

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director

DATE: January 31, 1997

SUBJECT: Halibut Charterboat Management

ESTIMATED TIME
8 HOURS

ACTION REQUIRED

Review analyses and release document for public review period.

BACKGROUND

In June of 1996 funding became available for the Council to proceed with analyses of the charterboat management alternatives developed in January of 1995. These alternatives were developed after several discussions by the Council and after input from their Halibut Charter Working Group which met twice in 1994. At the June 1996 meeting the Council also refined the alternatives for study by (1) deleting the unguided sport fishery from consideration; (2) deleting the alternatives for an absolute poundage cap on the charter fleet (while retaining the alternative for caps as a percentage of the overall quota); and, (3) deleting the alternative for a stand-alone IFQ program for the charter fleet (while retaining the option to allow lease/purchase of IFQs in the event of a cap). Because of the nature of this type of analyses, and other Council tasking, it was necessary to contract a large portion of the study to the University of Alaska's Institute for Social and Economic Research (ISER). This was done through a bid and selection process late last summer, with work commencing in the fall.

A partial draft of the analysis (EA/RIR/IRFA) was mailed to you last week, with the remainder being distributed at this meeting. It is likely that additional work may be required prior to release for public review, though we believe this additional work would be primarily cosmetic in nature rather than substantive. The Council's current schedule calls for a final decision at their next meeting, in April. The Council's Problem Statement, and list of final alternatives, are included below for reference. Staff from ISER and the Council will summarize the information and major findings from the analyses.

PROBLEM STATEMENT

The recent expansion of the halibut charter industry, including outfitters and lodges, may make achievement of Magnuson Act National Standards more difficult. Of concern is the Council's ability to maintain the stability, economic viability, and diversity of the halibut industry, the quality of the recreational experience, the access of subsistence users, and the socioeconomic well-being of the coastal communities dependent on the halibut resource. Specifically, the Council notes the following areas of concern with respect to the recent growth of halibut charter operations, lodges and outfitters:

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

ALTERNATIVES FOR CONSIDERATION

Alternative 1: Status Quo.

Alternative 2: Implement Reporting Requirements.

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

Alternative 3: Annually allocate the TAC between guided sport and commercial fisheries. (Would include reporting requirements in Alternative 2.)

Along with a requirement for reporting catch by charter operations, allocate the annual overall allowable halibut catch between guided sport and commercial fisheries after reducing the allowable catch by the projected catch of the unguided sport fishery. The initial allocation to the guided sport fleet will be based on a range between 105% and 140% by area of the 1994 guided sport catch. This initial allocation, defined as a percent of the allowable harvest of the directed commercial fishery and the guided sport catch combined from 1994, will thereafter be used as the basis for the allocation between guided and commercial fisheries. Optionally 1995 will

be used as the base catch year. The allocation will apply to one of three options defining affected areas, and may optionally include commercial IFQ purchase/lease provisions.

Area Sub-Options

1. Statewide
2. IPHC areas 2C and 3A only
3. Allocations By ADF&G Management Zone:
Zone 1 Southeast: ADF&G areas A, B, C, D, E, F, G & H
Zone 2 Prince William Sound: ADF&G area J
Zone 3 Cook Inlet/Kenai: ADF&G areas K, L, N, and P
Zone 4 Kodiak: ADF&G area Q
Zone 5 Alaska Peninsula: ADF&G area R
Zone 6 Bering Sea: ADF&G areas T, U, V, W, X, Y and Z

IFQ Purchase/Lease Sub-Option

Charters vessels could lease or purchase IFQs from the existing commercial IFQ program. This will enable continuous operation by charter vessels after the overall guided sport halibut cap is reached.

Alternative 4: A moratorium on new entries into the charter boat fleet. (Would include the reporting requirements in Alternative 2.)

Implement reporting requirements and limit the number of participants in the charter boat fleet to those vessels which have operated in the past. The moratorium would be applicable to one of the three optional area definitions shown in Alternative 3. Three alternative moratorium qualification dates are included as sub-options:

Moratorium Qualification Date Sub-options:

1. Participation as a licensed halibut guide on or before December 31, 1994.
2. Participation as a licensed halibut guide on or before December 31, 1995.
3. Participation as a licensed halibut guide on or before December 31, 1996.

Alternative 5: Combine Alternatives 2, 3 and 4.

Implement reporting requirements, allocate a specific percentage of the halibut TAC to the guided sport fishery, and limit the number of participants in the charter boat fleet to those vessels which have operated in the past.



FISH N' CHIPS CHARTERS

"Check us out...we'll show you what fish'n is all about"

David B. Ardinger, Sr.
P.O. Box 3277
Kodiak, Alaska 99615
(907) 486-2267

November 7, 1996

Rick Lauber
Executive Director
NPFMC
605 West 4th Ave
Suite 306
Anchorage, AK 99502-2252

re: Limited entry on halibut charter boats

Dear Mr. Rick Lauber and Council Members:

In light of the upcoming regulations on the charter halibut fisher, I would like to present my position and opinions from the standpoint of both a former commercial fisherman and now a present day charter business owner. I am writing due to the fact that I have been in the charter business for three years. My concern is that with the probability of a 1993 cap on the halibut charter industry, the result would be devastation for many families. Most of the people who started charter businesses after this time period were not aware of any upcoming limited entry possibilities. We have all invested in good faith in the charter businesses which we now depend upon for our livelihoods.

NOT TO EXCLUDE ANYONE THAT HAS MADE A LEGITIMATE INVESTMENT IN THE CHARTER BUSINESS, MAKE THE NEAREST DATE TO THE FINAL DECISION BE THE CAP DATE i.e. DECEMBER 1996

I am familiar with the commercial fishing limited entry regulations involving both salmon (via permits) and halibut (via IFQ's). I am a lifelong Kodiak resident with Kodiak native descent. My fishing career began with the salmon industry and touched into the halibut fisheries. I was both captain and crew member. Due to the dropping price of salmon after the Exxon spill, I was forced to sell my Kodiak salmon permit approximately five years ago. I have always loved the sea, and had a hard time giving up that part of my life, but circumstances demanded that I must.

Three years ago, I decided to venture into the Charter business area. In 1994, I began my season by investing in a 23 foot Bayliner while holding a 100 ton master license. The first year was tough, getting to know a different kind of fishery, and establishing a rapport within this industry. I did not acquire an IPHC license for this year. When I filed my federal taxes at the end of the year, I had to show a business loss for Fish'n Chips Charters. 1995, the second year of my charter business, was more profitable. I finally began to build up my reputation as Fish'n Chip's Charters, and receive return clientele. Again, however, I did not possess a IPHC license, but did have my necessary Coast Guard merchant marine, business and state vessel charter licenses. Again, I filed an end of year federal tax return for the charter business.

This year, 1996, my third year, was very profitable so I applied for a loan to upgrade to a larger vessel. By showing both the National Bank Of Alaska (NBA) and the SBA (Small Business Administration) that I have the potential plus the ability to grow using the M/V Fish Hawk - a 22 passenger charter vessel, the \$95,000.00 loan was granted this November 1996.

Earlier in the year, I found out, for the first time, about the IPHC license. I was totally unaware before this time that this was a requirement. I now have all the licenses for 1996. When I applied for the business license, the State Vessel License and my Merchant Marine license, I believed I had complied with all the regulations. After conversations with the Coast Guard earlier this year 1996, I was told that I also needed my IPHC license. This is when I first obtained the license.

This did not mean I was inactive as a charter business, quite the contrary. I've been actively involved in the charter boat industry since 1994. I can prove this by showing my 1994, 1995 and 1996 IRS tax returns, business license, state license and by referral documentation.

Not everyone knew about the IPHC license, plus anyone can apply for this license because IT IS FREE. I personally know of commercial fishermen who applied for the IPHC license, and never have used it. Being in possession of the IPHC license is no indication that an active charter business existed. But the business license, state license, merchant marine license, IRS filings - all these are keys to proving the existence of a business.

If one was indeed in business, the business would have to file with the IRS to be considered legitimate. Again, I have been in business three years 1994, 1995 and 1996. But only in 1996 did I acquire the IPHC license.

Again I plea to the council not to put me out of business. **MAKE DECEMBER 1996 THE OFFICIAL CAP DATE** if you do so you wont put anyone who has vested interest up to this date out of business. Plus all permits should be given to the person that possesses the necessary licenses. It would be grossly unfair to put anyone out of business at this time period. I know many who are just beginning this year, with the hopes for a future in the charter industry, in the country that allows free enterprise.

I am a life long Alaska Native resident. I reside in Alaska FULL TIME. The revenues from my charter business STAY IN ALASKA.

MY PROPOSALS TO THE COUNCIL:

Here is my first proposal to the council:

When there is a decision on limited charter halibut fishing, let the permit be given to the licensed captain, owing the proper licensing i.e. business, state, merchant marine license and IRS documentation.

Also, in light of my newly acquired 40 foot vessel, I propose that permits be issued according to any participation in the charter industry, and not by size of vessel, enabling the small business owner growth potential. And not to put anyone that has investment out of business.

My second proposal:

I am familiar with the controversy about the amount of sport halibut taken in contrast with the commercial fishery. I had the privilege to own a small amount of IFQ's which I had to sell in order to make the down payment on this new vessel. Plus in my experience of commercial fishing and sports fishing this year, I have seen the commercial fisherman taking their families and fishing their IFQ's in traditional sports fishing grounds, to be near to town. This both eliminated the need for crew members on commercial vessels and cut down the amount of halibut found near town. Currently, the halibut sports fisherman has to travel far offshore into traditionally commercial fished grounds. Because of the IFQ system, the commercial and sports fishermen have traded halibut grounds. To eliminate this controversy, I propose that there be a limit on the catch per sports license. Sports licenses do bring money's into the state and as it now stands anyone can purchase a two halibut per day sports license. Unless there is a grass roots limit - such as limiting the catch to one halibut per day per sports fishing license, there will be no change in the way the halibut are taken, with or without charter boats.

My third proposal:

If there is a cap placed on the halibut charter boat areas, make it an statewide cap i.e. Kodiak Area, Homer Area, as in the halibut IFQ's areas 3A, 3B, and 3C. Otherwise if there is only a cap created for the so-called overpopulated areas, the result will be a flood of existing charter boat business into the remaining open market areas. Kodiak and other rural areas cannot handle a flood of other charter boat business due to the fact that the tourism pie cannot be divided in excess of the demand.

There is no easy land access to this Island, which makes it for the most part, last on the list for people who choose to visit Alaska, unlike Homer and the mainland that people can drive up to from the lower 48 and other areas. Our community has chiefly relied on the commercial fishing industry to sustain it. With the decline in this area, we are now focusing more energy on the tourism trade. But as stated above, we are not easily accessed and have a smaller share of the tourism pie as say Homer dose.

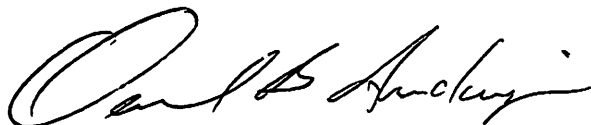
In closing -

Tourism is a great resource for the State of Alaska, and I am proud to be one of the people who can serve it to their greatest potential. Please allow me to continue my career in this area and the ability to grow as needed. I lost my commercial fishing career, and have worked hard to build myself back up, thanks to the charter industry. Please, do not take away my opportunity to use the \$95,000.00 charter boat vessel I have just purchased November 1996. And in the interest of all others, consider this: it's not the availability of the charter boat that strains the halibut stocks. It is the licensed sports fisherman that lands 2 halibut per day. By limiting the sports catch to one halibut per day it would cut the strain in half. Perhaps the implementation of halibut tags would be necessary. The logs could be verified by the sports fisherman's halibut tag numbers, dated and signed by both parties.

PLEASE MAKE THE CAP DATE DECEMBER 1996, OTHERWISE YOU WILL PUT MY FAMILY AND MANY OTHERS OUT OF BUSINESS.

Thank you for your time,
Sincerely,

David Ardinger, Sr.



attached letters of accommodations

Hull Construction FIBERGLASS/PLASTIC	Gross Tons 4
Vessel Name FISH N CHIPS	Types of Vessel Activity CHARTER
Issue Date 02/13/1995	Annual Fee Paid \$20
Owner's Name DAVID B ARDINGER	Signature of Vessel Owner or Operator ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION
Mailing Address PO BOX 8041 KODIAK AK 99615	8800 Glacier Highway, #109 Juneau, Alaska 99801 Phone (907) 789-6150
City KODIAK AK 99615	
State AK 99615	
Zip AK 99615	
Salmon Troll Reg. and Eff. Date 01-429 (Rev. 1994)	

1994 VESSEL LICENSE RECEIPT CARD

ADF&G No. 55034	USCG Reg. or Doc. No. AK1212L	Reg. Length 20
Hull Construction FIBERGLASS/PLASTIC		
Vessel Name FISH N CHIPS		
Issue Date 08 25 1994	Salmon Net Area	
Owner's Name DAVID B ARDINGER		
Mailing Address BOX 8041		
City KODIAK	State AK	Zip 99615
Salmon Troll Reg. and Eff. Date 01-429 (Rev. 1993)		

THE VESSEL OWNER OR OPERATORS MUST CERTIFY THAT THIS INFORMATION IS CORRECT BY SIGNING IN THE SPACE BELOW. THIS CARD MUST BE ON THE VESSEL AT ALL TIME FOR CHANGE OF OWNERSHIP, SEE OTHER SIDE.

Gross Tons 4	Net Tons 2
Types of Vessel Activity CHARTER	
Annual Fee Paid \$20	
Signature of Vessel Owner or Operator ALASKA COMMERCIAL FISHERIES ENTRY COMMISSION	

**ALASKA COMMERCIAL FISHERIES
ENTRY COMMISSION
8800 Glacier Highway, #109
Juneau, Alaska 99801
Phone (907) 789-6150**

**ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
P.O. BOX 110806, JUNEAU, AK 99811-0806**

ALASKA BUSINESS LICENSE

This is to certify that the licensee named below holds an Alaska Business License covering the period January 1 through December 31 of the license year(s), or fraction thereof.

ADDY GER, DAVID	BL 194 43	SIC 799
FISH AND CHIP CHARTER'S		
PO BOX 8041		
KODIAK	AK	99615
EFFECTIVE 03/14/96		

LICENSE YEAR(S)

EXPIRES 12/31/97
This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State of Alaska or of the United States.

COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT

This license must be posted in a conspicuous place at the location. It is not transferable or assignable.

08-070 (Rev. 9/91)

**ALASKA DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
P.O. BOX 110806, JUNEAU, AK 99811-0806**

ALASKA BUSINESS LICENSE

This is to certify that the licensee named below holds an Alaska Business License covering the period January 1 through December 31 of the license year(s), or fraction thereof.

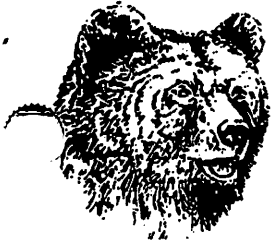
ARDINGER, DAVID	BL 194143	SIC 7999
FISH AND CHIP CHARTER'S		
PO BOX 8041		
KODIAK	AK	99615
08/15/94		

LICENSE YEAR(S)

1994 THRU 1995
This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State of Alaska or of the United States.

COMMISSIONER OF COMMERCE AND ECONOMIC DEVELOPMENT

This license must be posted in a conspicuous place at the location. It is not transferable or assignable.



MACK'S
Sport Shop Inc.

"THE OUTFITTERS OF KODIAK"
P.O. Box 1155 • 117 Lower Mill Bay Road
Kodiak, Alaska 99615
Phone: (907) 486-4276 • Fax: (907) 486-2928

October 23, 1996

Dear Sirs,

I am writing to inform you that doing business with David Ardinger has been a pleasure. He has been a customer for many years and has always worked in a professional manner. When he came to us with business cards for his charter business, we gladly accepted them and have recommended him to our customers looking for a friendly charter service. In our business, we have to be cautious who we recommend. If we give a recommendation, we must stand behind it. We heard back from over 50% of those we recommended David to and they all had rave reviews.

David has opened a revolving charge account here and has consistently paid his bill on or before it was due. He has demonstrated financial responsibility and it has been a good working relationship for us.

To close this letter, I would like to say that I have no doubts that David will succeed in his business venture. He has determination and patience. Two things I feel are necessary to succeed in a business .

Sincerely,

Thomas W. Merriman
President

TM/ts



October 24, 1996

To Whom It May Concern:

Dave Ardinger of Fish 'n Chips Charters has been a member of the Kodiak Island Convention & Visitors Bureau for the past year. During this time we have referred many prospective clients to Dave.

