base on Japonski Island across the harbor. After the war, the BIA converted some of the buildings to be used as a boarding school for

Table 2
**SITKA
 CHARTER ACTIVITY
 ESTIMATES FOR 1985**

CHARTER TARGET	EST	1985	EST	EST CHARTER TRIPS		EST CHARTER BOATS "ACTIVE" ONLY		EST CHARTER BOATS "ACTIVE" ONLY		EST CHARTER BOATS "ACTIVE" & "INACTIVE"	
	CHARTER HALIBUT CATCH	CHARTER HALIBUT HARVEST	ANGLER CHARTER TRIPS	SUM	FISHED HALIBUT	SUM	FISHED HALIBUT	SUM	FISHED HALIBUT	SUM	FISHED HALIBUT
SUM	19,740	13,423	23,143	6,788	2,893	100	83	100	78	250	184
HALIBUT	2,389	1,811	1,389	347	347	6	6	8	8	19	19
HALIBUT/SALMON	17,371	11,612	10,183	2,648	2,648	47	47	68	68	138	138
SALMON		NA	11,672	2,893	NA	83	NA	40	12	93	27
SHARE OF TRIPS TARGETING HALIBUT				60%		60%					
SHARE OF CHARTERS HARVESTING HALIBUT								74%		74%	
RATIO TOTAL TO ACTIVE BOATS										2.38	
SHARES OF TRIPS	HALIBUT		0.09			THIS ASSUMES % OF CHARTERS TAKING HALIBUT EQUALS THE % OF HALIBUT TRIPS		THIS ASSUMES % OF CHARTERS TAKING HALIBUT EXCEEDS THE % OF HALIBUT TRIPS			
	HALIBUT/SALMON		0.44								
	SALMON		0.8								
HALIBUT RETENTION RATE			0.88								
HALIBUT HARVEST RATE PER ANGLER			1.18								
HALIBUT ANGLERS / TRIP				4							
ANNUAL TRIPS / ALL ACTIVE CHAR VESSEL							49				
ANNUAL TRIPS / FTE 8 PAC VESSEL											
SHARE OF TRIPS TARGETING HALIBUT								0.8			
								0.8			
% OF HALIBUT TAKEN BY ACTIVE CHARTERS											
MEAN NET WEIGHT SPORT HALIBUT							0.9				

**SITKA
CHARTER ACTIVITY
ESTIMATES FOR 1995**

CHARTER TARGET	EST	1995	EST MINIMUM VESSELS REQUIRED TO TAKE HARVEST		EST CAPACITY UTILIZATION VESSELS TAKING HALIBUT		ESTIMATED CHARTER VESSEL HALIBUT HARVEST CAPACITY				1995 TOTAL IPHC LICENSES
	CHARTER HALIBUT CATCH	CHARTER HALIBUT HARVEST	ACTIVE	FTE	ACTIVE	FTE	NUMBER ACTIVE	FTE	NET WEIGHT ACTIVE	FTE	
SUM	19,740	13,423	74	32	40%	17%	33,481	76,823	0.987	2,220	242
HALIBUT	2,389	1,011									
HALIBUT/SALMON	17,371	11,812									
SALMON		NA									
SHARE OF TRIPS TARGETING HALIBUT											
SHARE OF CHARTERS HARVESTING HALIBUT											
RATIO TOTAL TO ACTIVE BOATS											
SHARES OF TRIPS	HALIBUT	HALIBUT/SALMON									
	SALMON										
HALIBUT RETENTION RATE											
HALIBUT HARVEST RATE PER ANGLER											
HALIBUT ANGLERS / TRIP											
ANNUAL TRIPS / ALL ACTIVE CHAR VESSEL											
			39.2								
ANNUAL TRIPS / FTE 6 PAC VESSEL											
SHARE OF TRIPS TARGETING HALIBUT											
											80
% OF HALIBUT TAKEN BY ACTIVE CHARTERS											
MEAN NET WEIGHT SPORT HALIBUT											
										28.9	

10

Table 3

SOUTHEAST DATA FROM ADF&G REPORTS OF ONSITE INSEASON SURVEYS

	83	84	85	86	87	88	89	90	91	92	93	94	95	96
1 Halibut net weight of sport harvest fish (pounds)														
Ketchikan						20.83	25.56	27.59	21.7	20.6	18.3	16.3	14.2	20.5
Juneau						20.23	18.12	18.12	24.1	23.9	24	15.3	17.3	20.3
Sitka						17.67	20.15			23.7	28.5	34.4	26.9	28.9
Petersburg						20.3	16.84			29.8	19.2	27.1	22.7	29.6
Craig										22.7	19.3	17.4	17	17.1
weighted average										23.8	21.3	19.6	18.3	21.7
2 Halibut Sport Harvest														
Ketchikan		8913		8208	10483	7317	10797	7419	9650	10257	12782	10960	19675	
Juneau	16414	14609	11931	13132	13513	12572	12484	11774	8611	9265	6927	8843	9252	
Sitka				8314	6923	2684				12549	12720	13185	13151	
Petersburg														
Craig														
3 Halibut Retention Rate by Sport fishermen														
Ketchikan		92%		84%	76%	85%	90%	85%	90%	80%	74%	79%	74%	73%
Juneau	78%	62%	75%	66%	57%	72%	84%	75%	78%	78%	72%	69%	74%	78%
Sitka												72%	69%	69%
Petersburg												87%	58%	74%
Craig												83%	72%	85%
4 Halibut Catch Rate – Charter Fish per angler hour														
Ketchikan						0.2	0.2	0.22	0.3	0.23	0.33	0.33		
Juneau						0.2	0.21	0.16	0.12	0.16	0.15	0.24		
Sitka											0.38	0.42		
Petersburg											0.22	0.27		
Craig											0.57			
5 Halibut Catch Rate – Non-Charter Fish per angler hour														
Ketchikan						0.11	0.08	0.1	0.1	0.1	0.1	0.11		
Juneau						0.14	0.13	0.14	0.14	0.12	0.11	0.08		
Sitka											0.24	0.19		
Petersburg											0.12	0.11		
Craig											0.23			

SOUTHEAST DATA FROM ADF&G REPORTS OF ONSITE INSEASON SURVEYS

83 84 85 86 87 88 89 90 91 92 93 94 95 96

6 Annual Cumulative Halibut Catch Rate HPUE

Ketchikan	2.552	2.771	2.328	1.718	2.195	2.605	2.204	2.4	2.95	3.05	3.55		
Juneau	3.317	3.415	2.652	2.542	2.081	2.025	2.135	1.952	1.897	1.7	1.55	2.2	2.4
Sitka			0.996	1.485	2.885	2.274							
Petersburg	1.203	0.898	0.635	0.938	1.252	0.76	0.997						
Craig													

7 Charter Fleet Share of Halibut Sport Harvest

Ketchikan	0.29	0.33	0.49	0.54	0.47	0.47	0.47
Juneau	0.06	0.09	0.08	0.06	0.08	0.1	0.08
Sitka							
Petersburg							
Craig							

8 Halibut Charter % of Total Bottomfish Effort

Ketchikan	0.21	0.24	0.25	0.23	0.24
Juneau	0.07	0.03	0.03	0.08	0.06
Sitka	0.43	0.4	0.55	0.56	0.65
Petersburg	0.22	0.26	0.36	0.36	0.47
Craig	0.15		0.52	0.58	0.58

9 Halibut Charter % of Total Bottomfish Harvest

Ketchikan	0.47	0.47	0.41	0.4	0.44
Juneau	0.1	0.08	0.07	0.16	0.14
Sitka	0.54	0.61	0.76	0.77	0.86
Petersburg	0.36	0.46	0.4	0.43	0.55
Craig	0.29			0.84	0.79

10 Bottomfish share of Charter Effort

Ketchikan					
Juneau		0.06	0.13	0.12	
Sitka		0.36	0.34	0.29	
Petersburg		0.64		0.54	
Craig					

Table 4

RELATIVE IMPORTANCE OF BOTTOMFISH (HALIBUT) AS THE TARGET SPECIES

salmon hours	83	84	85	86	87	88	89	90	91	92	93	94	95
Juneau	236,344	246,732	269,077	240,921	307,124	254,198	287,676	300,167	324,788	301,588	270,838	320,385	265,923
ketchikan		161,100		133,518	157,308	153,088	195,974	199,063	275,856	192,269	198,980	230,372	175,765
sitka				33,130	35,763	34,946				74,183	107,184	123,971	135,886
petersburg													15,194
bottomfish hours													
Juneau	84,259	72,080	72,381	77,165	94,858	98,188	85,354	83,108	69,475	84,718	78,820	83,398	60,158
ketchikan		62,625		51,208	84,854	71,611	79,958	49,347	67,842	69,368	78,002	58,092	101,381
sitka				24,288	18,493	6,177				40,768	44,480	43,363	51,710
petersburg													9,210
total angler hours													
Juneau	320,603	318,822	341,458	318,086	401,782	350,384	373,030	383,273	394,283	386,308	349,658	383,783	326,081
ketchikan		223,725		184,728	242,280	224,897	275,932	248,410	343,688	281,635	276,982	286,464	277,146
sitka				57,398	54,258	41,123				114,939	151,664	167,334	187,576
petersburg													24,404
bottomfish share of angler hours													
Juneau	26.28%	22.61%	21.20%	24.26%	23.56%	27.45%	22.86%	21.68%	17.62%	21.93%	22.54%	16.52%	18.45%
ketchikan		27.99%		27.72%	35.07%	31.87%	28.98%	19.87%	19.74%	26.51%	28.16%	19.58%	36.68%
sitka				42.28%	34.08%	16.02%				35.46%	29.33%	25.91%	27.67%
petersburg													

SOURCE: ADF&G SOUTHEAST ANNUAL CREEL SURVEY

halibut is the overwhelming bottomfish target species

Table 5 Number of registered charter vessels and active charter vessels targeting halibut by port as determined from creel sampling in Southeast Alaska during 1996.