We consistently hear positive reports from clients and other tourism operators about their involvement with Dave and Fish 'n Chips Charters. His evening charters were extremely popular and a great "off the shelf" product for visitors without advance arrangements. Because most charter boat operators prefer or focus on full-day fishing charters, the niche for regular sightseeing excursions has been relatively untouched. Dave recognized this opportunity.

Usually the only time we hear back from visitors is if they are displeased or disappointed with an operator. So it was easy to take note of the five or six times that visitors made a point of coming back to our office to thank us for referring them to Fish 'n Chips. One group was so pleased with their trip with Dave that they came back to give us a box of candy as a way of saying thanks. That was a first!

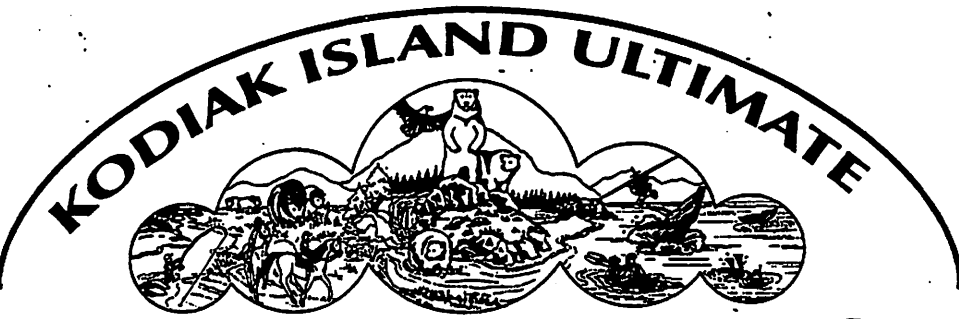
While there is increasing local competition in the charter boat business, Dave's business plan recognizes the need, as well as the opportunity, for scheduled marine sightseeing excursions. Many charter boat operators say they offer sightseeing, in reality it is usually simply transportation. As a lifelong resident, Dave's knowledge of the marine environment, fishing, and local history is a definite value-added component of his tours.

For the past several years the local visitor industry has rebounded from a dwindling market share after the 1989 oil spill. We anticipate that this growth will continue. With the passage of the bed tax initiative, funding for Kodiak destination marketing will increase by approximately one-third to one-half over the next year. Increased funding will enable us to expand our efforts to attract more visitors to Kodiak. I am enclosing information on air and ferry arrivals, hotel/motel revenues and tax collections, and visitor inquiries. We are currently compiling gate counts from the museums and parks as further indicators. I have also enclosed a summary of our 1995 Kodiak Visitor Survey.

I hope this information is helpful in considering Dave's request for financing. If you have any questions or require further information or clarification, please feel free to call on me.

Sincerely,


Wanetta Ayers
Executive Director



**KODIAK ISLAND ULTIMATE
ADVENTURES**

October 14th, 1996

To Whom It May Concern,

This letter is to express my sincere appreciation for the services provided by Fish-N-Chips charters for Kodiak Island Ultimate Adventures clients during our 1996 season.

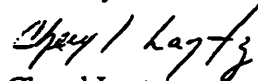
Efficiency accompanied by courtesy is a rare combination but has been easily accomplished by Dave Ardinger in his operation of evening, half day and full day fishing and sightseeing charters. Kodiak Island Ultimate Adventures has been booking charters with Fish-N-Chips since July 1996 and in such a short time Fish-N-Chips charters has become one of Kodiak Island Ultimate Adventures highest rated charters. Every client that has chartered with Fish-N-Chips has come back with rave reviews and some have even taken the time to write me a personal thank you for booking them with Mr. Ardinger (see attached).

Kodiak Island Ultimate Adventures is a custom tour booking agent for Kodiak island, located in the lobby of the Buskin River Inn. Our agency has been in business for 3 years, booking activities for local residents, walk up business, advance reservations both in the U.S. and Internationally. Kodiak Island Ultimate Adventures books an excess of \$ 10,000 in day charters alone during a season depending on the weather. Kodiak Island Ultimate Adventures expects this to increase for the 1997 season with the increased advertising and mailings.

Fish-N-Chips will have an exclusive listing in our 1997 brochure for his evening charters as well as being listed under our half and full day sightseeing and fishing charters. I feel we will be able to keep Fish-N-Chips Charters very busy during the 1997 season, booking a minimum of \$ 5,350. This is based on the minimum estimation of 38 charters, including evening, half day and full day charters.

It has been a pleasure to work with Dave and Sherry Ardinger this season and I would like to express my sincere appreciation to them for a job well done and aiding to the success of Kodiak Island Ultimate Adventures.

Sincerely,



Cheryl Lantz



BUSKIN RIVER INN INC.

Sunday 08-25-96

Cheryl,

Just want to thank you for all your help. We had a great time here in Kodiak - all the trips were delightful and Lola and Dan and David were great. In particular, we want to tell you how our boat trip with David (Fish & Uper) was the high point - There wasn't enough he could do for us - so anxious to please us. He gave us experiences that were new to us and ones we'll always remember!

Thank you again.

Phil and Marjorie Miller

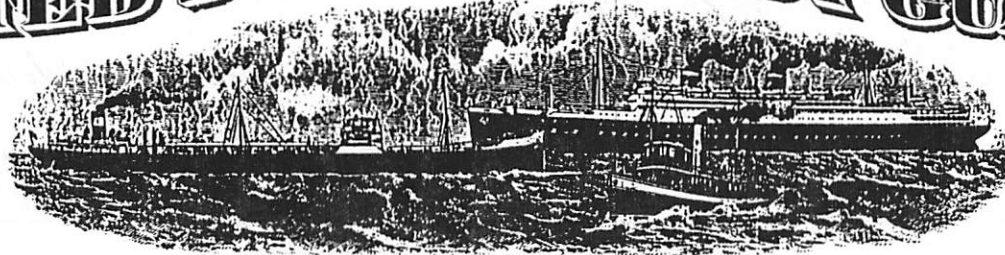
SERIAL NUMBER

690 962

ISSUE NUMBER

1

UNITED STATES COAST GUARD



LICENSE

TO U. S. MERCHANT MARINE OFFICER

This is to certify that * * * * * DAVID BENJAMIN ARDINGER * * * * * *having been duly examined and found competent by the undersigned, is licensed to serve as* MASTER NEAR COASTAL STEAM OR MOTOR VESSELS OF NOT MORE THAN 100 GROSS TONS.

for the term of five years from this date.

Given under my hand this 28TH *day of* MARCH, 19 90.

THIS LICENSE ISSUED JULY 18, 1994 AT REC ANCHORAGE, ALASKA REPLACES LICENSE # 663193 ISSUED 28 MARCH 1990 AT REC ANCHORAGE, ALASKA.

ANCHORAGE, ALASKA

Port

BY DIRECTION OF THE *Officer in Charge of Marine Inspection*

E. S. JOHNSON, CWO4, USCG

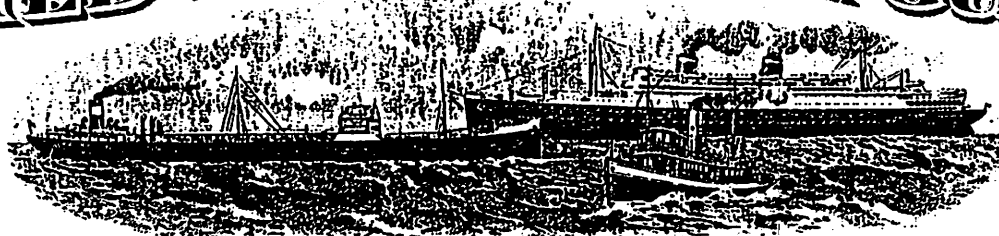
SERIAL NUMBER

756971

ISSUE NUMBER

2

UNITED STATES COAST GUARD



LICENSE

TO U. S. MERCHANT MARINE OFFICER

This is to certify that * * * * * DAVID BENJAMIN ARDINGER * * * * *
having been duly examined and found competent by the
undersigned, is licensed to serve as MASTER NEAR COASTAL STEAM OR MOTOR
 VESSELS OF NOT MORE THAN 100 GROSS TONS.

for the term of five years from this date.

Given under my hand this 6TH *day of* APRIL *, 19* 95.

ANCHORAGE, ALASKA
Port

BY DIRECTION OF THE

[Signature]
 R. D. JOHNSON, CWO4, USCG
Officer in Charge of Marine Inspection.

FOR ALASKA ONLY

*International Pacific Halibut Commission
of Canada and the United States*

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SPORT

LICENSE NUMBER [AK8514L] for the [1996] HALIBUT FISHERY

SPORT
In conformity with the regulations of the International Pacific Halibut Commission

the Vessel [FISH-N-CHIPS] Official Number [AK8514L] of the [USA] Registry,
is hereby licensed for the halibut fishery in the Northern Pacific Ocean and Bering Sea subject
to any laws or regulations of Canada or the United States.

Date of Issue [3/13/96]

EXPIRATION DATE [12/31/96]

1996 VESSEL LICENSE RECEIPT CARD

THE VESSEL OWNER OR OPERATOR MUST CERTIFY THAT THIS INFORMATION IS CORRECT BY SIGNING IN THE SPACE BELOW. THIS CARD MUST BE ON THE VESSEL AT ALL TIMES. To record a change of ownership, complete Form 01-824 (Vessel License Change of Information).

66078 ADF&G No.	AK8514L USCG Reg. or Doc. No.	23 Overall Length	Salmon Troll Reg. and Eff. Date
FISH -N- CHIPS Vessel Name	FIBERGLASS/PLASTIC Hull Construction	Gross Tons	Net Tons
01/01/1996 Date License Issued	Salmon Net Area	\$20 2ND YEAR Fee Class and Amount Paid:	CHARTER Types of Vessel Activity

Owner's Name D & S ARDINGER
BOX 3277
KODIAK AK 99615

Mailing Address

City

State Zip

Signature of Vessel Owner or Operator (circle whichever applies)

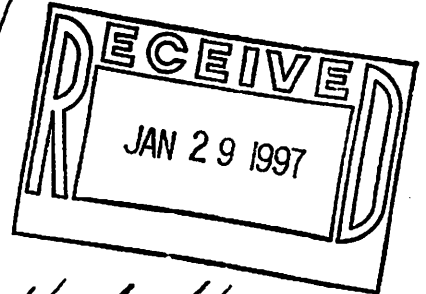
**ALASKA COMMERCIAL FISHERIES
ENTRY COMMISSION
8800 Glacier Highway, #109
Juneau, Alaska 99801
Phone (907) 789-6150**

01-829 (Rev. 9/85)



Page 1 of 3

1/28/97

WRITTEN TESTIMONYNorth Pacific Fisheries
Management Council,

I am very concerned that the annual catch of halibut in the Alaskan sport fisheries has increased dramatically in the recent years. Most of this increase can be directly attributed to the rapid uncontrolled growth of the guided sport halibut fishery. I don't think that there should be any quota placed on the recreational sport (or unguided sport) halibut fishery, but the lodges and guided sport halibut fishery definitely needs constraining.

The halibut charter fleet, and lodges are a commercial industry and should be treated as such. All fishermen have to live with quotas these days. The halibut guided sport and lodges (some of which are renting boats to their clients to fish, instead of guiding them) should have a quota, and learn to live with it. I don't care how the guided sport/lodges stay within their allocation, just as long as they do it. There are a number of management tools available to do this... limited entry, reduced

[WRITTEN TESTIMONY]

North Pacific Fisheries Management
Council ..

A large number of commercial longliners have invested a lot of money purchasing IFQ's, myself included, to remain viable, and we don't want to see our longline quotas continually eroded by increasing guided sport/lodge halibut catches. It's not fair for the guided sport/lodge industry to have no quota or cap and continue to come in the back door so to speak, and eat away at the longline quota.

We also have to remember the public owns the resource, and consumers have a right to affordable high quality seafood accessible at stores and restaurants. Increased guided sport/lodge halibut catches for the select few, who can afford to charter, mean less halibut available to the public in stores and restaurants.

The halibut charter fleet, and lodges are a commercial industry and need to have a set quota like all other commercial fishermen. They need to learn to live within their set quotas, and not feel that they can obtain more each year, from the commercial

Page 3 of 3 cont. 1/28/97

[WRITTEN TESTIMONY]

North Pacific Fisheries Management Council....

I support equitable access to the fisheries and responsible use of marine resources.

Sincerely,

Jean Remund
P.O. Box 8147
Port Alexander,

Alaska
99836

(907) 568-2226

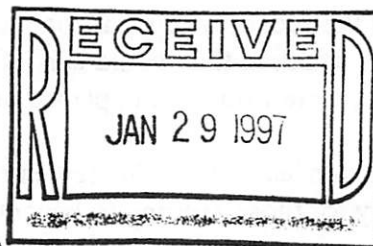


Kingfisher Charters, LLC
P.O. Box 1781
Sitka, Alaska 99835
(800) 727-6136

Alaska Salmon and Halibut Fishing Vacations

January 28, 1997

North Pacific Fisheries Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99835



re: halibut charter issue

Dear Council Members:

As an active participant in the halibut charter industry for the past seven years, I would like to voice my opinion regarding the current issue before the council. First and foremost, I oppose an allocation cap being placed on the charter fishery at this time for two reasons. The first is that the IPHC recently announced plans to raise the total allowable catch of halibut gulf wide. The charter industry takes a very small percentage of the overall quota at this time, and this percentage will be even smaller when the overall quota is raised. The second reason is that there are currently no sport fishing representatives on the Council. This appears to violate the Magnuson Act, especially if the council plans to take action to regulate sport fishing for halibut.

However, if the Council decides that it needs to curb the growth of the halibut take by the charter fleet, there is only one solution which would be sensible and relatively easy to implement. This solution would be a moratorium on new vessels entering the fishery in certain impacted areas (ie: the Sitka area needs a moratorium, the Dutch Harbor area probably doesn't), possibly leading to a limited entry program like in many other fisheries. A moratorium would effectively curb the growth in the number of halibut taken by the charter fleet, because with a 2 fish per angler per day limit, and a limit on how many people can fish on one boat, the same number of boats would catch approximately the same number of halibut every year in an area with a moratorium. This would eliminate the need for government personnel counting fish or analyzing log book data, as would be necessary with a quota cap and no moratorium. Implementing a vessel moratorium would accomplish the goal of ALFA and other commercial fishermen, as well as unguided sport and subsistence users, which is to curb the growth in the number of halibut taken each year by charter boats.

A vessel moratorium in certain impacted areas would also help the longevity of the charter industries in those areas. In recent years we have seen a significant increase in the number of vessels entering the charter fishery in Sitka. This has helped the local economy immensely, but if this growth is allowed to go on unchecked forever, it will surely be

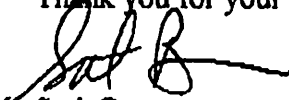
damaging to both the resource and the local charter industry itself. Again, I do not favor an allocation cap on the total take of halibut by charter boats at this time, but if the council were to implement an allocation cap despite my and others' objections, without capping the number of boats in the fishery, eventually there would not be enough halibut to go around, and the entire industry would suffer. It would be terrible for those of us in the industry and for the economy of local communities if the industry were set up for the "boom and bust" situation that would exist if the number of fish available for harvest were capped without a moratorium being placed on new vessels entering the fishery.

A vessel moratorium leading to a limited entry system in certain impacted areas would not stifle opportunity for those aspiring to become charter operators. Just as in any limited entry system, a person wanting to enter the fishery could buy a permit, and would feel secure that there is a future in the industry because there is no longer a rapid increase in the number of boats competing for a limited resource in a particular area. I would rather spend a little extra money for a permit to get into an industry that has a viable future, rather than needing no permit, but still having to buy an expensive boat and risk facing shortened seasons or area closures which could make it impossible to stay in business.

One option that I have heard proposed would be to cap the number of fish available to the charter industry, without implementing a moratorium, and when the quota is reached, shut down the fishery, except for letting charter operators buy IFQs from longliners so their pre-booked clients could keep fishing. This alternative would be completely unworkable for the charter industry. I understand that for the longline industry, the IFQ program works pretty well, but the charter industry is completely different. One cannot book a customer in January for a halibut fishing trip in August costing \$1,000, and then when the customer arrives in Alaska, tell him that if he wants to keep any halibut, he will have to pay an extra \$500, because anglers fishing in June and July have already caught the quota. This would completely devastate our businesses. In the longline fishery, fishermen were given IFQ shares that were representative of their catch during certain past years. This would be impossible for charter boats since there is insufficient data. Those of us who have been fishing halibut for years and have built up a client base that likes to catch halibut would be given no consideration and would be squeezed out of business because we couldn't afford to buy IFQs for our clients to harvest. Please don't destroy our industry by implementing this proposal.

An idea that the Council might consider would be to set up a state wide halibut charter task force which would take into account the needs and unique situations that exist in different areas, all within the context of intelligently managing this public resource. In any case, the Council would be wise to proceed with caution with regard to this issue, to avoid harming those of us in the charter industry as well as the economies of many communities.

Thank you for your time,



Seth Bone

1/22/97

North Pacific Fisheries Management Council,

I'm concerned that the annual catch of halibut in the Alaskan sport fishery has increased dramatically in recent years. Most of this increase can be directly attributed to the rapid uncontrolled growth of the guided sport halibut fishery.

I don't think there should be any quota placed on the recreational sport (or unguided sport) halibut fishery, but the lodges and guided sport halibut fishery definitely needs constraining.

The halibut charter fleet, and lodges are a commercial industry and should be treated as such.

All fishermen have to live with quotas these days. The halibut guided sport and lodges (some of which are renting boats to their clients to fish, instead of guiding them) should have a quota, and learn to live with it. I don't care how the guided sport/lodges stay within their allocation, just as long as they do it. There are a number of management tools available to do this, limited entry, reduced bag and or possession limits, etc.



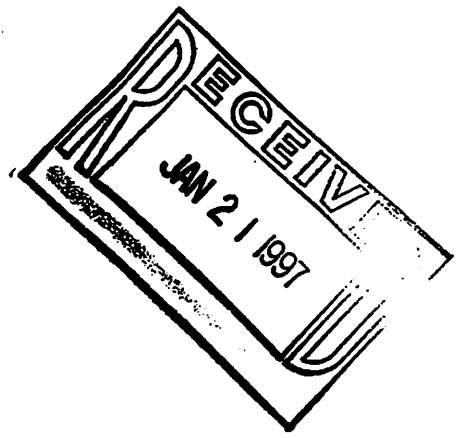
A large number of commercial longliners have invested a lot of money purchasing IFQ's, myself included, to remain viable, and we don't want to see our longline quotas continually eroded by increasing guided sport/lodge halibut catches. It's not fair for the guided sport/lodge industry to have no quota or cap, and continue to come in the back door so to speak, and eat away at the longline quota.

We also have to remember the public owns the resource, and consumers have a right to affordable high quality seafood accessible at stores and restaurants. Increased guided sport/lodge halibut catches, for the select few, who can afford to charter, mean less halibut available to the public in stores and restaurants.

I support equitable access to the fisheries and responsible use of marine resources.

Sincerely,

Marty L. Remund
P.O. Box 8147
Port Alexander, AK.
99836



JANUARY 14, 1997

RICHARD B LAUBER, CHAIRMAN
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
605 WEST 4TH AVENUE SUITE 306
ANCHORAGE, AK 99501-2252

DEAR SIR:

ATTACHED IS A LETTER ADDRESSING THE GUIDED HALIBUT SPORT (CHARTER) ALTERNATIVES.

COULD YOU PLEASE SEE THAT THIS LETTER, WITH ATTACHMENTS, IS DISTRIBUTED TO OTHER COUNCIL MEMBERS IN A TIMELY FASHION.

THANK YOU FOR YOUR TIME.

Peter D. Udelhoven

PETER D. UDELHOVEN
PRESIDENT
SILVER FOX CHARTERS

CC: C.G. PAUTZKE



JANUARY 8, 1996

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
605 WEST 4TH AVENUE, SUITE 306
ANCHORAGE, ALASKA 99501 2252

SUBJECT: GUIDED HALIBUT SPORT (CHARTER) ALTERNATIVE

THESE COMMENTS ARE ON YOUR REPORT OF JUNE 20, 1996.

FROM THE FOUR ALTERNATIVES LISTED, ONLY ONE, STATUS QUO SEEMS PRACTICAL. ANOTHER ONE NOT COVERED WOULD BE LICENSE LIMITATION.

ANY PLAN WHICH INCLUDES QUOTAS OR IFQ'S SEEMS IMPRACTICAL UNLESS THE NPFMC IS WILLING TO GO ON AN "HONOR" SYSTEM FOR REPORTING.

WHEN THIS ALL STARTED IN 1994, THE CHARTER INDUSTRY WAS FOR STATUS QUO OR FOR THE PROPOSAL FROM ALFA TO DROPPED.

THIS DIDN'T HAPPEN AND NOW I BELIEVE IT WON'T GO AWAY UNTIL SOME CONTROLS ARE ENACTED.

A PROJECTION OF EXPECTED LEVELS OF HALIBUT CATCH FOR SPORT AND COMMERCIAL WERE PRESENTED BY THE IPHC AND AK DEPT. OF F&G.* THESE WERE THE WORST, WORST, WORST CASE SCENARIOS & THEN ANOTHER WORST FACTOR WAS ADDED. THESE BORDER ON BEING IRRESPONSIBLE. (FIG 1)

FIGURE 2 IS WHAT HAS HAPPEN WITH THE LATEST DATA AVAILABLE. WHEN DATA FOR 1996 IS ADDED IN, THE GUIDE/SPORT CATCH (CHARTER) WILL BE AT OR BELOW 1995 LEVELS. TOURISM, TOURISTS WHO DRIVE OR FLY TO ALASKA IS DOWN FOR 1996. THE DROP IN THIS CATEGORY IS PROBABLY 25%+- . THIS DIRECTLY AFFECTS THE GUIDED SPORT (CHARTER) INDUSTRY.

CRUISE SHIP TRAFFIC , WHICH MAINLY AFFECTS THE SOUTHEAST PORTION OF ALASKA, SHOULD NOT DICTATE POLICIES FOR THE ENTIRE STATE.

DECEMBER 11, 1996, THE IPHC ISSUED THEIR PRELIMINARY STAFF REGULATOR PROPOSALS:1997. IN THIS REPORT, THE CATCH LIMITS FOR THE COMMERCIAL FLEET WAS RAISED FROM 48.66 MILLION LB. TO 66.2. AN INCREASE OF 17.54 MILLION LB. OR 35% ! THE INCREASE FOR 3A WAS 5 MILLION LB. THIS INCREASE IS MORE THAN THE TOTAL SPORT CATCH FOR 3A.

LICENSE LIMITATION SEEMS THE ONLY PRACTICAL SOLUTION. IT ACHIEVES THE DESIRED RESULTS OF LIMITING THE GUIDE/SPORT (CHARTER) CATCH AND

IT IS MANAGEABLE. ANY OTHER PLAN WOULD BE EXTREMELY DIFFICULT TO CONTROL.

THE REQUIREMENTS FOR A LICENSE COULD BE SET TO ALLOW A REASONABLE NUMBER OF CHARTERS TO BE AVAILABLE TO SERVE THE GUIDE/SPORT INDUSTRY.

THANK YOU FOR ENTERING THESE COMMENTS INTO YOUR RECORD. THESE VIEWS ARE MINE ONLY AND MAY OR MAY NOT REPRESENT THE HOMER CHARTER ASSOCIATION OR THE CHARTER INDUSTRY IN GENERAL.

SINCERELY,

Peter D. Udelhoven

PETER D. UDELHOVEN
PRESIDENT
SILVER FOX CHARTERS

ENC: IPHC TABLES FOR SPORT FISH

*ALLOCATION OF PACIFIC HALIBUT AMONG SPORT AND COMMERCIAL FISHERIES
ROBERT J. TRUMBLE IPHC
MAY 27, 1993

Fig 1 Sport and Commer. Harvest, Area 3A

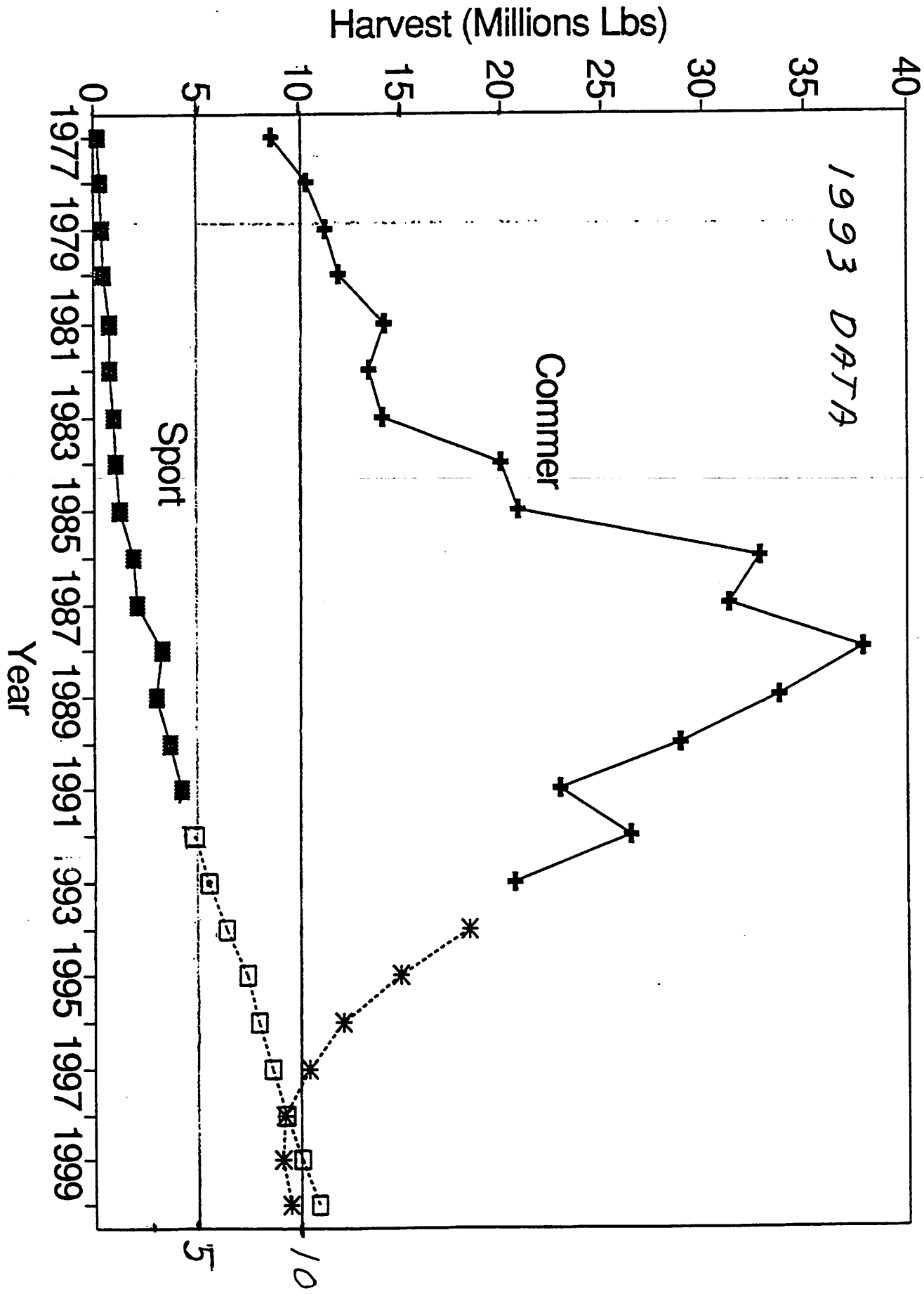


Fig. 2. Sport and Commer. Harvest, Area 3A

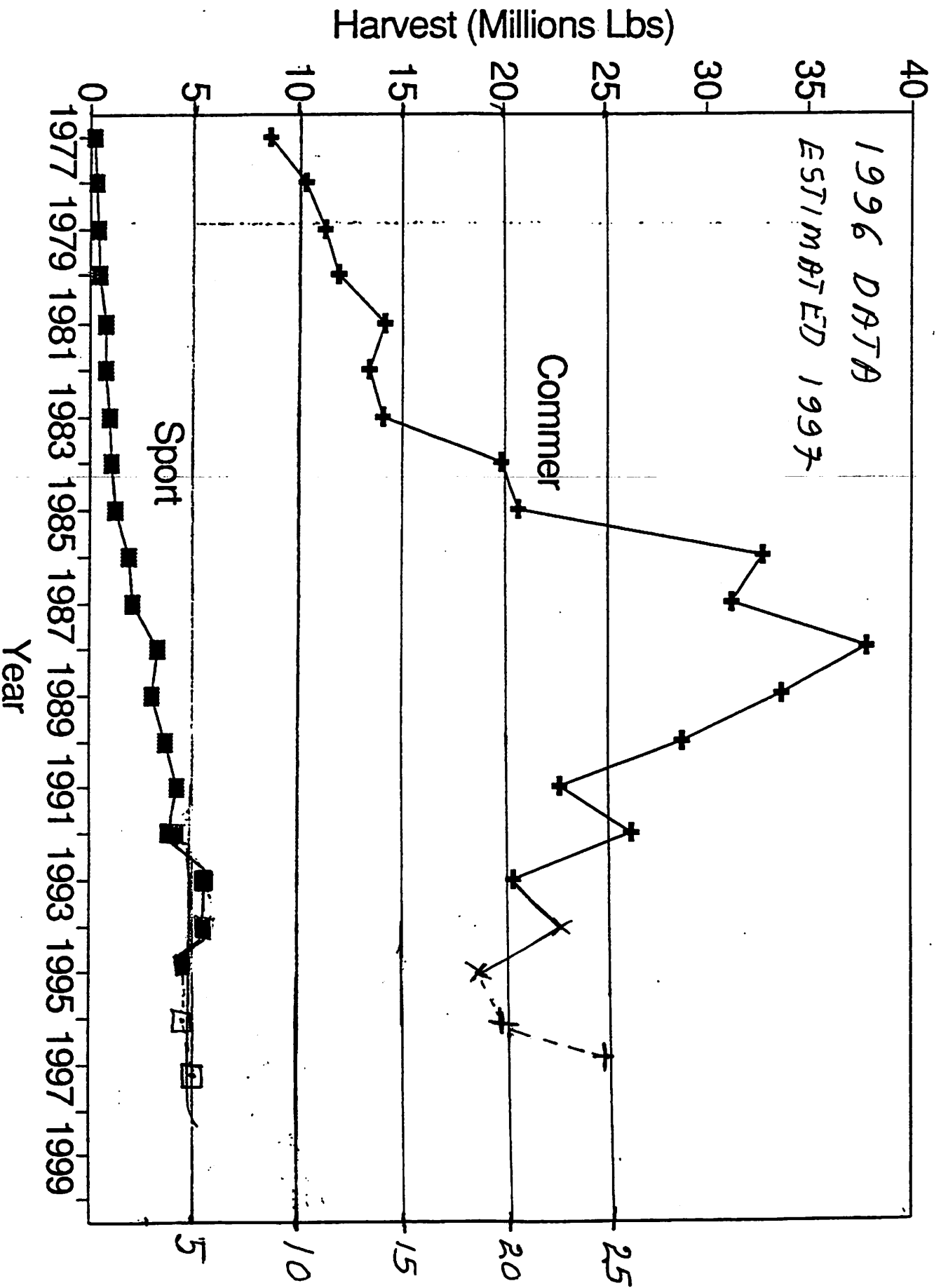


Table 1. International Pacific Halibut Commission harvest estimates (thousands of pounds) of Pacific halibut by sport fishers by Regulatory Area, 1977-1994¹

Year	Regulatory Area						Total
	2A	2B ²	2C	3A	3B	4	
1977	13	17	72	196			298
1978	10	9	82	282			383
1979	15	18	174	365			572
1980	19	11	332	488			850
1981	19	23	318	751		12	1,123
1982	50	66	489	716		11	1,332
1983	63	103	553	945		3	1,667
1984	118	124	621	1,026		13	1,902
1985	193	525	682	1,210		8	2,618
1986	333	372	730	1,908		20	3,363
1987	446	527	780	1,989		30	3,772
1988	249	504	1,076	3,264		36	5,129
1989	327	635	1,559	3,005		24	5,550
1990	197	762	1,330	3,638		40	5,967
1991	158	584	1,654	4,236		74	6,706
1992	250	579	1,668	3,899		40	6,436
1993	246	657	1,811	5,265		72	8,051
1994	186	657	1,805	5,281		88	8,017

¹Harvest estimates for 1994 are based on the last six years of harvest, except for Area 2A (California, Oregon, and Washington) and Area 2B.

²The harvest from 1993 onward is the product of the average catch in numbers between 1987 and 1992 and the average weights from Ketchikan in northern British Columbia waters and Neah Bay in southern British Columbia waters.

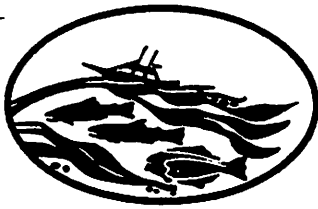
Table 1. The 1995 removals of Pacific halibut by regulatory area in net weight (thousands of pounds).