Port	Survey Period	Registered Vessels	Minimum No. Active	Fished for Halibut	Percent
Ketchikan	5/06-10/06	134	88	51	58%
Craig	5/01- 9/08	69	32	27	84%
Sitka	4/22- 9/22	192	106	78	74%
Petersburg	5/01- 7/14	59	7	6	86%
Wrangell	5/01- 7/14	37	13	10	77%
Juneau	4/22- 9/22	142	52	21	40%
Totals		633	298	193	65%

Table 6 Number of active charter vessel trips surveyed by port from creel sampling in Southeast Alaska during 1996.

Port	Survey Period	Active Vessels	No. of Surveyed Trips per Vessel			
			1	2-4	>4	Average
Ketchikan	5/06-10/06	88	27	21	40	5.7
Craig	5/01- 9/08	32	10	3	19	15.8
Sitka	4/22- 9/22	106	34	22	50	6.0
Petersburg	5/01- 7/14	7	4	3	0	1.6
Wrangell	5/01- 7/14	13	5	7	1	2.3
Juneau	4/22- 9/22	52	15	19	18	4.5
Totals		298	95	75	128	

Table 7 Number of charter trips targeting halibut only, both salmon and halibut, or salmon only by port from creel sampling in Southeast Alaska during 1996.

Port	Survey Period	Total Trips	Halibut		Both		Salmon	
			Only	Percent	Targets	Percent	Only	Percent
Ketchikan	5/06-10/06	505	37	7%	109	22%	359	71%
Craig	5/01- 9/08	505	12	2%	310	62%	183	36%
Sitka	4/22- 9/22	633	39	6%	281	44%	313	50%
Petersburg	5/01- 7/14	11	8	73%	0	0%	3	27%
Wrangell	5/01- 7/14	31	9	29%	10	32%	12	39%
Juneau	4/22- 9/22	234	12	5%	24	10%	198	85%
Totals		1,919	117	6%	734	38%	1,068	56%

Beard and Sachanek

Table 8 Estimated average length and round and net weights of Pacific halibut harvested in sport fisheries of Southeast Alaska during 1996.

Sport Fishery	Survey Period	Sample Size	Total Length		Average Round Wt. (lbs)	Average Net Wt. (lbs) ^a
			Mean (cm)	SE(cm)		
Ketchikan	5/06-10/6	188	93.0	1.6	27.2	20.5
Juneau	4/22 - 9/22	300	90.9	1.5	27.0	20.3
Sitka	4/22 - 9/22	118	101.7	2.6	38.4	28.9
Pbrg/Wrangell	5/01-7/14	158	104.9	2.0	39.4	29.6
Craig	5/01 - 9/08	312	88.3	2.3	22.7	17.1
Totals		1,076	93.8	0.7	28.9	21.7

^aNet Weight = round weight / 1.33

Table 9 Pacific halibut length frequency data from Southeast Alaska marine sport fisheries, 1996.

Midpoint of Length Interval (cm)	Ketchikan		Juneau		Sitka		Petersburg-Wrangell		Craig	
	N	(%)	N	(%)	N	(%)	N	(%)	N	(%)
<55	1	(0%)	5	(2%)	0	(0%)	0	(0%)	1	(0%)
60	2	(1%)	23	(8%)	1	(1%)	1	(1%)	4	(1%)
70	22	(12%)	52	(17%)	12	(10%)	10	(6%)	89	(29%)
80	57	(30%)	63	(21%)	22	(19%)	23	(15%)	75	(24%)
90	44	(23%)	54	(18%)	31	(26%)	36	(23%)	56	(18%)
100	25	(13%)	43	(14%)	12	(10%)	28	(17%)	32	(10%)
110	15	(8%)	19	(6%)	9	(8%)	13	(8%)	19	(6%)
120	7	(4%)	12	(4%)	6	(5%)	9	(6%)	17	(5%)
130	3	(2%)	8	(3%)	8	(7%)	8	(5%)	9	(3%)
140	3	(2%)	4	(1%)	8	(7%)	10	(6%)	2	(1%)
150	3	(2%)	9	(3%)	2	(1%)	19	(12%)	3	(1%)
160	1	(0%)	3	(1%)	4	(3%)	1	(1%)	3	(1%)
>165	5	(3%)	5	(2%)	3	(3%)	0	(0%)	2	(1%)
No. Sampled	188		300		118		158		312	

Alaska Natives. The U.S. Coast Guard now maintains the air station and other facilities on the Island. A large pulp mill began operations at Silver Bay in 1960, and closed in 1993. 20.9% of the population are Natives. A federally-recognized Native organization is located in the community. Primarily a non-Native community, Sitka is also home to Tlingits, Haidas, Eskimos and Aleuts. Russian influences, arts and artifacts remain a part of the local color. During the April 1990 U.S. Census, there were 3,222 total housing units, and 283 of these were vacant. 4,532 jobs were estimated to be in the community. The official unemployment rate at that time was 6.7%. 26.7% of all adults were not in the work force. The median household income was \$43,337, and 4.8% of residents were living below the poverty level.

Facilities, Utilities, Schools and Health Care

Water is drawn from Blue Lake, treated and piped to most homes in Sitka. Piped sewage receives primary treatment. Over 95% of homes are completely plumbed. Refuse is collected by a private firm under contract to the City and is incinerated. The ash is then disposed of at the permitted, lined landfill. The community participates in annual hazardous waste disposal events. The City & Borough owns hydroelectric facilities at Blue Lake and Green Lake, and a diesel-fueled generator at Indian River. Electricity is provided by: Sitka Electric Department. There are 7 schools located in the community, attended by 1,891 students. The local hospital is Mt. Edgcombe Hospital/SEARHC (PHS); Sitka Community Hospital. Auxiliary health care is provided by Sitka Fire Dept./Ambulance/Rescue; U.S. Coast Guard Air Station/Medevac.

Economy and Transportation

The economy is diversified with fishing, processing, tourism, government, transportation, retail, and health services. Sitka is a port of call for many cruise ships each summer. The Alaska Pulp Corporation, a major employer in the community, closed in 1993, forcing hundreds into unemployment. 541 residents hold commercial fishing permits. The State-owned airport has a 6,500' paved and lighted runway, an instrument landing system and a 24-hour FAA Flight Service Station. Daily jet service is provided between Seattle, Juneau, Anchorage, Ketchikan and Fairbanks. Several scheduled air taxis, air charters and helicopter services are available. A seaplane base is also available, owned by the State. There is no deep draft dock. The Alaska Marine Highway system has a docking facility. Cruise ships anchor in the harbor and lighter visitors ashore. The City operates four small boat harbors with 1,150 stalls. Boat repairs and services are available.

3.2.1 Sitka Sound Subsistence/Personal Use Halibut Fishery

Alaska Department of Fish and Game halibut harvests are recorded for all non-commercial uses. Sport, charter, subsistence, and personal use harvests cannot be separately identified since subsistence and personal use fisheries are not defined by the Northern Pacific Halibut

	Gear			Total
	Census	Commercial	Rod&Reel	
Alaska Natives	1,922	1,651	36,524	38,176
Non-Natives	7,272	14,779	204,192	218,971
Total	9,194	16,430	240,716	257,147

Act of 1982. All non-commercial halibut removals for Sitka totaled 257,147 lb (RWT), estimated from household surveys in 1987 (Table 1). Harvests by approximately 1,900 Alaska Natives totaled 38,176 lb. Harvests by about 7,300 non-Natives totaled 218,971 lb.

An extensive discussion of the halibut subsistence (food fish) fishery in Alaska was prepared for the EA/RIR to define a halibut subsistence fishery in Alaska (NPFMCa 1997). Descriptions of the customary and traditional practices of the Sitka Tribe of Alaska, a Tlingit Indian Tribe, are included in the analysis. While halibut personal use regulations identical to sportfish regulations were promulgated by ADF&G for Southeast Alaska and Yakutat, halibut personal use fisheries do not occur.