Area	2A	2B	2C	3A	3B	4	Total
Commercial	296	9,609	7,855	18,192	3,193	4,704	43,849
Sport	236	657	2,010	4,754	-	72	7,729
Bycatch Mortality ¹	471	1,517	356	4,497		8,058	14,899
Personal Use	11 ²	300	0	97	37	94	539
Wastage	6	227	138	554	77	80	1,082
Total	1,020	12,310	10,359	31,401		13,008	68,098

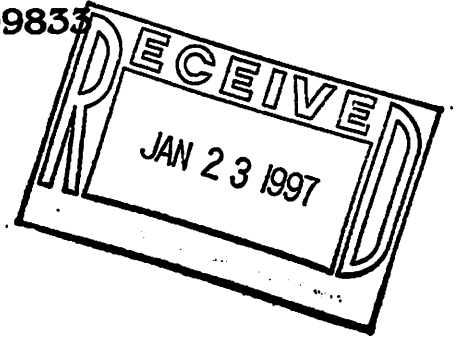
64%

¹ Bycatch Mortality is the amount that occurred in each regulatory area.

² Treaty Indian ceremonial fish included in the Catch Sharing Plan.



Petersburg Charter Boat Association
P.O. Box 1507
Petersburg, Alaska 99833



January 20, 1997

Clarence Pautzke, Executive Director
North Pacific Fisheries Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99501

Re: Proposed Halibut Sport Charter Regulations

Dear Clarence,

The Petersburg Charter Boat Association (PCBA) would like to offer the following comments regarding proposed NPFMC alternatives for regulating the halibut sport charter fisheries.

PCBA Fleet Profile:

PCBA has 22 paid members who participate in a variety of charter activities including sightseeing, marine mammal viewing, glacier ecology, and sport fishing. Because we are so far from open ocean we don't have access to a large variety of marine fish species. Virtually all of our sport fishing charters target chinook and coho salmon, when they are available, and halibut during July and August when salmon are not readily available. While none of our members depend entirely upon halibut for their charter income, over half of our members rely on halibut trips to some extent to make our businesses profitable.

Southeast Alaska has a six-line limit for sport fishing and the majority of our sport fishing charter vessels are quite small (under 32 feet in length). Operators in our fleet generally make full-day trips for halibut and carry no more than 4 passengers on fishing charters. Most of our halibut fishing effort is on grounds 15 to 40 NM from town with an even split between areas to the south of town (Sumner Strait) and to the north (Frederick Sound and lower Stephen's Passage). While not quantified, our cumulative annual halibut harvest is relatively small and is spread over a large geographic area. Direct conflicts with non-guided sport and commercial longline operations are minimal in the areas and times that we operate. We have not had any reports of serious localized depletion from our members and catch rates have remained fairly steady for those with several years of experience in the charter business.

PCBA Position On Proposed Halibut Sport Charter Regulations

Alternative 1 - Status Quo: This is PCBA's preferred alternative.

Justification: We see no need for additional regulations on the halibut sport charter fishery at this time. IPHC is recommending increased halibut quotas across the board for 1997 with a likelihood of even higher quotas in 1998. With an outlook of higher quotas over at least the next two years, NPFMC should have adequate time to gather more accurate catch, effort, and economic information on the halibut sport charter harvest without unduly impacting the commercial hook-and-line halibut industry.

A delay in implementation will also allow additional time to see if increases in recreational halibut harvest can be offset by further reductions in bycatch mortality in commercial fisheries for other species.

Alternative 2 - Federal Reporting Requirements: PCBA is willing to provide detailed halibut catch and effort data through either mandatory or voluntary catch reporting or logbook programs to assist NPFMC in obtaining better catch and effort data than is currently available from the state creel census and annual angler survey.

Justification: We don't feel that NPFMC can support taking any additional management action without better data. In our area, the state creel census program is discontinued by the time our fleet concentrates on halibut. The mail-in survey may provide a reasonable indication of total sport halibut harvest, but we do not have much faith in its ability to provide sufficient detail on area of harvest or effort information other than perhaps an estimate of angler days. It is also a poor indicator of the catch to release ratio and provides questionable information on guided versus unguided sport harvest.

Alternative 3 - Cap the guided sport halibut harvest: PCBA is opposed to capping the guided sport halibut harvest.

Justification: We see no defensible rationale for capping the harvest at this time. Many of our reasons for that position are stated under alternative 1. We are concerned that NPFMC is considering regulations which could have a major impact on all charter operators in the state based on assumed high harvest levels and reported problems with concentrated charter effort in one or two isolated areas. If there are areas with resource problems or major gear conflicts, those problems can be identified and addressed without impacting the entire sport charter industry state wide.

We have very little confidence in the halibut sport charter harvest data available at this time. It is very difficult for us to accept the concept of a seasonal cap based on past harvest levels given that degree of uncertainty. There are strong indications that the total charter effort is greatly overestimated by the state. We are hopeful that the ISER study will help to provide a more realistic profile of the Alaska halibut sport charter industry.

The ISER study will not, however, provide accurate catch information nor will it provide a valid comparison of the value of a pound of sport charter-caught halibut compared to

longline commercial-caught halibut in terms of the overall economic benefits to the state or to the nation. Much additional information needs to be generated and there is much work left to do before restrictive harvest limits are considered for the halibut sport charter fisheries.

We are also concerned that there is no system currently in place to manage for an in-season harvest objective. To be equitable, fish would have to be made available during the times when a particular fleet component normally operates for halibut. In other words, an annual regional quota might work well for a fleet along the outer coast which has access to good halibut fishing early in the charter season. It would inflict a great hardship on the inside water fleets, such as ours, which fishes halibut later in the year and has no other fishing charter opportunities if the halibut season is closed early in the season. This situation is likely to be exacerbated by further reductions in chinook salmon allocations as a result of the Pacific Salmon Treaty negotiations.

The charter fleets in each region and in each community within each region are so different that regulations covering a large geographic area simply will not be equitable. As noted above, fleets from different communities traditionally fish halibut at different times of the season and require an open fishery during that time period.

It is doubtful that NPFMC has the resources necessary to implement quotas for smaller geographic areas or to manage them on a smaller area basis. The need for intensive in-season management and equitable distribution of quota among the various fleets are major factors which need to be carefully thought out and adequately funded before any harvest restrictions are seriously considered, let alone implemented.

An unanticipated in-season closure would inflict a tremendous hardship to our business. Many of our trips are booked six months to a year in advance with deposits made at the time of booking. Uncertainty regarding the status of the season could hamper bookings and having to cancel an already booked trip is among the worst possible situations for the charter business.

Fallback Position on Alternative 3: We could accept a moratorium on new entrants and further studies of the assumed problem in lieu of a seasonal cap.

Alternative 4 - Purchase or Lease of IFQ's for Guided Sport Fishing: PCBA is entirely opposed to this concept and is appalled that it has even been given any serious consideration by NPFMC.

Justification: Sport and commercial regulations have always been separate. The sport fishery is regulated by season and bag limit while, until recently, the commercial fishery has been regulated only by season. Under this proposed alternative, would our clients be required to obtain a commercial license to fish IFQ halibut? Would we be subjected to the same reporting requirements as the commercial fleet? Would our clients have to remain on board until the harvest report is filled out? There is no conceivable way that we can see meshing sport and commercial regulations to make this work.

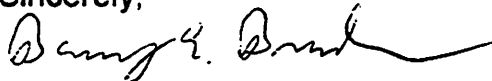
Many of our operators were guiding recreational anglers for halibut during the qualifying years for the commercial IFQ fishery. To even suggest that those operators would now be required to buy quota shares to continue participating in the fishery is ludicrous.

Additional Considerations:

1. Before additional regulations are implemented, a comparative study of the total value of halibut taken by sport charter operators and by the commercial hook-and-line fleet needs to be conducted. This is necessary to satisfy the objective of managing the resource to provide the greatest benefit to the nation.
2. The concept of progressive regulations should be considered, i.e. implement a moratorium in areas where resource problems or major gear conflicts are documented. This could be followed by a harvest cap if the problem is not solved by a moratorium on new entrants into the fishery in that specific geographic area.
3. Any harvest caps implemented in the future should be set as a percentage of the total quota, not a numerical number, and should be managed by the smallest geographic area possible.
4. We would prefer to see a bag limit reduction at a mid-season trigger point rather than a complete closure. This would allow charter operators to continue to make trips, but at a reduced harvest rate.
5. There are other potential regulations which should be considered and evaluated. Among them could be provisions to exclude captains and crew from fishing while clients are on board, line limits for other areas of the state, and reduced bag limits in areas of high harvest.
6. There is currently no charter industry representation on either the NPFMC or the AP. If the charter industry is considered large enough to be singled out for restrictive harvest regulations, surely it is large enough to warrant recognition as a part of the "Council Family". To even contemplate restrictive regulations without allowing our industry direct representation in the process is simply unacceptable.

Thank you for the chance to comment.

Sincerely,



Barry E. Bracken,
Secretary

**JUNEAU CHARTERBOAT OPERATORS ASSOCIATION
P.O. BOX 34522
JUNEAU, ALASKA 99803
(907)789-0165**

January 24, 1997

Secretary of Commerce
15th Street & Constitution Ave. N.W.
Washington, D.C.

Dear Secretary:

The Juneau Charterboat Operators Association has been aware for some time of the Alaska Longline Fisheries Association petition to the NPFMC to limit the use of charter boats in the halibut fishery. In following this issue we have come up with the following questions and comments.

Title III Section 302 (b) 2 (B) of the Magnuson Act states that :

(B)The Secretary, in making appointments under this section, shall to the extent practicable, ensure a fair and balanced apportionment, on a rotating or other basis, of the active participants (or their representatives) in the commercial and recreational fisheries under the jurisdiction of the Council. On January 31, 1991, and each year thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Merchant Marine and Fisheries of the House of Representatives a report on the actions taken by the Secretary to ensure that such fair and balanced apportionment is achieved.

We understand that there are in fact recreational representatives on other Fishery Management Councils in other parts of the United States. Since Alaska is the last place in this country with strong viable stocks of fish (including halibut), and a growing national public interest in catching one of those species for oneself it seems like the NPFMC is one that should certainly have adequate representation from all user groups.

Would you please explain why the NPFMC is comprised of 100% commercial industry representatives (other than government) and has no representatives from recreational or recreational charter groups?

Title III, Section 301 (a)(4)(A)(B)(C) of the Magnuson Act states that :

(4) Conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be

(A) fair and equitable to all such fishermen;

(B) reasonably calculated to promote conservation; and

(C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.

The NPFMC is currently entertaining several management alternatives for management of charter boats that carry recreational anglers halibut fishing. Virtually any "action" alternative would guarantee further commercial access to the resource while curtailing public access to this public resource. Recreational anglers take only 11% to 13% of the total harvest at present and chartered anglers take only a portion of that. Also, the recreational fisheries provide major economic benefits to local, state and national economics--chartered anglers especially.

In regard to economic values, the Alaska Department of Fish and Game reports that in 1988 anglers spent \$209 per day for sport fishing in Southeast Alaska. Anglers spent an average of \$245.00 per halibut retained. How much greater those costs are today isn't the point, rather, the economic value of the sport fisheries to the local, state and national economics is very high. The value of a sport caught halibut is no less than and likely considerably greater than a commercially caught fish.

The management alternatives under consideration were developed by commercial industry council members including the director of the Alaska Longline Fishermens Association (a voting council member). Given that any of the "action alternatives" would cause negative impacts to public access to a public resource and to local, state and national economies, we request that no action be taken by the NPFMC in regard to management of any recreational or sport charter industry. Given the NPFMC council members receive federal payment for managing the halibut resource for the citizens of this nation it would be totally improper to take action on recreational fishing/charter issues without equal representation from these users.

We ask that you respond to the above. Thank you very much.

Respectfully,



Mike Bethers
President
Juneau Charterboat Operators Association

cc:

Members, North Pacific Fishery Management Council
IPHC
Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young
Governor Tony Knowles
Charter associations

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**JUNEAU CHARTERBOAT OPERATORS ASSOCIATION
P.O. BOX 34522
JUNEAU, ALASKA 99803
(907) 789-0165**

January 24, 1997

Members
North Pacific Fishery Management Council
605 W. 4th Avenue #306
Anchorage, Alaska 99501-2252

Re: Comments on Alternatives for
sport charter fishery

Dear Council Members:

The Juneau Charterboat Operators Association (JCBOA) was founded in 1991 and represents the charter industry in the greater Juneau area. Our association has 44 members of the 55 to 60 boats making charter trips in the Juneau area. We support public access to public resources, work to educate the public on fishery resource issues and support only high quality charter/guiding activities. In 1996, 27% of the charter fleets fishing charters were directed toward halibut. In the Juneau area, 10% of the total marine fishing effort is conducted from charter boats (ADF&G).

Juneau, being located on the inside of the inside passage is dependent to a great degree on halibut that migrate seasonally to inner areas from the gulf. Over the years we have seen many swings in halibut abundance locally due primarily to stock abundance and commercial fishery management. Even though halibut fishing charters comprise less than 30% of our trips, providing halibut fishing opportunity to the public is a critical component of our business. All charter business set aside, its also very important that halibut be readily available for the public who wishes to catch their own fish, rather than buy it at the store.

The JCBOA submits the following comments on the Councils management alternatives for the halibut sport/charter industry.

Problem statement

The JCBOA does not agree that a problem exists in the current harvest levels of halibut by different user groups. One must keep in mind that the halibut resource is in fact a public resource to be managed for the public in such a way to insure that "no particular individual, corporation or other entity acquires an excessive share of such privileges" (Title II, Sec. 301 (a)(4)(A)(B)(C)) of the Magnuson Act.

The current problem statement appears to be an attempt to secure a public resource for 3,000-4,000 commercial halibut fishermen at the cost of access for several hundred thousand recreational anglers who may want to catch their own halibut. Over the years, as the halibut stock rebounded, the only increase in the utilization the individual recreational angler has received was in 1988 when the possession limit was increased from two to four fish. Commercial users received the lions share of benefits from increased stock abundance as commercial harvests increased from 25 million pounds in 1974 to 60 to 70 million pounds in recent years.

During this period, the individual recreational anglers utilization of the resource was limited to 2 fish per day. It is unfortunate that adequate recognition was not given to recreational fisheries in earlier fishery management plans or during design of the IFQ fishery program.

The JCBOA is satisfied with the current 2 halibut per day limit however, supports more equitable distribution of the resource during times of high abundance rather than seeing all increased production being taken commercially.

Timing of these discussions on curtailing public access to a public resource seems totally inappropriate given the I.P.H.C.'s recent announcement of substantial increase in harvestable halibut in 1997. Recreational anglers are projected to take only 7 million pounds or 10.8% of the total harvest in 1997, and chartered anglers take only a portion of this. We feel the NPFMC's efforts would be better expanded in addressing waste and by catch in commercial fisheries, and determining how to better provide public access to the resource. In 1995, nearly 470,000 recreational anglers of which 48% were non-residents fished Alaska waters. Given that Alaska is about the only state left in the union that has viable stocks of fish including halibut, we can expect increased interest from recreational anglers wanting to catch their own fish.

In closing, we understand the halibut charter problem was developed by commercial halibut fishermen, including a voting councilmember and other council members representing commercial industry. We view this as a direct conflict of interest, given that the federally funded council members are charged to manage the public resource according to Title III, sec 301, of the Magnuson Act while at the same time are attempting to promote commercial usage while curtailing public access to the halibut resource.

The JCBOA supports first and foremost the conservative management of the halibut resource to insure the long term sustained yield to users. Harvestable surplus should be equitably divided among user groups including the citizens of the United States that wish to catch their own fish.

Alternative 1. The JCBOA supports the status quo in regard to management of the recreational fishery and use of charter boats in this fishery. Please keep in mind that if either the halibut resource or the public interest in catching a halibut were not present, the charter boats certainly wouldn't be here either.

Alternative 2. This association does not support a log book program for charter operators. The value of this type of data would be questionable given the current relationship between charter operators, commercial industry and the managing agencies.

We would support additional data collection and expenditure of government funding only if a program were designed which would produce high quality useful data that is not currently being collected by the ADF&G. Perhaps the NPFMC could allocate additional monies to the existing ADF&G sport catch sampling program to increase sampling of halibut catches. The chance for duplication of effort and government inefficiency is too great if more than one agency get involved in sampling.

Alternative 3. The JCBOA is opposed to any annual allocation of TAC for the sport charter industry. It would be much more feasible to share the resource equitably as per the Magnuson Act rather than to put a hard cap on sport charter. Establishing such a cap on the sport charter harvest would further guarantee future stock increases for commercial use while causing greater cuts in public use during times of low abundance in direct conflict with the Magnuson Act. *Does ALFA really want to prevent local Alaska residents from employing a charter boat to fish while non-residents who tow their own boats to S.E. Alaska to continue to fish for halibut uninterrupted?

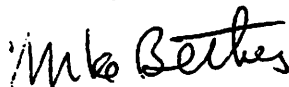
The concept of IFQ's being required by charter boats is seriously flawed. To begin with, the average charter operator in JCBOA has been in operation for nine years. Given that these operators were fishing during the qualifying years, shouldn't they be given IFQ's for free like a lot of long liners? Given that charter boats are not commercial fishing boats, once they acquired IFQ's would they be eligible for state commercial loans, insurance, and other benefits? Given that charter boats sell opportunity and not fish, would charter boats need an IFQ to fish for halibut, land a halibut, or would they be able to sell the halibut which was sport caught off a charter boat? Its clear that this concept needs a lot more thought.

Alternative 4. Establishing a moratorium on charter boats would have the same effect as capping the sport charter catch, that is, a reduction of public access to a public resource. We cannot agree with the need for this action given the small percentage of total catch that sport fishermen (and especially guided sport fishermen) are presently taking.

As mentioned earlier, there has to be public demand for fishing opportunity in order for a charter business to make it. There are a lot of charter boats operating that are not operating at a profit and some will drop out. At least in our area we believe that the supply and demand for charter services is somewhat balanced and would project that future increases in the number of active charter boats will be slower than in the recent past.

Thank you.

Sincerely,

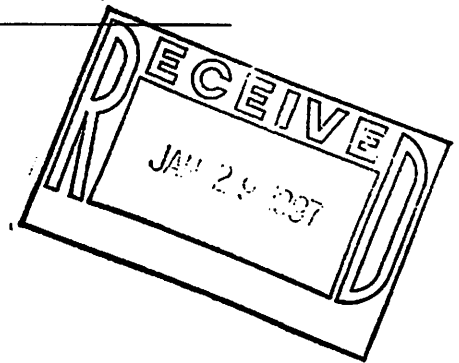


Mike Bethers
President,
Juneau Charterboat Operators Association

cc:
charter boat associations
IPHC

CAPTAIN MIKE'S CHARTERS
PO Box 269
HOMER, ALASKA 99603
(907) 235-8348

"HALIBUT FISHING IS OUR SPECIALTY"



January 25, 1997

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

RE: Charter Boat Limitation

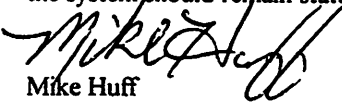
The Fishery Council should not be involved with the number of charter boats or IFQ's for the sport fishing industry.

If the intention of the Fishery Council is to regulate the amount of halibut caught by the sport fishing industry then they should regulate sport fishing licenses or let the Department of Fish and Game (as is presently the case).

As for IFQ's, I believe they already exist in the form of fishing licenses and bag limits, for halibut that is 2 fish per person per day. Department of Fish and Game sets this limit and it is already regulated.

Limiting the number of charter boats will create limited access to the sportsman. The number of charter boats fluctuate yearly and it seems to take care of itself. Captains and charter boats come and go with the demand, which depends on the number of customers available not bag number of fish.

If there has to be a restriction, perhaps a halibut stamp and punch card could be implemented by ADF&G which could change yearly as the halibut stock fluctuated. This would be easier to implement and much more simple to keep track of than IFQ's and boat limits. We definitely want to preserve the halibut fishery for the future fishermen. I suggest the present regulations are controlling the halibut stocks successfully and the system should remain status quo.


Mike Huff
Captain Mike's Charters

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
LABORATORY OF ORGANIC CHEMISTRY

RESEARCH REPORT NO. 100

1955

BY
J. H. HARRIS
AND
R. H. WILSON

CHICAGO, ILLINOIS

RESEARCH REPORT NO. 100

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
LABORATORY OF ORGANIC CHEMISTRY

RESEARCH REPORT NO. 100

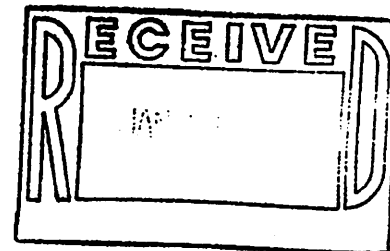
THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
LABORATORY OF ORGANIC CHEMISTRY

RESEARCH REPORT NO. 100

CHICAGO, ILLINOIS

PETRE'S CHARTERS

5901 Boondox Drive
Salcha, Alaska 99714
907-488-4589
Fax 488-4589



1/2/96

TO: North Pacific Management Council
From: Dennis Petre
Attention: Linda Behnken

For the past three years I have been watching the debate between commercial fishermen and sport charter operators on how the halibut resource should be divided. The commercial operators claim that the sport charters will take up too 50% of the halibut by the year 2000 thus taking away from the IFQ'S that they where give. The charter operators claim that the commercial figures are wrong and that the commercial claim is not backed by facts just speculation. My question to you Linda why hasn't anything been done to establish what the sport catch over the past 3 years has been?

Last year I was a delegate to the IPHC meeting in Canada. I made the suggestion to Calvin Blood, Doug Vince-Lang, and Scot Myer why don't they come up with some sort of log book that would track of the amount of fish, types, location, size, and the numbers of passengers that where being taken out by charter boats. The main reasons that they didn't support the idea was.

1. The records would not be accurate because the operators would have a tendency to over exaggerate their catches.

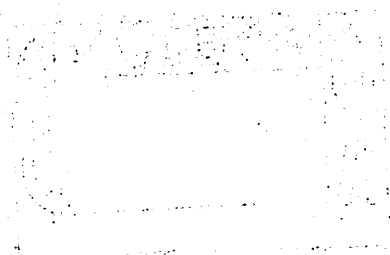
2. It would take to much time and expense to review the records.

I don't know how you feel on the subject but something has to be done. With out accurate information on what is being taken in each area how can we make fair and impartial management decisions.

I think the North Pacific Management Council should take action in this matter by requiring all business that transport sport caught halibut be required to have a Federal Sport Halibut Transporters License, or a Alaska Sport Fish Transporter License. You could charge \$100 per license to cover the cost of the program. This program needs to be in place before 1 May 96.

I would like to talk with you on this issue, feel free to give me a call.

Sincerely:



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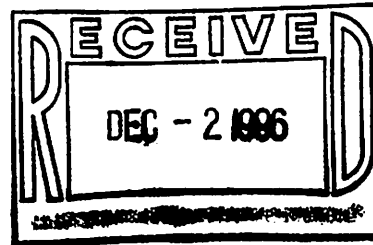
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+ Sitka Charter Boat Operators Association

P.O. Box 2422 -

1601 Sawmill Creek Rd. ~ Sitka, AK 99835

Phone (907) 747-7495



December 01, 1996

Clarence Pautzke
 North Pacific Fisheries Management Council
 605 West 4th Avenue, Suite 306
 Anchorage, AK 99501-2252

MANAGEMENT ALTERNATIVES FOR THE HALIBUT SPORT/CHARTER FISHERY

The Sitka Charter Boat Operators Association (SCBOA) has come to the following conclusions concerning the four management alternatives:

Alternative 1: STATUS QUO - SCBOA supports the status quo in the management of the halibut sport/charter fishery in most of the state. Halibut are a publicly owned resource and should be managed in the public's best interest. The recent history of the halibut fishery's management is one of privatization. The best use of the resource is to allow and even encourage the public to harvest their own halibut resource. Society as a whole should be allowed to choose if they would like to catch their own halibut or if they would like to purchase it from the longline fishery. In addition, in light of the recent International Pacific Halibut Commission's (IPHC) finding that there is an increase in the amount of exploitable halibut resource and their expectation of an increased catch level there is no well-founded reason to change from the status quo except in specific areas where the resource is in danger of being overutilized.

Alternative 2: FEDERAL REPORTING REQUIREMENTS- This alternative was very vague and had no details on a federal reporting requirement plan. This requirement is unnecessary and redundant in that the Alaska Department of Fish and Game already conducts a rigorous creel census in addition to a mail-in survey. This requirement also has the potential to be very burdensome upon the operators, depending on what it entails.

Alternative 3: ALLOCATE THE GUIDED FLEET A PERCENTAGE OF THEIR ACTUAL 1994 OR 1995 CATCH- This alternative is unacceptable as it is in direct conflict with managing a public resource for the benefit of the public. This alternative would limit the public access to their public resource. The alternative also conflicts with the State of Alaska's efforts to develop tourism. Alternative 3 would allow for little to no growth in the charter industry. The charter industry is one of the few growth industries left in the state. Southeast Alaska's economy, in particular, has been hit hard in the recent past with the closing of three major wood-products plants and declining salmon prices. By not allowing for growth in a high value-added industry that has no bycatch or waste and requires a relatively low capital investment, Alternative 3 would have a negative impact on the communities that are relying more and more on the guided sport fisherman. A statement from the ADF&G reads in part, this alternative "...given Total Allowable Catches (TACs) of halibut off Alaska are declining, could result in the sport fishery being closed inseason or result in more restrictive time/area/limits being imposed on this fleet and their clients. This is a real threat, given that halibut biomass off Alaska is declining at the rate of 10-15% per year and projections are for this decline to continue for the next several years. So even a (sic) given a cap of 140% of 1995 catches, real declines could be achieved in less than 4 years if biomass doesn't increase. Also, if the IPHC decreased the exploitation rate from 30% to 25 or 20% to rebuild stocks (which they have discussed doing), the

quota to the guided sport fishery would decline even faster." Although the IPHC now expects greater catch rates for the upcoming year, any change to that scenario would seriously impact the charter industry.

Alternative 4: ALLOW GUIDED SPORT TO PURCHASE OR LEASE IFQ'S FROM EXISTING IFQ PROGRAM- SCBOA finds this alternative outrageous as we would be asked to purchase IFQ's that were given to the longliners. Many of us guided sportfisherman for halibut during those same years that were used as qualifying years for the IFQ program. SCBOA also feels that Alternative 4 is illegal : We are not commercial fisherman and have never been considered commercial fisherman. Through our charter operations, we are not eligible for: Fisherman's Fund, Commercial Fishing Loan Programs, Marine Insurance, IFQs or limited entry permits. The fact that Alternative 4 can even be put forth by the Council as a serious proposal is indicative of the exclusive commercial make-up of the NPFMC and the lack of sport (guided and unguided) representation on the Council. This proposal should not even be considered by the Council, nor should it ever have been proposed. SCBOA is also very concerned about conflict-of-interest on the part of Council members who own IFQs, have relatives that do, or represent companies that do. How can these Council members vote on this alternative when they will clearly benefit from the increased demand for and subsequent value of their IFQs.

PROBLEM

SCBOA totally disagrees with the problem statement, as put forth by the Council, that is driving these alternatives as well as the guided sport study commissioned by the Council. Certain locales in the State (Sitka, for example) have been experiencing local declines in harvestable halibut. SCBOA attributes the decline to a migratory interception and not necessarily a local depletion (which assumes the fish are reaching the areas in question). There appears to be a direct correlation between the IFQ implementation and the Sitka Sound decline. With the IFQ fishery there is no incentive to travel any further from port than necessary. This has resulted in a concentration of fishing effort close to landing ports. There has been no analysis of harvest location data to even determine if there is a concentration of effort near port even though the situation is easily observed and obvious to local residents. Since the IFQ implementation, Sitka has risen from fifth to first for the Alaskan port with the most halibut landings. There is now a gauntlet of gear at all approaches to Sitka Sound as well as within the Sound itself. This longline gear is present in those areas for the duration of the eight month fishery. There is also serious concern that halibut catch credited to area 3A is actually being harvested in 2C. These factors, as well as others to a lesser extent, have contributed to local declines in harvestable halibut. However, SCBOA feels that it is our responsibility as a user group of the resource to do our part in addressing the issue. Therefore, SCBOA suggests the following proposal.

PROPOSAL

SCBOA proposes that the North Pacific Fisheries Management Council immediately implement a study to determine the extent to which the current IFQ program contributes to local declines. Such a study should be done independent of any influence by the Council and should not be overseen by the Council in any manner. SCBOA also proposes that the Council provide a mechanism, such as temporal closures, to adapt the present longline fishery in order to allow for migration of halibut into local, nearshore areas (e.g. Sitka Sound). In addition, SCBOA supports a moratorium on new entrants into the guided sport halibut fishery which would be applied on a local community basis, and would only be applied to those communities where needed to solve a local problem. In all cases, the local charter boat operators should be consulted and heavily involved in the process and decision-making on a community by community basis. SCBOA suggests the Council use a control date of Oct. 1, 1996.

Thanks for your consideration.

Bert Stromquist

Bert Stromquist, President SCBOA

cc: all charter boat associations in state

INTERNATIONAL PACIFIC HALIBUT COMMISSION*News Release*

November 21, 1996

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

HALIBUT COMMISSION COMPLETES INTERIM MEETING

NOTE → The International Pacific Halibut Commission conducted its Interim Meeting November 19 and 20, 1996 in Seattle, Washington. The IPHC staff presented a new stock assessment model which accounted for slower halibut growth rates, and incorporated bycatch mortality of legal-sized halibut and results from research surveys. Analysis done with the new model resulted in higher estimates of exploitable biomass in all areas relative to previous estimates. Work on this year's assessment is still ongoing, and total quantity of halibut available for harvest is not yet known. However, preliminary assessment results indicate that catch limits are likely to increase in all areas. The IPHC staff will release recommendations for catch limits on December 11, and a final determination will be made at the IPHC Annual Meeting January 27 to 30, 1997 in Victoria B.C. *! INCREASED*

The staff requests that industry proposals for regulations for the 1997 fishery be submitted by December 15, 1996.

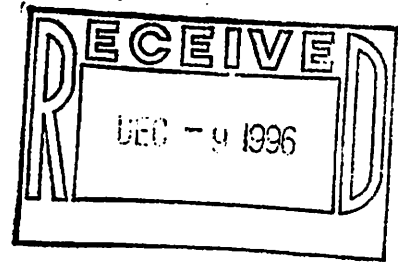
ALASKA AND BRITISH COLUMBIA FISHERIES CLOSED

The Alaska and British Columbia Individual Quota fisheries closed on November 15, 1996. Therefore, all areas are closed to commercial halibut fishing for the remainder of 1996. Preliminary commercial landing estimates for Alaska and British Columbia are 36.7 and 9.4 million pounds, respectively.

- END -

Donald A. McCaughran, Director
Phone: (206) 634-1838

Michael F. Amberg
Three Sons Charters
P.O. Box 1093
Kodiak, AK 99615
(907) 486-6824



December 1, 1996

Rick Lauber
Executive Director
NPFMC
605 West 4th Ave.
Suite 306
Anchorage, AK 99502-2252

re: ~~Limited entry on halibut charter boats~~

Dear Mr. Rick Lauber and council members,

In view of changes that are being proposed in the Guided Sport Halibut Fisheries, I am compelled to write to you.

My history and interest in this fishery is as follows; I am a 20 + year resident of Kodiak, arriving here in July of 76. Approximately 5 years ago the idea of starting a charter business began to blossom in my mind. It took another 4 years of planning and preparation until I acquired my Masters License, a suitable starter boat, and the necessary fishing gear and safety equipment. My aim was to keep my expenses down, so that I could still show a profit when taking out as little as 2 clients. My planning and preparation paid off the first year (1996) allowing myself to purchase a larger boat better suited to charters. Mine is a small family business, run by myself, my wife and sons. It is something that I hope I can pass down to my sons when I get older.

I have realized that with the increased interest in the Guided Sport Halibut Fisheries that increased management would take place. Having read the four alternatives that the NPFMC proposed and are now having

the University of Alaska's Institute of Social and Economic Research investigate, enclosed are my proposals and reasoning.

A combination of Alternative 2 and Alternative 4:

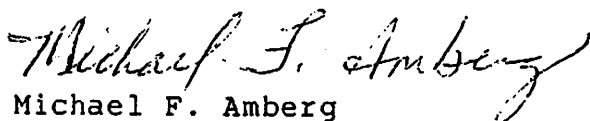
A moratorium on new entry into the Commercial Sport Halibut Fishery with the cut off date being date of inception of said moratorium. In addition requiring the Halibut Charter Operators to log and report their catches to the Federal Government.

This would allow all Charter Operators at present who have gone to the expense of licensing, and obtaining the necessary gear and equipment to remain in the fishery. I myself have invested considerable monies into entering this fishery, which has been a dream and ambition of myself, my wife and sons.

Additionally by requiring the Charter Boat Operators to log and report their catches to the proper agency, data can be accumulalated to begin formulating contingencies for the future.

Again I plead with the Council that if a moratorium date is set, that it begin at the date of inception of said moratorium to allow people already within the industry to remain. Practically all of the Charter Boat Operators are local year round residents to the locality that they operate in. Forcing them out of business would harm many small villages and cities economically.