3.2.2 Sitka Sound Halibut Sport Fishery

The Sitka Sound halibut sport fishery is described in Chapter 3 and elsewhere in the EA/RIR/IRFA for management alternatives for the guided sport halibut fishery in Alaska (NPFMCb 1997). Tables 2-4 from the EA summarize halibut harvests for Sitka and other Southeast Alaska charter fisheries. Sitka charter activity estimates for 1995 total 78 active charterboats harvesting halibut; 8 halibut target, 58 combination, and 12 salmon target. An additional 106 charterboats were reported as 'inactive;' 11 halibut target, 80 combination, and 15 salmon target. The Sitka guided halibut harvest of 13,423 fish in 1995 generated estimated gross revenues of \$1,036,811 and total spending of \$2,073,622 (\$ 1996).

Both halibut and salmon are available out of Sitka, and local charter operators described most of their customers as avid anglers who come to fish for both halibut and salmon. Anglers from out of state make up nearly all the charter customers. Typically charter customers (except those from cruise ships) spend several days fishing and another day or two sightseeing or shopping for souvenirs. Many stay in local hotels or bed and breakfasts and eat in local restaurants; some set up package deals with lodges that include not only fishing but also lodging and meals.

Local charter operators estimate 80 charterboats actively operate out of Sitka, with perhaps 50 operating full time and 30 part time. They told us that as recently as 1990 there may have been only 20 to 25 active charters in Sitka, with the most rapid growth occurring between 1992 and 1994. A typical charter passenger load is three or four.

Most (an estimated 85 percent) of charter operators are local residents, and most are single-boat owners; a handful own several boats.

Among the active boats, about 60 percent do full-day trips and 40 percent half-day trips. A few charters do overnight or several-day trips. Some local operators estimated that overall the active fleet may have operated at about 50 percent of its capacity in 1996; however, it is especially tricky to estimate how busy the fleet is overall, because the level of bookings varies so sharply among operators.

Half-day charters out of Sitka are almost entirely for cruise ship passengers who have a few hours in port. Local operators report that cruise ship passengers catch very few halibut; they don't have enough time to reach the most productive halibut grounds, which are outside Sitka Sound. The cost of a half-day trip is around \$90.

Almost all full-day charter trips target both salmon and halibut, often spending the first part of the day fishing for salmon and the last part for halibut. The cost of a full-day trip averages \$180. Clients who book packages including fishing, meals, and lodging may pay in the neighborhood of \$450 per day. Local residents we spoke with in Sitka all agreed halibut in Sitka Sound are much scarcer than they were even a few years ago. They attribute the depletion partly to increased charter and recreation fishing and partly to the introduction of the IFQ program for commercial halibut fishermen in 1995. Since that program began, commercial longline gear is in the water throughout the summer --in Sitka Sound itself and in the passages leading into Sitka Sound.

People we talked with foresee no large growth in demand for charters in Sitka --making a fishing trip to Sitka is expensive, and there are a limited number of avid anglers who can afford the trip. (excerpt from NPFMCb, Appendix F 1997).

Alaska Department of Fish and Game Sportfish Division estimates of sport harvests of Pacific halibut in Area 2C have increased greatly since 1977, and a record harvest of 89,332 fish was taken in 1995. Increases in halibut harvests in Sitka during the 1990s is consistent with overall trends in distribution of halibut sport harvests within the region. Since 1991, harvests in Sitka, Prince of Wales and Glacier Bay waters have been higher than those near Juneau, Ketchikan, Petersburg/Wrangell, and Haines/Skagway, although harvests on the former areas appeared to level out in 1995 (Beers and Suchanek 1996).

Intermittent creel surveys have been used to monitor the Sitka sport fishery. The 1996 halibut sport fishery is summarized in Tables 5-9. Effort in 1996 held steady at the 1992 to 1995 average while harvest decreased about 7%. Retention rate was 68%. Weekly HPUEs (harvest per angler-hour of bottomfishing effort) in 1996 were generally higher than those in Ketchikan and Juneau. The charter fishery for bottomfish is growing in Sitka, and is an even larger component of the sport fishery than in Ketchikan. A minimum of 106 of the 192 registered charter vessels were active. About 44% of vessels target halibut and salmon for combination trips. In 1996, the local Sitka fleet expended 65% of the total bottomfishing effort in the local area and took 86% of the Pacific halibut harvest. In 1996, about 29% of all charter effort in Sitka was targeted on bottomfish. Charter vessel HPUEs were three times that of non-charter vessels. Relatively large fish halibut were more common in Sitka, about 6% were larger than 61 inches in length, compared with 1-3% for other areas. Average round weight of sport caught halibut increased in 1996, to 38.4 lb in Sitka. The relatively large size of Sitka halibut may be due to the movement of the sport fishery to previously relatively unfished areas on the outer coast where large fish may be available (Beers and Suchanek 1996).

ADF&G data indicate a rapid increase in the number of registered charterboats and sport anglers and a corresponding increase in the numbers of halibut harvested in Sitka Sound. Charter effort (in angler days) exceeded non-chartered effort for the first time in 1994. Charter effort accounts for 86% of halibut harvested in Sitka Sound. Between 1992 and 1995, halibut harvested by boat decreased by nearly 50% (Table 10). Harvests from shore declined by nearly 65%. Total halibut sport harvests declined by 50% between 1992 and 1995. Note that "sport" harvests also include what could be considered subsistence or personal use fishing.

Table 10: Sitka Sound halibut sport fish harvests (numbers of fish)

Year	Shoreline	Boat	Total
1992	735	12,113	12,848
1993	419	10,045	10,464
1994	213	9,658	9,871
1995	271	6,112	6,383

Alternative 2 would limit approximately 200 registered charterboats to the same closed water boundary as commercial category D vessels during June, July, and August (Figure 1). Alternative 2 may result in approximately 6,100 fewer halibut removed by charter anglers from Sitka Sound; 176,300 lb at 28.9 lb/fish. These fish would then presumably be intercepted as they enter the sound from fishing activity shifted to Salisbury Sound and along the western side of Kruzhof and Baranof islands. The effect of greater running time to fishable waters outside the sound on client bookings with charterboats is unknown.

3.2.3 Sitka Sound Commercial Halibut Fishery

Area 2C halibut landings for 1995 and 1996 were 7.8 and 8.8 million lb, respectively, of the 9 million lb quota each year. As of the end of the 1995 IFQ fishing season, 324 Sitka residents (14% of all Area 2C QS issueses) held over 9.9 million QS (17% of all Area 2C QS) representing 1.7 million lb of halibut, worth approximately \$3 million at \$1.79/lb (projected 1997 ex-vessel assuming greater elasticity = -1.68) (NPFMCb 1997). Due to liberalized

Table 11: Total commercial landings at Sitka port.

Year	Vessel landings	Pounds landed	% of TAC
1990		3,641,814	6.9
1991		2,958,129	6.0
1992		3,175,217	6.1
1993		2,992,668	6.2
1994		2,806,115	6.3
1995*	965	2,848,946	9.8
1996*	1,027	2,825,565	7.9

*IFQ fishery

sweep-up and fish-down allowances, fewer QS holders and vessels are expected to be active in the fishery in 1997.

Table 12. Commercial vessels harvesting IFQ halibut and lb landed in Sitka Sound by vessel category (Source: NMFS/RAAM).

Year	Vessel Category									
	A		B		C		D		Total	
	#	lb	#	lb	#	lb	#	lb	#	lb
1995	0	0	0	0	27	106,100	30	52,000	57	158,100
1996	1	1,200	0	0	28	81,700	45	61,200	74	44,100

Sitka ranked fourth in 1995 and fifth in 1996 for total IFQ halibut landings (Table 11). The total number of vessel landings increased by 6%, while landings dropped slightly between 1995 and 1996. The number of vessels harvesting halibut from proposed closed waters in Sitka

Sound increased from 57 to 74 vessels between 1995 and 1996, while landings declined (Table 12). Alternative 2 may result in up to 106,000 lb halibut at \$215,000 ex-vessel being harvested elsewhere in Area 2C by category A-C vessels.

Table 13 lists the numbers of vessels and size of landings that would be affected under Alternative 2, Parts 1 and 2. As many as 30 A-C category vessels would be prohibited from harvesting halibut within the closed area in Sitka Sound. As many as 45 category D vessels would be prohibited from harvesting halibut in the closed area at the Biorka line in June, July, and August. The trip limit for D category vessels would have no effect on roughly 32 of the 45 category D vessels harvesting halibut during 1996, but as many as thirteen vessels would be required to take multiple trips to harvest their IFQs in the sound.

Table 13. Size of landings by vessel.

Category	Size	1995	1996
A	1-5K	0	1
B	any	0	0
C	<1K	12	18
C	1-5K	11	7
C	5+K	4	4
D	<1K	18	32
D	1-5K	10	10
D	5+K	3	3
TOTAL*		58	75

*one vessel landed both C and D QS

Average CPUE data for the commercial halibut fishery in and around Sitka Sound for 1995 is provided by the IPHC in Figures 2 and 3. The average CPUE is 125 lb/skate for the proposed closed area (19 data points), 201 lb/skate for the area immediately outside Sitka Sound (160 data points), and 250 lb/skate for a wider area of the Southeast coast (305 data points). The overall average is 229 lb/skate (484 data points). CPUE varies considerable over the region. In general, highest CPUE values are north and south of the area around Sitka Sound. It is uncertain if the ranges in CPUE are due to local depletion or natural causes. It is also uncertain if the CPUE data points from vessels reporting latitude and longitude are representative of all vessels fishing in the area (R. Trumble, pers. commun.).