Thank you for your time,
sincerely,


Michael F. Amberg

Hal Chant

Alaska Sport Fishing Guide/Charter Task Force

January 19, 1996

Dear Sport Fishing Guide:

Enclosed is a copy of the final licensing proposal adopted by the Alaska Sport Fishing Guide/Charter Task Force and a letter to Representative Austerman, the Chair of the House Special Committee on Fisheries, requesting legislative action on this proposal. Within this letter, the Task Force outlines its rationale for the proposed licensing package.

In adopting the final proposal, the Task Force amended the earlier draft you received to address several major issues heard during public testimony and in letters. Major revisions include:

- insurance requirements to obtain a sport fishing services license were reduced;
- the age requirement to obtain a sport fishing guide license was removed;
- helpers or assistants or deck hands on board a vessel who work directly under the supervision of and in the presence of a licensed sport fish guide were excluded from having to obtain a sport fishing guide license, and,
- persons who obtain a sport fishing services license were excluded from having to obtain a sport fishing guide license;

The Task Force also recommended that the current registration program adopted by the Alaska Board of Fisheries and run by the Department of Fish and Game be eliminated if the proposed licensing package is adopted. The Task Force also recommended that the legislature look for ways of to simplify current and proposed licensing programs, such as combining licenses where possible.

The next topic the Task Force plans to act on relates to the proposals the Alaska Department of Fish and Game made to the Board of Fisheries last year relating to restrictions on guide activities. These proposals were to:

- not allow guides to retain fish while guiding clients, and
- to limit the number of fishing poles in a guided fishing party to the number of clients.

A teleconference will be scheduled in February to discuss these two proposals.

SPORT FISHING GUIDE/CHARTER/OUTFITTER TASK FORCE
STATEWIDE LICENSING PROPOSAL FOR
SPORT FISHING GUIDES, CHARTERS, AND OUTFITTERS

The Sport Fishing Guide/Charter/Outfitter Task Force (hereafter referred to as the Task Force) is recommending a two-tier licensing system for businesses and individuals who offer sport fishing guiding, chartering, and/or outfitting services. One tier would require the owners and operators of businesses who provide such services to acquire a **SPORT FISHING SERVICES OPERATOR LICENSE**. This license would be administered through the State of Alaska, Department of Commerce and Economic Development, Division of Occupational Licensing. A second tier would require the individual guides who provide sport fishing guiding, chartering, and/or outfitting services in the field to acquire a **SPORT FISH GUIDE LICENSE**. This license would be administered through the Alaska Department of Fish and Game through its existing license vendors program, much like a commercial fishing crewmen's license. Under this two-tiered system, licensed sport fish guides would have to work under/for a licensed operator. To reduce the impact on small operators, individuals who acquire a **SPORT FISHING SERVICES OPERATOR LICENSE** would automatically obtain a **SPORT FISH GUIDE LICENSE**.

SPORT FISHING SERVICES OPERATOR LICENSE

A person or business may not provide sport fishing service operations without first obtaining a **SPORT FISHING SERVICES OPERATOR LICENSE** from the State of Alaska Department of Commerce and Economic Development, Division of Occupational Licensing. A **SPORT FISHING SERVICE OPERATOR** must meet the following requirements to be eligible for a license:

1. have a valid Alaska Business License and
2. show proof of a general liability insurance policy with an annual minimum aggregate coverage of \$300,000 for protection and indemnity.

A **SPORT FISHING SERVICES OPERATOR** must comply with reporting requirements which may be requested by the Department of Commerce and Economic Development and/or the Alaska Department of Fish and Game.

The fee for the **SPORT FISHING SERVICES OPERATOR** license will be set by the Alaska Department of Commerce and Economic Development to recover only the actual cost of issuing and

administering this licensing program. (Note: Based on discussions with the Department of Commerce it is estimated that the license fees will be between \$50 and \$75 per year.)

(Note: A majority of the public comments received by the Task Force expressed serious concern about the number of licenses, permits, and registrations currently required by the various state and federal agencies to legally operate a sport fishing guide, charter, or outfitting service in Alaska. The Task Force members fully recognize this problem and suggest that means be found to reduce the load. One option is to combine the **SPORT FISHING SERVICES OPERATOR LICENSE** with the Alaska Business License requirement. Unfortunately, the Task Force did not have the time or expertise to fully explore this option. The Task Force would encourage the legislature to look for ways to simplify current licensing programs, such as combining licenses where possible.)

Definitions:

A SPORT FISHING SERVICES OPERATOR is any person or business who provides services for fishing under sport, personal use, subsistence regulations for compensation or with the intent or agreement to receive compensation for providing fishing guides, guiding, outfitting or fishing clubs. A **SPORT FISHING SERVICES OPERATOR** does not include:

1. A person or business providing only transportation to or from the field, if the person or business providing the transportation does not assist, direct, and/or accompany the person(s) in the taking or attempting to take fish or shellfish under sport, personal use, or subsistence fishing regulations.
2. Selling, leasing, or renting goods that pertain to fishing, camping, or outfitting for sport, personal use, or subsistence fishing if the transaction does not take place in the field.
3. Selling tackle, bait, or fuel in the field as long as no other services are provided.
4. Renting vessels or skiffs in the field without an operator as long as no fishing equipment, gear, bait, tackle, or any other services are provided.

SPORT FISH GUIDE LICENSE

A natural person may not guide another person in the taking of or attempting to take fish or shellfish under sport, personal use, or subsistence fishing regulations without first obtaining a **SPORT FISH GUIDE LICENSE** from the Alaska Department of Fish and Game or hold a valid a **SPORT FISHING SERVICES OPERATOR LICENSE** from the Alaska Department of Commerce and Economic

Development. A **SPORT FISH GUIDE** must meet the following requirements while guiding:

1. be a U.S. Citizen or U.S. National;
2. hold a valid first aid and cardiopulmonary resuscitation (CPR) certification cards issued by the American Red Cross, American Heart Association, or an equivalent organization;
3. hold any appropriate license(s) to meet U.S. Coast Guard vessel operators licensing requirements;
4. hold a current State of Alaska Sport Fishing License; and,
5. hold a current Sport Fishing Guide License or a Sport Fish Services Operator License.

While guiding, a **SPORT FISH GUIDE** must have in his/her possession: proof of valid and current first aid & CPR training, drivers license or pictured identification, appropriate license(s) that may be required by the U.S. Coast Guard, a valid State of Alaska sport fishing license, a copy of their current **SPORT FISH GUIDE LICENSE** and a copy of the **SPORT FISHING SERVICES OPERATOR LICENSE** of the company they are employed under or their **SPORT FISHING SERVICES OPERATOR LICENSE**.

A **SPORT FISH GUIDE** must work under the authority of a licensed **SPORT FISHING SERVICES OPERATOR**.

The **SPORT FISH GUIDE** license would be purchased through the existing fishing and hunting license vendor system. The license would cost \$25 for residents and \$75 for non-residents. This money would go to the Alaska Department of Fish and Game to help pay for the cost of gathering data on the industry.

A **SPORT FISH GUIDE** may not contract directly with a person for the service of providing sport fish guiding services or outfitting for compensation or the intent or agreement to receive compensation, without acquiring a **SPORT FISHING SERVICES OPERATOR LICENSE**.

Definitions:

SPORT FISH GUIDING means a natural person who assist another person who is providing compensation or with the intent or agreement to provide compensation to a **SPORT FISHING SERVICES OPERATOR** to take or attempt to take fish or shellfish under sport, personal use or subsistence fishing regulations by accompanying and or directing that person personally for the duration of or any portion of a fishing trip. **SPORT FISH GUIDING** does not include

1. providing transportation to or from the field, if the person providing the transportation does not assist, direct, and or accompanies persons in the taking of or attempting to take fish or shellfish;
2. selling, leasing or renting goods that pertain to fishing camping or outfitting for sport, personal use, or subsistence fishing if the transaction does not take place in the field;
3. renting vessels or skiffs without a operator, as long as no fishing equipment, gear bait, tackle or any other services are provided;
4. selling tackle, bait or fuel in the field as long as no other services are provided and that natural person selling tackle, bait or fuel does not accompany or direct another person in the taking of or attempting to take fish or shellfish under sport, personal use, or subsistence fishing regulations; and,
5. helpers or assistants or deck hands on board a vessel who work directly under the supervision of and in the presence of a licensed **SPORT FISH GUIDE**.

OUTFITTING means the provision of services and equipment or other fish guiding services for sport, personal use or subsistence fishing in the **field** for compensation or with the intent or agreement to receive compensation.

FIELD means an area outside of established developments usually associated with a city or town and areas and waters not reasonably accessible by foot along the State of Alaska road system. Field does not include permanent hotels, bed & breakfast, or roadhouses on the state road system.

FISHING CLUBS means an organization that offers use of property, equipment or services to individuals who pay a fee for the privilege of using the property, equipment, or services for sport, personal use or subsistence fishing.

January 17, 1995

Representative Alan Austerman
Alaska House of Representatives
Chair - Fisheries Committee
State Capitol
Juneau, AK 99801

Dear Alan,

As you are aware, the Alaska Board of Fisheries considered several proposals relating to the Alaskan guide/charter industry at its March 1995 meeting. Given the complexity of this issue, the Board opted to create a task force to make recommendations regarding the orderly development of the Alaskan guide/charter industry. The task force is composed of members of the Alaskan guide/charter industry and the public.

The task force met several times during the spring of 1995 and developed a mission statement and identified issues for consideration and review (refer to the attached mission statement). After much discussion, the group decided to focus their initial efforts towards developing a statewide licensing proposal for sport fishing guides, charters, and outfitters. The group met several times during the fall of 1995 to develop a draft licensing proposal. The draft proposal was mailed out to over 3,000 companies and guides who registered with the Alaska Department of Fish and Game as sport fishing guides and charters during 1995 soliciting their comments. In addition, a teleconference with your committee was held soliciting public opinion. The Task Force held another meeting in January 1996 to discuss the comments received. After considerable discussion, the draft proposal was amended to address several major concerns identified. The final licensing proposal of the Task Force is attached for your review and consideration as substitute language for HB 175. This final proposal received unanimous support of the Task Force.

The Task Force believes that a comprehensive licensing system is needed to better define this diverse industry. The proposed licensing system provides needed definitions for companies and individuals who provide sport fishing guiding, chartering, and outfitting services. Through such definitions, it is hoped that the industry can be more fully identified and organized. It is also believed that the definitions will close loopholes in current definitions, thereby providing a level playing field for the industry and for

better enforcement of regulations pertaining to sport fishing guides and charters. It is also hoped that comprehensive licensing will add stability to this economically important industry which supports many jobs throughout Alaska. Insurance requirements for companies and safety requirements for guides are stipulated to assure that anglers utilizing this industry are protected and a professional level of service is maintained. The proposed license package also establishes fees and reporting requirements that provide the needed foundation to help management agencies build a reasonable and stable regulatory environment to assure for the long term health of both the industry and the resource it depends upon.

Please feel free to contact me if you have any questions. I will be glad to testify in front of your committee when the bill is introduced and/or discussed. I believe I can add significant background to the Task Force's recommendations and the extensive public process used to arrive at the proposed licensing system.

Again, thank you for your interest in helping this issue move forward.

Sincerely,

Bud Hodson
Chair, Sport Fishing Guide/Charter/Outfitter Task Force

MISSION STATEMENT GUIDE/CHARTER TASK FORCE

April 14, 1995

The guide/charter industry is an important component of fisheries throughout Alaska, providing access to fishing opportunities throughout Alaska. At its March 1995 meeting, the Alaska Board of Fisheries considered proposals relating to the Alaskan guide/charter industry. Given the complexity of this issue, the Board created a task force to make recommendations regarding the orderly development of the Alaskan guide/charter industry. The task force is composed of members of the Alaskan guide/charter industry and the public.

The task force's mission is to evaluate and recommend regulatory and legislative options regarding the management and development of the Alaska guide/charter industry. The task force has identified the following issues for consideration and review:

1. *guide/charter definitions*
2. *requirements/standards*
3. *guide/charter restrictions*
4. *guide/charter reporting*
5. *statewide licensing*
6. *participation*

The task force will be scheduling meetings throughout Alaska to solicit public comment. The task force is scheduled to report back to the Board of Fisheries at its October 1995 meeting and to complete their recommendations for possible regulatory and statutory actions by the end of January 1996.

For further information, please contact Bud Hodson, Chairman Guide/Charter Task Force, at (907) 243-8450 or Doug Vincent-Lang of the Alaska Department of Fish and Game, Division of Sport Fish, at (907) 267-2218.

Task Force Members		
Bud Hodson, Chair Tukwila Narrows Lodge (907) 243-8450	Robert Ward A-Ward Charters, Homer (907) 225-7911	Bruce Knowles Big Fishermen Charters, Wasilla (907) 745-4965
Ken Rolfe Waterfall Resort, Kenai (907) 745-9461	John Goodhand Goodhand's Fishing Charter, Valdez (907) 479-5502	Paul Carter Recreational Angler, Anchorage (907) 465-2647
Ken Parker Alaskan Charterboat Association (907) 749-8907	Ken King, Vice Chair King's Budget Charters, Kenai (907) 262-4522	Lyndi Wainwright Chairman, Homer Advisory Board (907) 235-3351

January 28, 1997

North Pacific Fisheries Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Alaska Premier Charters, Inc.

Re: Halibut Charter Issue

Dear Council Members,

My name is Theresa Weiser. As a charterboat operator and owner of Siginaka Lodge in Sitka, for the past seven years, I would like to give public comment regarding the current North Pacific Fisheries Management Council's proposed alternatives for the halibut charter industry.

- **Alternative 1.** I support status quo. However, I am not opposed to considering LOCAL management measures for localized depletion areas only, that would provide halibut for residents, and stabilization for the local halibut charter industry. That is why I support the work of our Sitka halibut task force and the end result that they have agreed upon for our area, and would ask that you support it also. It is only a beginning step to address the localized depletion problem, but not the complete solution.
- However, "Regulation without Representation" is unacceptable! "ZERO" recreational representation on your Council appears to violate the Magnuson Act. I find it appalling that this Council is the ONLY Fisheries Regional Management Council in the United States with "ZERO" recreational representation! Until this situation has been formally rectified, I would caution you to go very slow regarding imposing management measures on the halibut charter industry. (See attached Table 1. Apportionments: Numbers of Appointed RFMC Members, Sorted by Fishing Interest Sector)
- **Alternative 2.** I do not support a logbook program for the charter operator as such. However, I support a program for additional data collection which would produce high quality useful data that is not currently being collected by ADF&G. This should be done through one agency only, to avoid duplication of effort and government inefficiency.
- **Alternative 3.** I am VERY OPPOSED to an allocative cap for the halibut charter industry. And in light of the latest announcements from IPHC on January 28, 1997 regarding their plans to increase the TAC of halibut gulf wide, I see NO conservation reason to cap the charter industry at this time. The charter industry is harvesting a very small percentage of the overall halibut quota and this percentage will be even smaller when the overall quota is raised. This alternative guarantees further commercial access to the resource, while curtailing public access to this public resource.

Before the Council addresses capping the charter industry specifically; one question must be answered. What about the loophole this guided cap would create, regarding the large number of non-residents that come to Alaska with there own boats and would be able to fish for halibut uninterrupted???

- **For the halibut charter industry to remain stable, we need an uninterrupted fishing season (May through August) which means that the opportunity and the expectation to catch and retain halibut by the clients will always remain present.**
- Public testimony admitted by IFQ holders at the January 1997 IPHC meeting indicated that because there is no economic incentive to fish any further from port than necessary, IFQ fishermen are fishing as close to port as possible. I have seen and experienced first hand this "gauntlet of longline gear" located in front of Sitka Sound over a period of several months. This is a problem because the "gauntlet of longline gear" effectively intercepts the majority of halibut migrating into near shore areas such as Sitka Sound and Salisbury Sound. I perceive a direct correlation between the implementation of the IFQ halibut fishery and the low abundance of halibut in Sitka Sound and Salisbury Sound.
- **SOLUTION: I support a mechanism whereby the IFQ commercial fishery can be regulated /adopted to allow a longline gear free corridor for halibut to migrate back to the Sitka Sound and the near shore areas annually. An example would be a longline gear free corridor out to 100 fathoms from Necker Bay to Khaz Buoy, or the 3 mile limit for some specific length of time like March 15th to July 1st, or June 1st to August 31st. Similar mechanisms may need to be implemented in front of other populated areas throughout Alaska, to allow halibut to migrate back to the near shore areas that are also experiencing localized depletion of halibut.**
- **Alternative 4. The proposal to allow charter operators to lease or buy IFQ's from longliners so their pre-booked clients could still fish for halibut if a sport cap had been reached in a given year, is completely unworkable! My clients book 4 - 12 months in advance, and plan early for their vacation leave to take a multi-day Alaskan fishing trip. It would be absurd for a July and/or August client to have to pay an additional large fee (\$500.00) to keep the halibut they catch, because the early season anglers had already caught the halibut sport quota. This alternative would wipe out most charter businesses because of the high costs involved, and the ever present potential for an interrupted fishing season. This would put into constant question, whether the opportunity and expectation to catch and retain halibut by the clients would exist at all.**
- The commercial IFQ fleet has no distance or time restrictions to get to decent fishing grounds, but are currently fishing very close to port, as I have previously mentioned. At this time, there is no economic or regulatory reason for the IFQ fleet to go any further from port than necessary.
- The charter fleet is limited to a maximum number of traveling hours to reach decent fishing grounds for half day and full day charters. By the nature of our Coast Guard licenses as charter captains, we can not operate a vessel more than 12 hours total on the water per day, unless we have a relief captain on board. This time limitation creates natural boundaries of the areas we have available to us for halibut fishing. (Southeast Alaska has a six line limit for all sportfishing vessels, which does not make it cost effective to hire a relief captain.)
- **Therefore, the charter fleet and IFQ fleet are currently competing for the same halibut resource in the same near shore areas. The commercial IFQ user group (Class A, B, & C vessels) needs to compromise by fishing outside of this disputed area because they have t**

ability to do so. The charter fleet does not have this same ability.

A SIMPLE SOLUTION:

Implement the necessary regulatory measures restricting the IFQ commercial halibut fishery as follows:

Option 1. Create a regulatory mechanism whereby the IFQ commercial fishery can be regulated to allow a (narrow) longline gear free corridor for halibut to migrate annually back to Sitka Sound, and the near shore areas for a specific length of time each year.

(Implement these same restrictions for other populated areas throughout Alaska, that are also experiencing localized depletion of halibut.)

Option 2. (More restrictive) Create a regulatory mechanism whereby the IFQ commercial fishery (class A, B, & C vessels) are restricted from fishing no closer to port than xxx miles. Class D vessels due to their size limitations would be exempted from this restriction.

~~I realize the above solution is not very palatable to IFQ fishermen, but it is future reality. Since the Sitka charter fleet has already agreed to give up charter fishing in Sitka Sound through the Sitka Halibut Task Force I feel we need to maintain access to a reasonable area outside the Sound that is still within our time limitations where we can still operate. Does this make sense to anybody on the Council?~~

Halibut are a public resource belonging to all U.S. citizens! Alternatives 2, 3, & 4 would guarantee further commercial access to the halibut resource, while curtailing public access to this public resource. Recreational fisheries provide major economic benefits at the local, state, and national levels. These alternatives would cause serious negative economic impacts to both local and state economy. In closing, rather than unnecessarily limiting the halibut charter industry, it would be more productive to direct the efforts of the NPFMC towards reducing bycatch, mortality, and wastage. Thank you for your time.

Sincerely,



Theresa Weiser
ALASKA PREMIER CHARTERS, INC.
Siginaka Lodge

SITKA CHARTER BOAT OPERATORS ASSOCIATION
PO Box 2422 Sitka Alaska 99835
907-747-7495, Fax 907-747-3646

January 29, 1997

North Pacific Fisheries Management Council
605 W 4th Ave, Suite 306
Anchorage, Alaska 99501-2252

Dear Council Members:

I am writing to add the following information to our comments on the halibut charter issue, which is being considered during your February 1997 meeting in Anchorage.

We faxed our comments on the four alternatives on December 1, 1996. We now feel compelled to add a protest in how the alternatives were developed. Chairman Lauber appointed a Halibut Charter Task Force in September 1993. The Halibut Charter Task Force was directed to come up with a plan for a moratorium on halibut charterboats. Their findings were presented at the January 1995, Council meeting in Anchorage. This Charter Task Force never discussed any other management schemes for the charter fishery.

Also at this Anchorage meeting, a member of the Advisory Panel (which has no charter representative) proposed three management schemes for the halibut charter fishery. The Advisory Panel voted to pass these management alternatives to the full Council (which also has no charter representative). The Council added the *status quo* alternative. Four management alternatives for the charter fishery, none reflecting charter input, were thus adopted.

We feel it is in violation of the Magnuson-Stevens Fishery Conservation and Management Act, for the North Pacific Fishery Management Council (NPFMC) to take regulatory action on recreational anglers without recreational representation on the Council.

We are not against being regulated. But, we want to be an active participant with noncommercial representatives on the Council, to insure the fairness of any regulation imposed on us. This is the only Regional Council in the nation without ANY recreational fishing representatives.

Here are some other points we would like you to consider.

- 1) By weight, the removal of halibut by the sport fishery in Alaska is roughly one half the amount of removals by waste and bycatch. We look forward to your decisions which will reduce waste and bycatch of halibut in other fisheries. The harvest of halibut in the sport fishery is as "clean" as they come.
- 2) Halibut caught on charterboats are the ultimate in a value added product. Individuals spend thousands of dollars to travel to Alaska, for the opportunity to catch a single halibut.
- 3) Historically, chartering in Sitka, is documented back to 1879, when a Navy commander hired local boats to go fishing and exploring.
- 4) Halibut are public resource. The public deserves access to a much larger share of the "pie" than the approximately 11.7 percent they caught in Alaska, in 1996. If a person from within or outside the state has the resources and desire to catch their halibut for food rather than buy it in the grocery store, that should be their right.
- 5) Recent testimony at the International Pacific Halibut Commission (IPHC) Annual Meeting confirmed our assessment that the Individual Fishing Quotas (IFQ) encourages commercial fishing for halibut close to ports. This leads to frequent competition between recreational anglers and commercial fishers.
- 6) The revised stock assessment model, which increases the Gulf of Alaska total allowable catch for commercial fishers by approximately 36%, should also encourage sharing this increase with recreational anglers. Options could include an increase in bag limit, and /or possession limit, liberalization of methods and means for subsistence users or other measures designed to increase opportunity for non-commercial halibut users.
- 7) According to information presented at the IPHC 1997 Annual Meeting, halibut harvest by sport anglers in Alaska, has remained relatively stable since 1993.

Thank you for the opportunity to comment on this issue.

Sincerely,



Bert Stromquist
President SCBOA

Attachment

ATTACHMENT 1

Magnuson-Stevens Fishery Conservation and Management Act

Section 3. Definitions, as used in this Act, unless the context otherwise requires--

(3) The term "charter fishing" means fishing from a vessel carrying a passenger for hire (as defined in section 210(21a) of Title 46, United States Code) who is engaged in recreational fishing.

(32) The term "recreational fishing" means fishing for sport or pleasure.

(4) The term "commercial fishing" means fishing in which the fish harvested, either in whole or in part, are intended to enter commerce or enter commerce through sale, barter or trade.

Title III, Section 302.(b)(2) (B) states in part " The Secretary, ...shall...ensure a fair and balanced apportionment,...of the active participants in the commercial and recreational fisheries under the jurisdiction of the Council".

01/23/97 16:07

Table 1. Apportionments: Numbers of Appointed RFMC Members, Sorted by Fishing Interest Sector⁵

		1993 - 1995 RFMC MEMBERSHIP				
		COMMERCIAL	RECREATIONAL	OTHER	TOTALS	
NEFMC	1993	7	4	0	11	
	1994	7	4	0	11	
	1995	8	3	0	11 ⁶	
MEFMC	1993	3	4	5	12	
	1994	3	4	5	12	
	1995	(3)	(4)	(5)	(12)	NO/OBLIGATORY
SAFMC	1993	3 ⁶	5 ⁶	0	8	
	1994	3	5	0	8	
	1995	3	5	0	8	
GFMC	1993	4	4 ⁶	3 ⁶	11	
	1994	6	3	2	11	
	1995	(6)	(3)	(2)	(11)	TK/OBLIGATORY
CFMC	1993	3	1	0	4	
	1994	2	2	0	4	
	1995	(2)	(2)	(0)	(4)	FR/OBLIGATORY
WFMC	1993	3	2	2	7	
	1994	3	2	2	7	
	1995	3	2	2	7	
PFMC	1993	2	5	1	8	
	1994	3	4	1	8	
	1995	(3)	(5)	(1)	(8)	TD/OBLIGATORY
MFMC	1993	7	0	0	7	
	1994	7	0	0	7	
	1995	5	0	2	7	
ALL COUNCILS	1993	32 ⁶	25 ⁶	11 ⁶	68	
	1994	34	24	10	68	
	1995	(33)	(23)	(12)	(64)	

⁵ At this writing, memberships for four Councils, as indicated in Table 1 (i.e., the NEFMC, MEFMC, CFMC and PFMC obligatory seats) are incomplete.

⁶ Includes change in interest sector representation of an incumbent member.

CLARION

FRIDAY-SUNDAY, JANUARY 17-19, 1997 Soldotna/Kenai, Alaska

Alaskans should be thankful

Non-resident anglers have taken a real beating, lately. Since they're not here to defend themselves, I guess I'll give it a try.

In recent years, commercial fishing interests have been demonizing non-resident anglers and everyone who has anything to do with them. They have criticized and ostracized sport-fishing guides. To hear them tell it, tourism is destroying Alaska's fishing industry.

Bilge water. Farmed salmon is what has the industry on the ropes, not sport fishing. In recent years, fishing for sport has been a lifesaver to many of our small communities. It has bailed out more than a few over-capitalized commercial fishermen, and will continue to do so.

Kevin Delaney, director of the Division of Sport Fish, is another longtime Alaskan with strong feelings about this continual pummeling of our fishing tourists. When I asked him how he felt about it, he said, "For this state to launch a big non-resident bashing campaign in an effort to improve its fisheries management is unwarranted and unwise."

According to Delaney's figures, the average non-resident angler takes home slightly less than one salmon.

Yet, we hear rumors about "tons and tons" of salmon going outside in motorhomes being driven by blue-haired snowbirds and sold in flea markets.



LES PALMER
AN OUTDOOR VIEW

Some of that goes on, but it raises a question: If canned salmon is such a hot item at those flea markets, why don't the marketing gurus from the Alaska Seafood Marketing Institute go down there and learn how to peddle salmon from those flea-marketers?

Not that tourists don't get greedy. But Alaskans have 365 days a year to be greedy, and it's easier for us to catch and process those "tons and tons" of fish. If one of Gov. Tony Knowles' famous studies were to be done on greed,

residents would be shown to far surpass non-residents.

In their growing desperation, commercial fishermen keep trying to divide anglers. By doing so, they hope to improve their chances of prevailing politically, an old habit they are loath to give up.

Last fall, in the guise of "Salmon for Alaska's Future," they sent me a stack of propaganda. One flyer, "The Myth-Buster — Separating Fact from Fiction in Alaska's Fishing Politics," stated the following:

for summer's visiting anglers

"MYTH: More Alaskans hold sport fishing licenses than non-residents.

FACT: According to ADF&G/Sport-fish, non-resident sport fishing licenses now outnumber resident licenses by more than 50,000!"

Indeed, in 1995, the latest year for which statistics are in, non-resident license holders outnumbered resident license holders by 61,593. But, if I were trying to paint tourists as bad guys, I would want to show those nasty non-residents outnumbering the poor locals at the overcrowded fishing holes, which the "Myth Buster" failed to do.

Fact: In 1995, about 64,000 residents weren't required to have licenses because they were 60 or older, or they were under 16.

Fact: In 1995, about 51 percent of all anglers who sport fished in Alaska were residents (240,566), and 49 percent were non-residents (228,870).

Fact: In Southcentral, where 71 percent of the state's total effort occurred, 55 percent of all anglers who sport fished were residents (187,452), and they accounted for 66 percent of the total effort.

Let's look at who is picking up the tab. Non-residents have been paying most of the cost of the state's sport-fish program for several years. In calendar year 1995, a total of \$10,531,107 in gross revenues were received by the state for the sale of license fees and king salmon tags. Of this, those dirty no-account

non-residents paid 69 percent. Residents, many of whom get cheap or free licenses and tags, only paid 31 percent. According to Delaney's numbers, when money from federal excise taxes are included, non-residents pay about 85 percent of the bill.

The media should get some of the blame for our attitude toward fishing tourists. We never read about the hundreds of happy souls who come up here and max out their charge cards, fish for two days and fly home to Ohio with a humpy in a cooler and a lifetime's worth of memories.

Not much drama, there. Nothing to hate. It's more fun targeting the blue-hairs herding their land yachts up here every summer, stuffing them full of salmon and taking them home to sell for gas money. Or the foreigners.

Instead of vilifying our fishing tourists, we'd better start learning to appreciate them. They pay as much in license fees (\$15) to fish for three days as some residents pay to fish all year. Are we to begrudge them a box of fish to take home after they've spent a small fortune in our community? Should we kick them around for fishing a day or two, while we can fish every day of the year?

We're very foolish, if we do.

Les Palmer is a free-lance writer who lives in Sterling.

SPORT FISHING'S OVERWHELMING ECONOMIC BENEFITS SHOWN IN NEW STUDY

A federally and provincially funded economic study released today clearly demonstrates the value of sport fishing to the people of British Columbia and Canada. The study, *The Economic Value of Salmon: Chinook and Coho in British Columbia*, measures the economic benefits of chinook and coho salmon in the recreational and commercial fishing sectors.

The study is based on data from 1994 and demonstrates these key economic findings:

1. Expenditures. **\$501 MILLION** was injected into B.C.'s economy in 1994 alone by chinook and coho anglers, compared with \$78 million from the commercial sector. This is particularly striking considering that recreational anglers caught 20% of the chinook and coho (combined) taken by commercial fishermen. As a point of comparison on expenditures, a sport-caught salmon (chinook or coho) generates \$671 per fish versus \$26 per fish for the commercial sector.

2. Economic impacts. With respect to Gross Domestic Product (GDP), recreational fishing for chinook and coho contributes five times the economic value for Canada while having only 20% of the impact on the resource.

3. Jobs. Sport fishing generates nearly six times as many jobs in British Columbia and five times as much in wages and salaries as the commercial industry.

4. Government Surplus. The report refers to government surplus including licence fees, taxes and unemployment insurance for both sectors. The recreational sector accounts for \$66 million in government surplus while the commercial sector shows a government deficit of \$2.4 million.

5. Net Economic Value. Recreational anglers generate seven times the net economic value to the Canadian economy as the commercial fishery. Notably, chinook salmon have twelve times the net economic value to the recreational sector as the commercial sector.

"Conservation and sustainability of our precious salmon stocks is critical," said Tim Cyr, President of the board of the Sport Fishing Institute. The Department of Fisheries and oceans should move toward their 1994 policy goal of "not just counting fish" but using economic factors in resource management. With a value of \$741 million annually to the Canadian economy, sport fishing cannot be ignored.

Looks like Canada has it figured out, what's wrong with Washington? ...Ed.

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Halibut Management Proposal International Pacific Halibut Commission

12/14/96

Page 1

Proposed by:

**Valdez Charter Boat Association
P.O. Box 2850
Valdez, Alaska 99686
Contact ph. # 907- 479-5562**

Brief Statement of proposal:

This proposal requests the commission to initiate a regulatory amendment for area 3A halibut fishery which would close that area of Prince William Sound, within the 3 mile limit from Cape Puget to Point Bentinck and to include Seal Rocks and inclusive of all waters of Prince William Sound to commercial fishing of halibut. Vessels "D" would be exempt from this closure because of safety concerns. Impacts to sportsfishing was never once considered in the research and development and implementation of IFQ's.

Objective of Proposal: (what is the problem?)

With the implementation of IFQ's and the ability for commercial vessels to fish whenever they choose between March 15 and November 15, this new competition for the halibut in the same areas and at the same time fish are being harvested by Sportfishermen is causing conflicts on traditional sportsfishing grounds and potential localized stock depletion.

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

The International Pacific Halibut Commission is the management body authorized to make area closures affecting the Alaskan halibut fisheries.

Halibut Management Proposal International Pacific Halibut Commission

12/14/96

Page 2

Proposed by:

**Valdez Charter Boat Association
P.O. Box 2850
Valdez, Alaska 99686
Contact ph. # 907- 479-5562**

What Will Happen if Nothing is Done?

Localized stock depletion and unnecessary user group conflicts.

Who is Likely to Benefit?

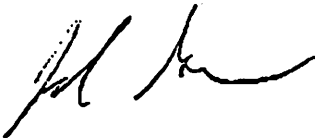
The small boat fleet and the Sportfishermen will once more have a reasonable opportunity to harvest fish.

Who is Likely to Suffer?

No one. The larger vessels typically have larger IFQ's and fish where the abundance of fish is greater.

Other Solutions Considered:

None.