3.2.3.1 Data quality

The IPHC staff collects log book data from approximately 70-80% of halibut landings by weight and 50-60% of halibut landings by number in Alaskan halibut fisheries. Most logs are collected by port samplers, who target landings greater than 1,000 lb (net weight). The staff sends a letter requesting missing logbook data to fishermen with landings greater than 5,000 lb. Port samplers obtain a fishing location for each log; through 1993, many locations were referenced to points on land. Since 1994, port samplers and log-lacking letters have tried to obtain latitude and longitude of all fishing locations, and in 1995 asked for position of each set. The proportion of latitude and longitude received increased each year. Still, many logs do not have latitude and longitude data (R. Trumble, pers. commun.).

The IPHC receives one or more fish ticket(s) from each halibut landing. In most cases, an Alaska Department of Fish and Game statistical area (½ by 1 degree or smaller) is noted on the ticket, but the reliability of the recorded area is uncertain. Many tickets do not have ADF&G areas. For example, landings in Sitka

Sound from 1991-1994 had ADF&G areas for 68-86% of the landed pounds, but only 54-72% of the landings had ADF&G areas indicated.

The IPHC staff assigns each halibut fish ticket to a 60 mile IPHC statistical area in the Gulf of Alaska (Figure 4), and to ½ by 1 degree blocks in the Bering Sea, and the staff is very confident of these landing data. At smaller scale resolution, the data quality becomes less precise. Small landings are under-represented in logbook data and in ADF&G areas on fish tickets. Therefore, data summaries by latitude and longitude or by ADF&G statistical area may not represent actual landing patterns.

Despite the data limitations on landings from vessels making small landings, these estimates may be considered the best available information and does reflect general trends in the Sitka area commercial fishery. Coupled with ADF&G creel survey data collected for the Sitka area for 1992-1996 for guided and non-guided sport halibut fishing, Figure 5 indicates the most recent five year trend in fishing activity for Sitka Sound, and fishing grounds in Salisbury Sound (outside of the northern boundary of Sitka Sound) and Kruzof Island (outside of the southern boundary). All three areas indicate a decline in halibut harvests. All three areas indicate the lowest harvests attributed to the non-guided sport sector which includes subsistence, sport, and personal use fisheries.

3.3 Administrative, Enforcement, and Information Costs

No significant additional administrative, enforcement, or information costs are expected either under the status quo (Alternative 1) or from the proposed action (Alternative 2).

An increased presence, however, would be required by NOAA, US Coast Guard, and State of Alaska Department of Public Safety enforcement personnel to promote compliance with the Sitka Sound closed area created under Alternative 2: (1) halibut retention would be prohibited while engaged in fishing activity (transit with gear disabled would be permitted) in Sitka Sound from Salisbury Sound on the north to the salmon derby line for category A, B, and C commercial vessels and from Salisbury Sound in the north to the Biorka Island line for guided sport vessels in June, July, and August; (2) a 1,000 lb trip limit would be enforced in Sitka Sound from Salisbury Sound in the north to the Biorka Island line for category D commercial vessels in June, July, and August. A USCG air station with two helicopters and a buoy tender are stationed in Sitka and could be assigned to monitor commercial and charter vessel compliance with the provisions of the Sitka Sound local area management plan. Potential conflicts caused by pending Council action for halibut subsistence with the State of Alaska Constitution may also hinder cooperative enforcement of local area management.

Federal and state enforcement agencies would need to determine which commercial D vessels fished within the Sound and subject to the trip limit, and those fishing outside the sound. They would also need to make similar determinations for which charterboats caught halibut outside the Sound legally and which, illegally. This scenario would be more difficult to effectively enforce and less likely that effective enforcement would occur under this. The Council may wish to require Sitka charter vessels to tag halibut legally caught outside the closed waters for retention inside the closed area. This requirement puts a prima facie burden on violators. To facilitate enforcement a unique marking system may also need to be developed to readily distinguish Sitka charter vessels from other fishing vessels.

Figure 2 Mean cpue for survey 95a95.data

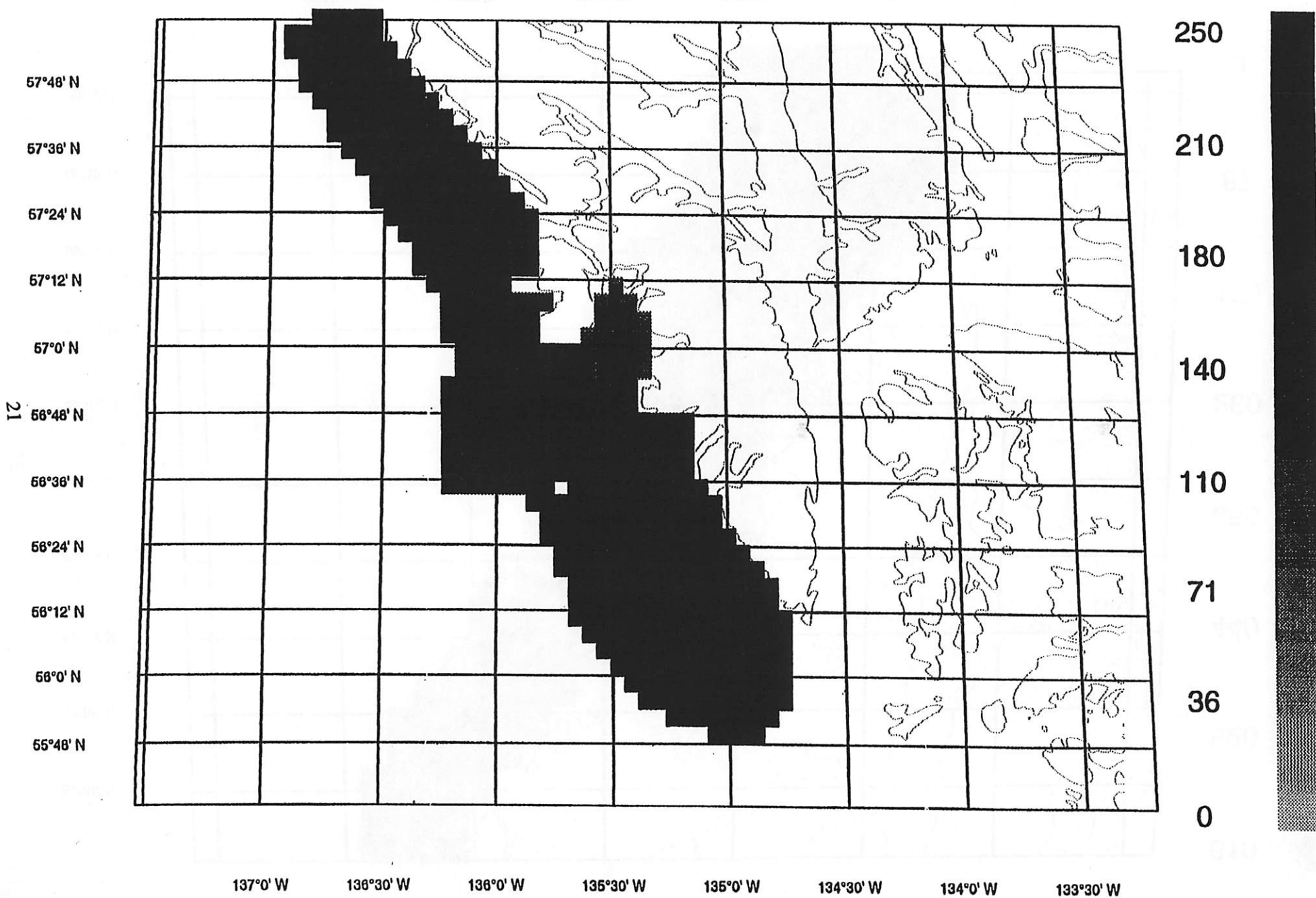


Figure 3 Spatial Mean Density
sitka95.data

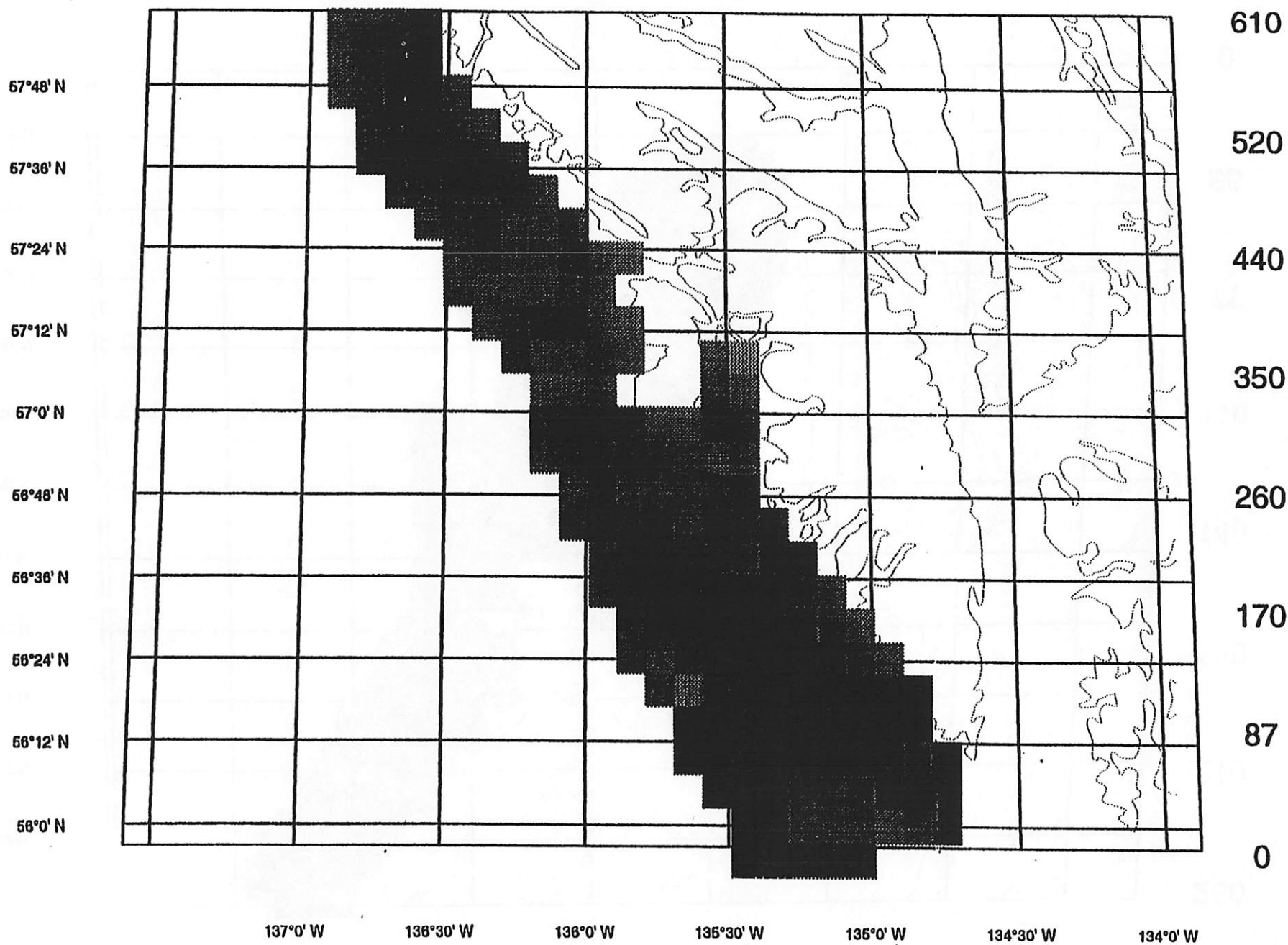
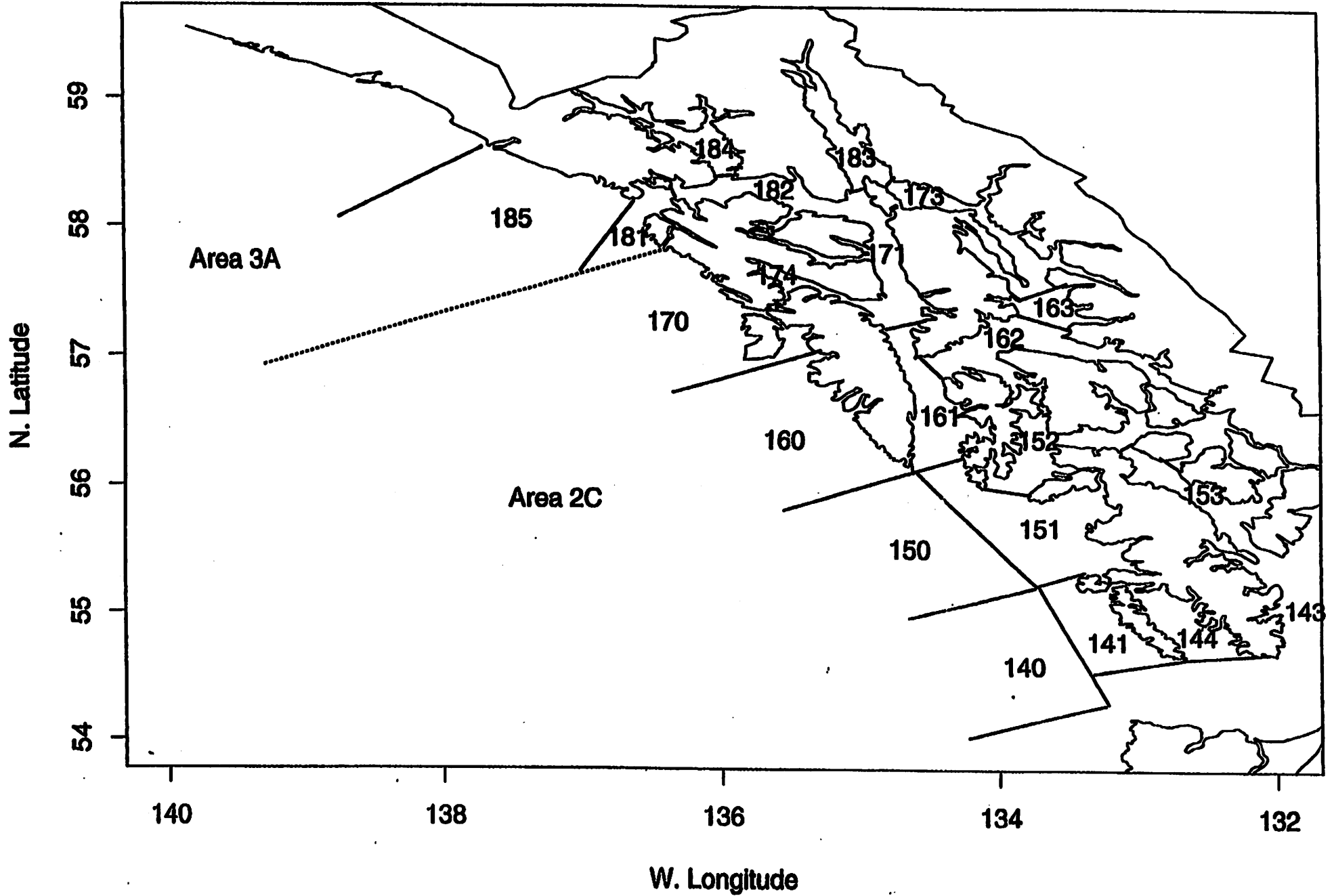


Figure 4

IPHC Statistical Areas



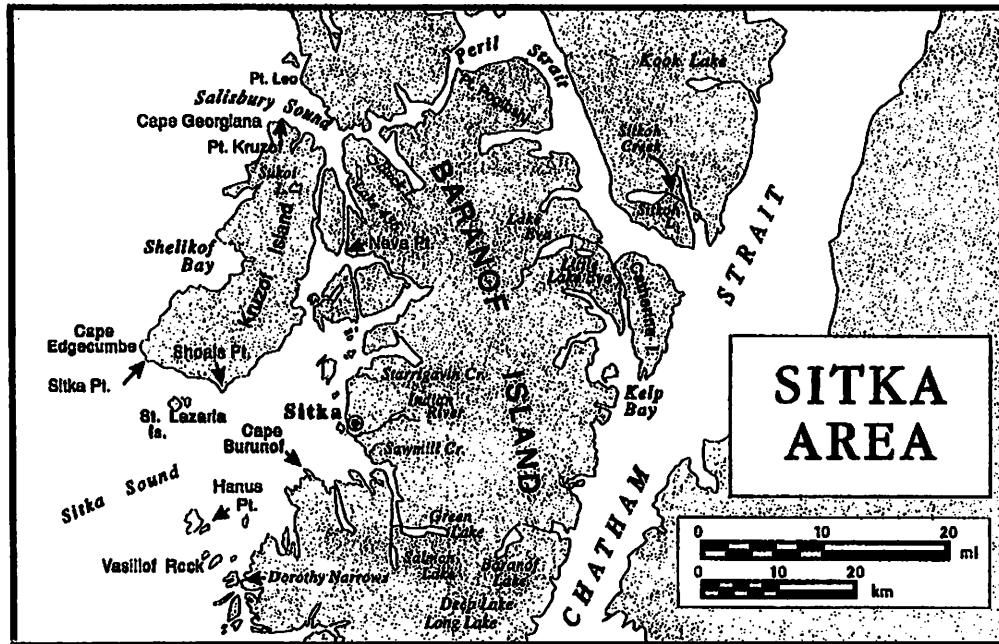
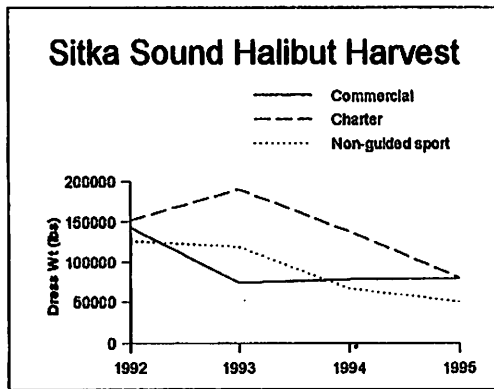
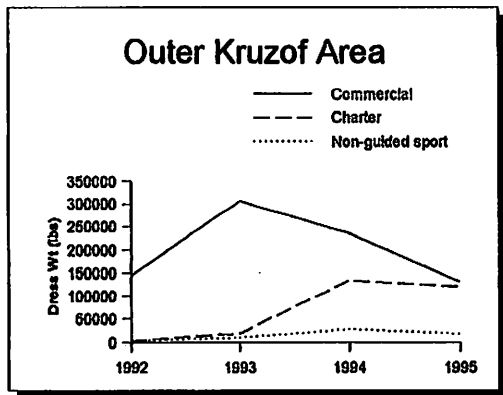
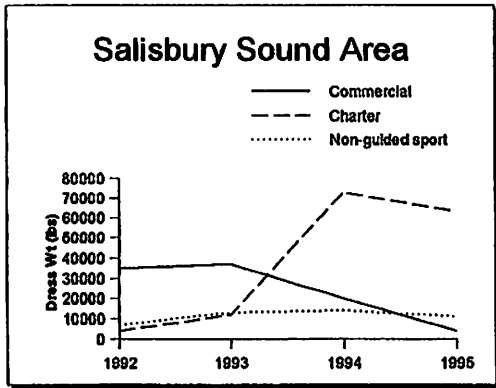


Figure 5. Commercial and sport halibut harvests for Salisbury Sound, Outer Kruzof Island area, and Sitka Sound, 1992-1995.

4.0 SUMMARY AND CONCLUSIONS

The North Pacific Fishery Management Council is considering a local area management plan for halibut in Sitka Sound, Alaska. The proposed alternative would close most of Sitka Sound to commercial halibut fishing by freezer category vessels, commercial vessels larger than 35 ft, and halibut charterboats. Commercial vessels less than or equal to 35 ft would be limited to 1,000 lb of halibut per trip. Subsistence, personal use, and unguided sport fishermen would continue to be allowed to harvest halibut from the otherwise closed waters of the sound. Charterboats would be allowed to troll for salmon in waters of the Sound closed to bottomfishing for halibut that had halibut that were caught in open waters onboard the vessel.

In January 1997, the Sitka Halibut Task Force, appointed by the chairman of the Sitka Fish and Game Advisory Committee in turn appointed by the BOF, identified the problem in the halibut fisheries in Sitka Sound to be decreased availability of halibut in the Sitka area which was diminishing the quality of life for local residents. The Task Force identified a list of statements that supported the need for a Sitka Sound halibut management plan. Limited data from commercial landings reports and sportfish surveys indicate increased effort and halibut removals from Sitka Sound.

During initial review in June 1997, the Council revised Alternative 2 to reflect the Sitka Halibut Task Force recommendation from its June 9, 1997 meeting which clarified its intent that Alternative 2, Part 3 apply only Sitka residents. Alternative 2, Part 3, Option was added to the EA/RIR to limit halibut harvests inside Sitka Sound to Sitka residents only in the personal use, subsistence, and non-guided sport halibut fisheries as a separable action item due to possible enforcement or legal limitations. This change reflects the original proposal. There is no legal impediment to limiting halibut harvests to specific Alaska community residents, however, the Council must balance the needs of local communities with those of all owners of the resource.

International Pacific Halibut Commission staff report that quantitative evidence of localized depletion of halibut stocks does not exist. Small-scale local depletion does not have a significant biological effect for the resource as a whole. Ultimately, counter migration and local movement tend to fill in areas with low halibut density, although continued high exploitation will maintain local depletion. However, estimates of biomass and rates of local movement are not available to manage small areas. Additionally, two attempts to deplete a localized area with a period of continuous fishing were unsuccessful. Staff, however, does confirm that halibut commercial fishery catch-per-unit-effort (CPUE) in Sitka Sound is 67 percent of halibut CPUE outside the sound.

Individual vessels harvesting halibut from proposed closed waters in Sitka Sound increased from 57 to 74 vessels between 1995 and 1996. At the end of 1995, 324 Sitka residents held over 1.7 million lb of halibut IFQ, valued at \$3.0 million. Because of liberalized sweep-up and fish-down allowances, fewer QS holders and vessels are currently believed to be active in the fishery.

Alternative 2 would displace approximately 29 commercial category A-C vessels from waters inside Sitka Sound to other Area 2C waters to harvest their halibut IFQs. These vessels harvested approximately 106,000 lb of halibut worth \$190,000 ex-vessel in 1996. Around 45 category D vessels would be limited to 1,000 lb of halibut per trip inside proposed closed waters of the sound for the duration of the IFQ season, except for June, July, and August when they would be prohibited from fishing inside closed waters with a less restrictive southern boundary (Biorika Island line) than larger commercial vessels (salmon boundary line). The trip limit would have no effect on roughly 32 of the 45 category D vessels harvesting halibut during 1996. Thirteen category D vessels may be required to take multiple trips to harvest their IFQs in the sound. Up to 61,000 lb of halibut valued at \$173,000 are fished on category D vessels.

Approximately 200 charterboats would have the same closed water boundary as commercial category D vessels during June, July, and August. The Sitka guided halibut harvest of 13,400 fish in 1995 generated estimated gross revenues of \$1,036,800 and total spending of over \$2 million. Alternative 2 may result in approximately 6,000 fewer halibut removed by charter anglers from Sitka Sound; roughly 176,000 lb at 29 lb/fish net weight. These fish, however, may be intercepted as they enter the sound if fishing activity shifted to open waters outside the Sound.

A number of effects of Alternative 2 remain unknown: (1) the amount of category A-C IFQs that might be harvested in other statistical areas or landed in other ports; (2) whether the 1,000 lb trip limit would reduce removals from the sound or just further slow the pace of fishing effort; and (3) the effect of greater running time to fishable waters outside the sound on charterboat client bookings. Limited federal and state enforcement resources make the enforcement of proposed halibut local areas problematic.

None of the alternatives is likely to significantly affect the quality of the human environment.

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APPENDIX I

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BOARD OF FISHERIES

Sitka Halibut Task Force

Ted Borbridge, Sitka Tribe of Alaska
John Nielson, Sitka Tribe of Alaska
Jay Skordahl, Alaska Longline Fisherman's Association
Mike Coleman, skiff longliner
Mary Jo McNally, Sport fisher
Bert Stromquist, Sitka Charter Association
Tim Schwartz, Sitka Charter Association
Kent Hall, Sitka Charter Association
Bill Paden, Chair, Sitka Fish and Game Advisory Committee
Eric Jordan, Facilitator

The task force was appointed with 7 voting members by Bill Paden: Two subsistence, one day charter, one trip charter, one skiff longliner, one large vessel longliner, and one sport fisher. The purpose of the task force was to look at the Sitka Tribe's proposal #270 to the Board of Fisheries to close Sitka Sound to the taking of halibut by the guided sport fishery and commercial longliners and see if there was any "common ground" Advisory Committee Chair, Bill Paden, could propose to the Board of Fisheries. The task force met for a total of nearly twelve hours over the course of 3 weeks.

We wish to communicate our thanks to Northern Southeast Regional Aquaculture Association for the generous donation of their facility and equipment.

All findings were reached by consensus and while they may not represent the ideal position for different participants they do communicate what people were willing to support to find "common ground".

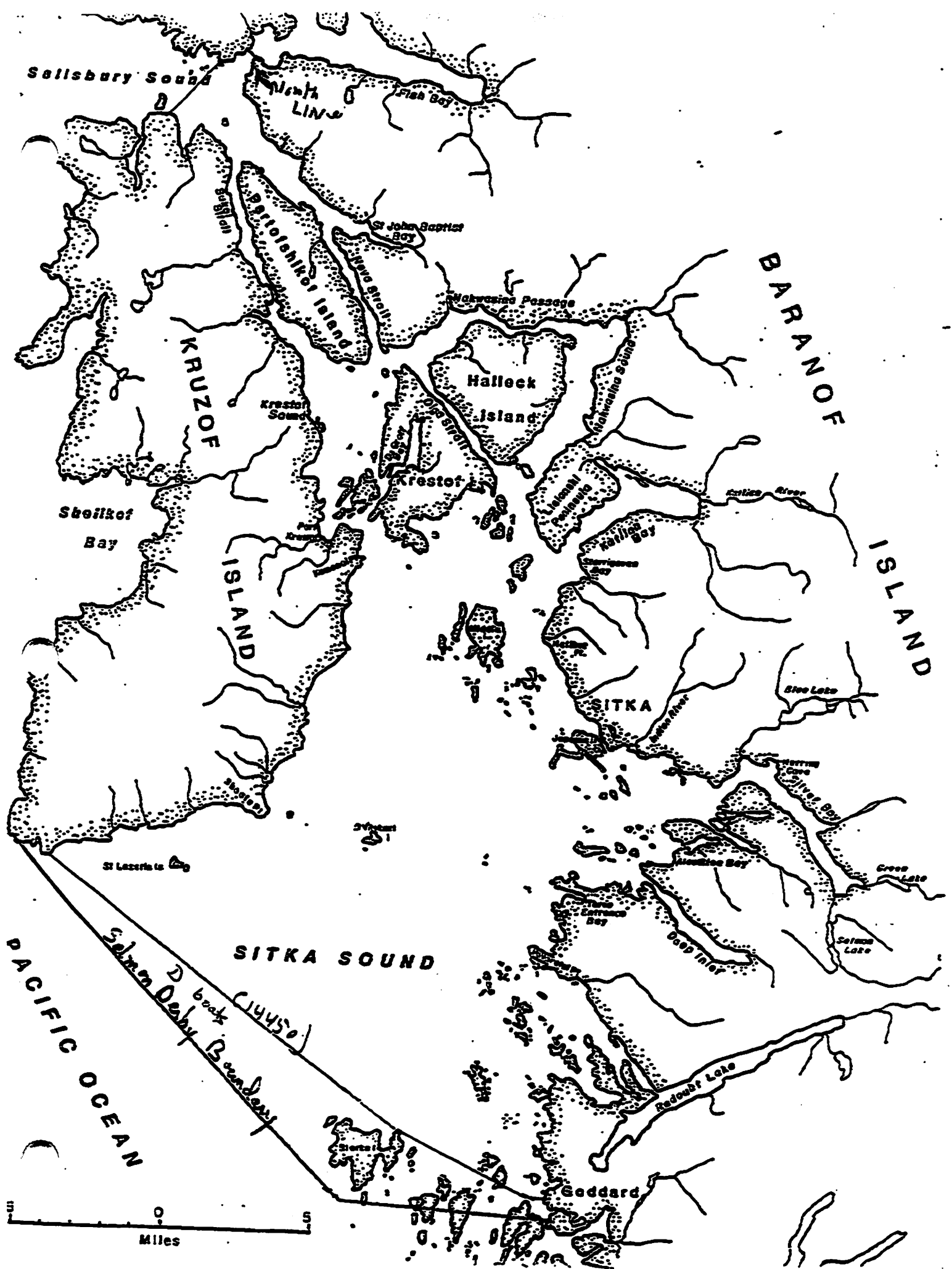
Reason for participating: *"We all really care about halibut."*

Problem Statement: *"Decreased availability of halibut in the Sitka area is diminishing the quality of life for local residents."*

Annual Review: *"New regulations will be reevaluated every year to assess their effectiveness at providing halibut for local residents."*

The 1997 Sitka Halibut Task Force Proposes:

1. Reducing by-catch and waste of halibut. The level of trawl by-catch in the Bering Sea and Gulf of Alaska is unacceptable.
2. That the definition of possession limit should be changed to include processed halibut outside of primary residence. That the Board of Fisheries appoint a statewide task force to address this issue.
3. Development of an improved accounting system to have a better understanding and accounting of halibut harvested near Sitka.
4. Better enforcement of bag and possession limits by increased presence of law enforcement.
5. Supporting the International Pacific Halibut Commission Sitka Charter Association halibut tagging program.
6. Halibut longliners larger than "D" class would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kukul Narrows at the Green Buoy and from a point on Chichagof Island to Kruszof Island adjacent to Sunitstun Island. (See Map), on the North to the Sitka Salmon Derby Boundaries on the South. (See Map).
7. Halibut longliners in the "D" category would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries as for larger vessels in the North, and inside of a line from Sitka Pt. to Hamus Pt. (1450 Loran Line) and from Hamus Pt. to the Green Marker in Dorothy Narrows and across to Baranof Island. (see map), in the South in June, July, and August. 1000 pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.
8. Retention of halibut would be prohibited in the non-resident sport fishery and also in the guided sport fishery inside the same areas defined for the category "D" longliners during the months of June, July, and August. Halibut catch in Sitka Sound will be monitored for growth rate.



Salisbury Sound

North Line

Fish Bay

St. John Baptist Bay

Baranof Island

Wokwasina Passage

KRUZOF ISLAND

Halleck Island

Krestof Sound

Krestof

Shelkof Bay

ISLAND

BARANOF ISLAND

ISLAND

SITKA

Blue Lake

St. Lazarus Bay

SITKA SOUND

Green Lake

Green Lake

Salmon Lake

PACIFIC OCEAN

Salmon Derby Boundary
D. 6
C. 14450

Goddard

Miles

APPENDIX II

Appendix 2

CONSENSUS ADDENDUM TO SITKA SOUND HALIBUT MANAGEMENT PLAN

During the Sitka Halibut Task Force Meetings, intended to reach consensus on a Sitka Sound Halibut Management Plan (Plan), the following statements were discussed and inferred by all members of the task force as well as the facilitator of the task force and the Chairman of the Sitka Fish and Game Advisory Committee, who appointed the committee.

- 1) The focus of the consensus is halibut management. Member Eric Jordan assumed ling cod were also included, but consents with majority opinion.
- 2) The Plan would in no way affect anyone's ability to fish for salmon. (Commercial salmon harvesters were not even considered necessary on the task force.)

A legal review of the Plan uncovered at least one conflict with 5 AAC 75.010(b) with both numbers 1 & 2 above. We the members of the Task Force agree the following or similar statement should be included in the final Plan.

Notwithstanding 5 AAC 75.010(b) and other Alaska Department of Fish and Game and National Marine Fisheries Service regulations which are in conflict with the consensus of the Sitka Halibut Task Force's Sitka Sound Halibut Management Plan, guided and nonresident sport anglers may fish for and retain legally caught salmon and ling cod, within the Plan boundaries with halibut and ling cod on board, legally taken outside the Plan boundaries. Commercial salmon trollers may fish for and retain legally caught salmon within the boundaries, with halibut on board, legally taken outside the Plan boundaries. Commercial salmon trollers may not retain halibut within the boundaries.

Eric Jordan	Bill Paden, Chairman, F&G Adv. Com.
Ted Forbridge	Mary Jo McNally
Nielsen	Bert Stromquist
Kent Hall	Mike Coleman

Jay Skordahl February 2, 1997

Note: Bill Paden is attempting to contact Dale Kelly of Alaska Trollers Association Mon Feb. 3.

APPENDIX III

Sitka Halibut Task Force

Findings: May, 1995

(Every finding was agreed to unanimously by all participants. Any statement or word any participant disagreed with was not included. Some of the statements were carefully worded to satisfy each participant. Task force members did quite a bit of research to gather information to support the following statements.)

1. Halibut stocks are in decline
2. Halibut recruitment is at relatively low levels.
3. Halibut are growing slower.
4. Protection of halibut spawning stock is important for future recruitment.
5. Most halibut return to the same general areas when mature.
6. Trawl by-catch is estimated in excess of 3 million halibut.
7. The current level of trawl by-catch of halibut is unacceptable.
8. Non-charter halibut sport catch has decreased by 1/3 since 1987 according to ADF&G Sitka sport fish survey and Sitka Tribal Survey.
9. Charter effort is growing.
10. Commercial catches in the Sitka area have declined.
11. IFQs are changing the commercial fishery in ways which may impact other halibut users positively and/or negatively.
12. Local personal users reported to prefer eating halibut under 100 lbs.
13. More information on halibut harvest near Sitka is needed.
14. A local action plan is needed.

Problem Statement

DECREASED AVAILABILITY OF HALIBUT
IN THE SITKA AREA HAS IMPACTED
ALL USERS, PARTICULARLY LOCAL
RECREATIONAL, PERSONAL AND
TRADITIONAL USE FISHERMEN; A
LOCAL ACTION PLAN IS NEEDED.

Sitka Halibut task force 5/95.

THE PROBLEM AREA

The problem area is defined as the area readily accessible to Sitka residents where it has become difficult to catch a halibut to eat. It was agreed that this area extends from Whitestone Narrows on the north, inside a line from Sitka Pt. curving along the 50 fathom edge to Pt. Woodhouse on the west, and from Pt. Woodhouse to Dorothy Narrows on the South. (See Map).

Recommended Action

It is the understanding of the task force that these actions will be "voluntary".

Actions supported by all participants.

1. Voluntary avoidance of problem area.
2. Use circle hooks.
3. Discourage halibut derbies.
4. Support tag & release by guided clients.
5. Support no further growth in the charter fleet.
6. Encourage IFQ system to accommodate remote buying stations for skiff fishermen so they are not forced to fish in the problem area.
7. Ship less halibut to relatives and friends.
8. Support release of halibut under 32 inches by personal and sport fishermen unless they are mortally wounded.
9. Longlining in problem area limited to Category "D" small vessels in June, July, & August.

**Additional actions
recommended by user group
representatives for their
group which did not receive
support from all
participants.**

Personal:

1. One halibut per person per day
in problem area.

Commercial:

1. Trip limits in problem area of
2000 lbs/month/license.

Draft 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, <i>and other legal requirements</i> . (Alternatively, the call for proposals could be statewide, but still on a three-year cycle.) |
| April | Deadline for proposals (<i>e.g.</i> 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 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 resolution 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.*

4406 Halibut Point Road
Sitka, AK 99835
January 31, 1998

**Chairman Lauber and Members of the North Pacific
Fisheries Management Council**

I encourage you to adopt the recommendations of the Sitka Halibut Task Force as approved by the Sitka Fish and Game Advisory Committee. As the local Alaska Department of Fish and Game, Sport Fish Division manager in Sitka for the past 25 years (now retired), I have observed firsthand the changes in local fishing pressure by both sport and commercial users. Significant changes have occurred in the past ten years with the most pronounced change since 1993. Causes for local stock depletion of halibut include the IFQ system which has moved more fishing pressure closer to the community and an increase in sport fishing effort, primarily by the chartered anglers who are about 95% nonresident.

Although your halibut abundance model indicates an increased abundance of halibut, the local stock depletion observed by anglers is real, and a general increase in North Pacific stock abundance does not necessarily equate to more abundant resource in Sitka Sound. The residents of Sitka who were once able to easily catch halibut to eat are now either not eating halibut or buying the resource from a commercial market. This has caused severe anxiety and polarized the various user groups: commercial versus sport and chartered versus nonchartered anglers.

Although the various user groups often see the problem from different perspectives, all have signed on to an agreement which should again increase halibut abundance in the Sitka Sound area and allow local anglers to catch halibut near town. The Task Force process took over two years, and much negotiation among user groups. The recommendations of the citizens of Sitka and negotiated Task Force recommendations should be approved by the management authority and not taken lightly. I encourage you to adopt these recommendations.

Sincerely,



Artwin E. Schmidt

THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL

LADIES AND GENTLEMEN

I write this because of my concern for the local year around citizen of Alaska, Those humble folk that live in Alaska and support the fishing activities of Alaska, be this activity, the fisherman and women, The stores and distribution facilities, the political forces or those like you that are in the management and distribution level of the fish resources of the Gulf of Alaska.

For all practical purposes, the needs of the communities individual, has been overlooked, as has been clearly evident in Sitka, where prior to the advent of a heavy duty charter boat fleet, that portion of the community that desired to catch a halibut, could do so in about 2 hrs. or so, I believe that this catch rate has progressed to about 29 hrs for the local sportsmen, many have given up trying for a halibut at all.

In the mean time the depth that the commercial charter boats have been fishing have gone from 15-30 fathoms to 50-80 fathoms, tapping a resource that now isn't in the shallower water, the cost of the line to fish effectively at this depth is in the neighborhood of 400-500 dollars, many of these folk ban together to find the fish so that this group could effectively continue in business. A lone sportsmen not in business can hardly afford a specialized piece of equipment that is used in the commercial charter industry nor is he privy to where the fish are biting. so basically the local is flushed out of the halibut that once was abundantly available to them with ease.

To the local citizen it looks like management has conspired to eliminate them from the use of the bottom fishing resources. by instituting IFQ's and drawing up need use for the charter fleet.

The only bright spot that is being explored in this deplorable situation is being done in Sitka by what is known as the Halibut Task Force made up of concerned Citizens to address this disparity, industry, charter boats, subsistence people and local sportsmen have come together in good faith to address this need, because whether you believe it or not there is a real need for consideration on this level so that the local resident that provides support to all of us won't fall through the cracks

This need, if not evident now will be evident soon state wide, at the present exploitation of the ground fisheries, the fish head is now in your hands, I hope that you don't hold on to it till it's a stink head. Good luck in your pursuit for some sanity in this situation.

**RALPH GUTHRIE
SHKEEN
STAU DO TEEN
380 KOGWONTON
SITKA, ALASKA**



Sitka Conservation Society

P.O. Box 316

Sitka, Alaska 99835

(907) 747-7509 Phone

(907) 747-6105 Fax

sitconsv@ptialaska.net E-mail

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

Dear Chairman Lauber,

The Sitka Conservation Society has received requests from our membership to add our voice to the many from Sitka supporting the Sitka Halibut Task Force Proposal to share and conserve the halibut resource in the Sitka Sound area. We are impressed by the data confirming public testimony that it has become increasingly difficult for unguided subsistence and sportfishermen to catch a halibut to eat in Sitka Sound. We are also impressed that the different user groups came together and developed a consensus proposal to share and conserve this resource.

Our board of directors has followed the progress of the task force since its original inception in 1995 and many of our members have participated in workshops and public meetings about this issue. One of the wonderful qualities that make Sitka such a special place is the ability to harvest marine resources such as halibut from a small skiff. The loss of this ability reduces some of the special quality of this place and impoverishes all of us. Therefore we have voted unanimously to urge you to take action at your February meeting to adopt this proposal.

Sincerely,

A handwritten signature in cursive script that reads "Brian McNitt".

Brian McNitt
Executive Director
Sitka Conservation Society

608 Sawmill Creek Road
Sitka, Alaska 99835
February 3, 1998

Richard B. Lauber, Chairman
North Pacific Fishery Management Council
605 West Fourth Avenue, Suite 306
Anchorage, Alaska 99501-2252

Re: Testimony Concerning 1997 Sitka Halibut Task Force

Dear Chairman Lauber:

With this letter I would like to provide you with some background information as to how I was selected to be a part of the Sitka Halibut Task Force (Task Force) and my feelings about the outcome of our work.

In early December 1996, the Sitka Board of Fish and Game stated that they would be taking testimony concerning a proposal by the Sitka Tribe of Alaska (STA) wherein charter boat operators would be prohibited from retaining halibut in the Sitka Sound area. I went to the meeting and gave testimony stating that I believe we have a local depletion problem in the Sitka Sound area that directly coincided with the increase in the number of charter boat operators in Sitka. Chairman Bill Paden called me a short time after the meeting and asked if I would be willing to serve on the Task Force. He stated that I was the only sport fisher who testified at the meeting and wanted our position represented on the committee. I agreed and was the only sport fish representative on the committee.

I have lived in Sitka since 1985 and am an avid sport fisher. My husband and I have a 17-foot Boston Whaler and, due to its size, we are extremely limited on the types of weather and seas we are able to fish. We both have full time jobs and can only fish in the evenings, on weekends, or if we take annual leave from our jobs. We love fishing and enjoy having halibut and salmon throughout the winter months on our dinner table. Unfortunately, over the past several years, we have seen a great decline in the amount of halibut caught locally. In the past, we used to travel seven miles from Crescent Harbor to Vitskari Rocks where we nearly always were successful in catching halibut. Local sportfishers fished this area and soon it wasn't unusual to see 15, 20 or even 30 charter boats all around you--they knew it was an area of halibut abundance and it was economical for them to take their clients there and be assured of catching fish. It won't take very many years for the stocks to become depleted. charter boaters have now moved to another fishing area off

the northwest coast of Kruzof Island because they, too, know the halibut are gone.

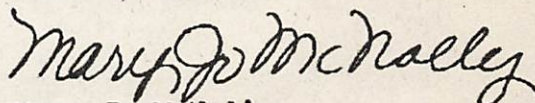
In 1995, we did not catch any halibut and finally bought some locally so we would have some fish over the winter months. Unfortunately, the quality was less than we had hoped and we ended up throwing out much of the fish before the winter was over. We take great pride in how we handle our fish so we were greatly disappointed in having to waste the fish. In 1996, our fishing was only slightly better--we caught one 80-lb, and one probably under 10 pounds, barely enough for a family of two to eat for one year. We thought ourselves fortunate to have caught two fish that year! 1997 was a bust for us as we were not able to catch any halibut! We finally bought some tuna from a troller that had fished down in Washington--that was the fish we canned for the year!

We enjoy living in Sitka and part of what makes it worth living here is the ability to go out and catch fish. We live on an island where there is about 15 miles of road from one end to the other. So a major method of recreating is by going out on the water and fishing. We make many sacrifices to live in this small community and believe one of the payoffs is in the ability to catch and eat locally caught fish and seafood. We also like being able to catch a little extra to give to our friends and neighbors who don't have the luxury of owning their boats.

We have a local depletion problem here in Sitka, I believe, due in large part to the over fishing by the charter boat industry in Sitka Sound. The Task Force sought to do what we could to try to bring back the halibut stocks in the Sitka Sound area so that local residents would be able to fish for and catch halibut in years to come. We don't know if we have solved the problem but we have come a long way in attempting to make a difference. Hopefully the halibut stocks will return to Sitka Sound and we will be able to once again enjoy fresh halibut on our tables!

Thank you for giving me the opportunity to express my thoughts on this issue.

Very truly yours,



Mary Jo McNally
Sport Fish Member
Sitka Halibut Task Force