**John Goodhand, President
Valdez Charter Boat Association**

**HALIBUT MANAGEMENT PROPOSAL
INTERNATIONAL PACIFIC HALIBUT COMMISSION**

Proposed this 14th day of DECEMBER, 1996

Proposed by: DEEP CREEK CHARTERBOAT ASSN.
P.O. BOX 39423
NINILCHIK, ALASKA 99639
(907) 567-3518

BRIEF STATEMENT OF PROPOSAL:

This proposal requests the commission to initiate a regulatory amendment for the area 3A halibut fishery which would close that area in Cook Inlet from a latitude line of Bluff Point to a latitude line of Spring Point and all waters north of this line in upper Cook Inlet to commercial fishing for halibut. Vessels D would be exempt from this closure because of safety concerns and their history of participation in the upper Cook Inlet halibut fishery.

OBJECTIVE OF PROPOSAL: (What is the problem?)

With the implementation of IFQ's and the ability for commercial vessels to fish whenever they choose between March 15 and November 15, this new competition for the halibut in the same area and at the same time fish are being harvested by recreational fishermen causes great concern that there is potential for localized stock depletion. Conflicts between commercial, recreational sport and guided sport anglers are also of great concern.

NEED AND JUSTIFICATION FOR COMMISSION ACTION: (Why can't the problem be resolved through other channels?)

The International Pacific Halibut Commission is the management body authorized to make area closures affecting the Alaskan halibut fisheries.

HALIBUT MGMT. PROPOSAL
INT'L. PACIFIC HALIBUT COMMISSION
PROPOSED BY DEEP CREEK CHARTERBOAT ASSN.
DECEMBER 14, 1996
PAGE 2

WHAT WILL HAPPEN IF NOTHING IS DONE?

Localized stock depletion and unnecessary user group conflicts. Vessel crew safety concerns.

WHO IS LIKELY TO BENEFIT?

Small boat halibut fleet and coastal communities.

WHO IS LIKELY TO SUFFER?

No one. Larger vessels typically have larger quotas and therefore fish further offshore.

OTHER SOLUTIONS CONSIDERED:

NONE

SIGNED THIS 14TH DAY OF DECEMBER, 1996



TIMOTHY R. EVERS

PRESIDENT

DEEP CREEK CHARTERBOAT ASSOCIATION

Halibut Management Proposal

International Pacific Halibut Commission

3.**12/14/96****Page 1****Proposed by:****Valdez Charter Boat Association****P.O. Box 2850****Valdez, Alaska 99686****Contact ph. # 907-479-5562****Brief Statement of proposal:**

This proposal requests the commission to restore guided and non guided sportfish bag limits from the current 2 fish per day and 4 in possession, to 3 fish per day 6 in possession.

Objective of Proposal: (what is the problem?)

With the proposed increase in commercial catch by the proposed 36%, this would be the only way to allow Sportfishermen to increase their catch. Sportfishermen simply can not excess the increase in harvest any other way.

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

The International Pacific Halibut Commission is the management body authorized to instruct the Department of Fish and Game of the State of Alaska for sportfish bag limits changes.

Further, the smaller size of the average halibut, due to commercial fishing practices, is reducing the meat in the freezer for the general public.

Halibut Management Proposal International Pacific Halibut Commission

12/14/96

Page 2

Proposed by:

**Valdez Charter Boat Association
P.O. Box 2850
Valdez, Alaska 99686
Contact ph. # 907-479-5562**

What Will Happen if Nothing is Done?

Sportfishermen will not be able to harvest their fair share of the halibut stocks. This will also be a windfall to commercial fishermen.

Who is Likely to Benefit?

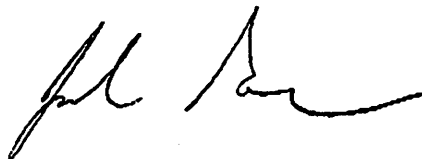
The general public.

Who is Likely to Suffer?

No one, due to the health of the bio-mass.

Other Solutions Considered:

No increase to any user groups over 1996 levels.



**John Goodhand, President
Valdez Charter Boat Association**

**PROPOSAL FOR NPFMC ACTION ON THE HALIBUT CHARTER BOAT
ISSUE**

FROM THE AD-HOC HALIBUT CHARTER BOAT WORKING GROUP

February 7, 1997

The ad-hoc working group convened at the request of Chairman Lauber to provide input to the Council on halibut charter boat industry issues.

Of primary importance to our industry are measures which provide stability through uninterrupted seasons, consistent bag limits, etc. which are necessary to assure marketable client expectations.

As indicated in our testimony, we appreciate the efforts made in the ISER report and the amount of information it provides. We are, however, concerned that the report did not provide a realistic depiction of the Alaska charter boat industry. In particular, the very general state-wide overview does not account for the complexity of the industry and the substantial regional and local differences between fleets. Many of the shortcomings of the analysis may be because of the limited scope of the request and the fact that the Council applied traditional and familiar commercial fishing solutions to recreational fishing issues. We are hopeful that future analyses will take these differences into consideration. To accommodate these differences, there is a need for a process to assure that our industry is directly involved in developing management alternatives.

We also feel that in many areas of the state the halibut sport charter industry has matured and is expanding at a much slower rate than indicated in the ISER report. More realistic projections of industry growth need to be developed. Perhaps Alaska Tourism Council (ATC) visitor profiles or other information on the visitor trade could serve as proxy for charter boat activity until an independent data base can be established.

Our recommendations are prioritized in order of importance and are separated into two categories; those which require immediate consideration, and those which can be developed over a longer time period.

Items for Immediate consideration:

1. A detailed data gathering plan is essential. This program should suit the needs of agency analysts, be user friendly, enforceable, and provide anonymity for our clients. We suggest working toward a daily trip summary which provides similar elements to those included in the Council motion with the exception of the anglers' ADF&G license number.

We require anonymity to protect our client base. We are concerned about the requirement to list license numbers because that would put operators in an awkward enforcement position.

2. Establish a framework to resolve legitimate local depletion issues at the local level with all stake holders involved. We support the concept of the facilitated process used to address the issue in Sitka Sound.
3. Evaluate the impacts of the near shore halibut IFQ fishery on guided, non-guided recreational and subsistence users.
4. Evaluate the validity of the existing control date of September 23, 1993 because of the lack of baseline data and the difficulty of establishing qualifying criteria using that date.

Items which can be developed over a longer time period:

1. Explore the impacts of implementing license limitation programs or exclusive registration programs in those geographic areas where markets are at capacity or where extensive user or resource conflicts have been identified. We feel that any license limitation plan must include provisions for transferability.
2. Explore provisions which allow for reasonable growth of our industry, particularly into markets which are underdeveloped at this time.
3. Explore the effects of placing a poundage cap on an industry which markets trips and is already constrained by individual bag limits and not by the weight of product harvested. There is an inherent inability for our industry to instantaneously respond to and benefit from periods of high halibut abundance. As part of this analysis, we suggest examining means of banking unused allocation from seasons with high halibut abundance for use when halibut abundance is low. This is necessary to achieve stability through uninterrupted seasons, consistent bag limits, etc. which are necessary to assure marketable client expectations in our industry.
4. In the economic analysis include multipliers to evaluate the full economic contribution of the recreational halibut fishery.
5. Analyze the effects of any actions which would place guided and unguided recreational anglers into separate management categories. We are very concerned about the apparent predisposition of the NPFMC to unilaterally regulate the activities of guided recreational anglers. The lack of interest by unguided anglers in recent deliberations on recreational halibut issues should be an indication of that user group's lack of concern regarding charter activities. Other regional councils do not make this distinction and we feel that the NPFMC can benefit from examining the activities of other regional councils for guidance as this council makes the transition into recreational fisheries management.

6. Examine the potential of using reductions in regulatory discards to provide opportunities for expansion of the recreational halibut fishery while offsetting impacts on the commercial hook-and-line halibut allocation.
7. Examine the effects of establishing a buffer between TAC and CEY to allow for unanticipated short-term fluctuations in halibut harvest without compromising the biological integrity of the stock.
8. The full biological and economic impacts of modified halibut possession limits needs to be explored. We are sensitive to the public perception that "boxes and boxes" of fish are leaving Alaska, but this has to be measured against the reality that we are a fish-exporting state. To help with this perception problem, the amount of seafood shipped out of state by our clients needs to be compared to the amount of seafood shipped out by the commercial industry. This may be one way of dealing with the perception problem without jeopardizing the health of the charter business. We are particularly concerned that changes to the definition of possession without reasonable increases to the possession limit could have devastating effects on certain segments of our industry.

Homer Charter Association

Valdez Charter Association

Sitka Charter Association

Deep Creek Charter Association

Ketchikan Marine Charters

Haines Charter Operators

Anchor Point Charter Association

Petersburg Charter Boat Association

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 Jay Skordal 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 (SAAC. 75.010(b)) with both numbers 1 & 2 above. We the members of the Task Force hereby agree the following or similar statement should be included in the original Plan.

Notwithstanding 5 AAC. 75.010(b) and other Alaska Department of Fish and Game and National Marine Fisheries Service regulations, which may be 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 Plan boundaries, with halibut on board, legally taken outside the Plan boundaries. Commercial salmon trollers may not retain halibut within the Plan boundaries. ? wording

Eric Jordan, Facilitator	Bill Paden, Chairman, F&G Adv. Com.
Ted Borbridge	Mary Jo McNally
John 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.

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.

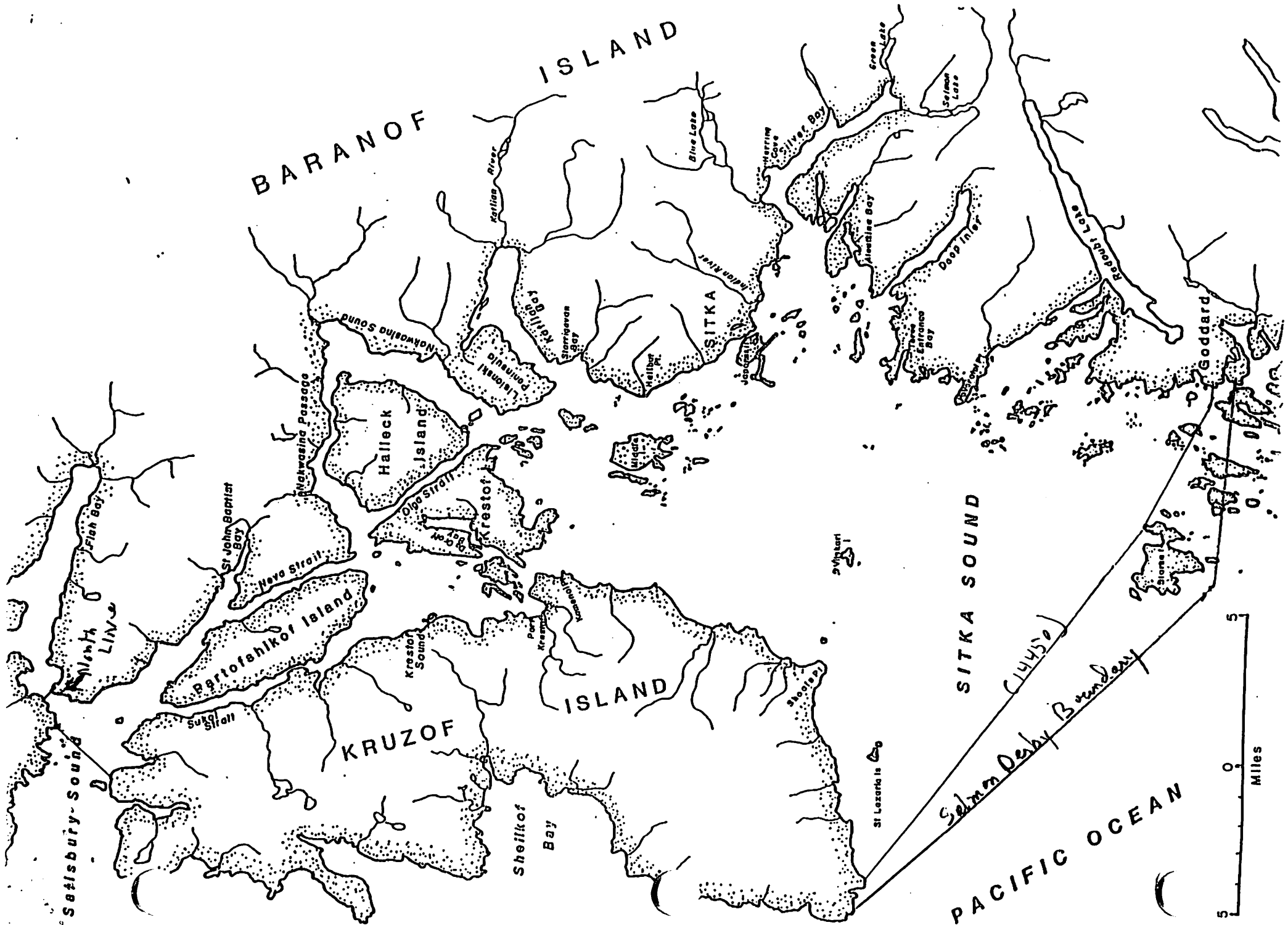
5. Supporting the International Pacific Halibut Commission Sitka Charter Association halibut tagging program.

6. Halibut longliners larger than "D" class would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kaku Narrows at the Green Buoy and from a point on Chichagof Island to Kruszof Island adjacent to Sinitis 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. (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. 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.

Sub. Options:
 1 Personal use fishing
 2 Subsidized fishing
 3 Inland air sport
 4 non-guided sport
 5 non-guided sport
 for longliners will be monitored for growth rate.



STATEMENT BY MARY JO MCNALLY
SPORTFISH MEMBER OF THE
SITKA HALIBUT TASK FORCE
February 3, 1997

BACKGROUND

I have lived in Sitka for 11-1/2 years and fish or have plans to fish for salmon, halibut, lingcod, rockfish, black bass, dolly varden, steelhead, cutthroat, etc., in both fresh and salt water. I am a sport fisher and have no ties to commercial or charter fishing. I have fished for halibut every year since 1986 and have seen the fishery nearly collapse over the past several years. In 1995, my husband and I were unable to catch even one halibut and were forced to buy commercially caught fish to put halibut on our table. Unfortunately the quality was so poor that we ended up throwing out most of the fish. In 1996, we were blessed to catch one 80-lb. halibut and one probably under 10 pounds, enough for a family of two to eat for one year.

After giving public testimony at a Sitka Fish and Game Advisory Task Force meeting sometime in early December, 1996, regarding Sitka Tribe of Alaska (STA) proposal 270ⁱ, I was asked to be a member of the Sitka Halibut Task Force. I was told that I was the only sport fisher to make public comment at the hearing and when asked by Chairman Bill Paden, I agreed to be the only sport fish representative on the Task Force.

GOALS

My goal in serving on the Task Force was to come to an agreement with STA, and the commercial and charter boat industries on what should be done to preserve and improve the halibut stocks in the Sitka Sound area. I have seen the charter boat fleet increase dramatically over the years and was convinced that the decrease in halibut was primarily due to being over fished by that industry. I was pleased to be able to have input into how we could best solve the problem of decreased halibut in the Sitka area.

THE PROCESS

Under the direction of Eric Jordon, who agreed to act as facilitator for the Task Force, we agreed on a number of points to begin the process. One of them was that in order to bring

¹The STA proposal recommended closing Sitka Sound, along the Sitka Salmon Derby lines, to commercial and charter boat fishing for halibut and other ground fish.

forth any proposal, it would have to be by consensus of the entire Task Force.

After meeting for eight hours over two evenings, we realized that the last and probably most important issue was still before us: the area which we were talking about closing. When we left after the second night of meetings, I was discouraged and frustrated and felt that we would never come to concensus because neither STA nor I was unwilling to give up the Biorka Island area to the charter boat industry. The Biorka Island area is the only location left in the Sitka Sound area where we have been able to find halibut, the other areas being totally unproductive as far as our own fishing experience has shown us.

The third and last night the Task Force met, we spent nearly three hours hashing out what lines might or might not work for those involved. I truly did not think we would come together before the night was out. Eric Jordon then asked the charter boat representatives if they would make one more attempt at moving their line to something more acceptable to the remainder of those present. Finally, after about 15 minutes, they proposed that the charter boats would not retain halibut within the area from Sitka Point along a line ("Line"), to Hannus Point on Biorka Island, then to the green marker at Dorothy Narrows and across to Baranof Island, during the months of June, July and August. By agreeing to draw the Line along those points, I was conceding to give up a portion of the last remaining productive halibut area in order to give the charter boats a refuge in time of adverse weather.

Also, by agreeing to that line, I understood that if they had been out front fishing and the weather changed, they could still catch halibut at Biorka, outside the Line. We did not discuss whether they would be allowed to retain halibut on board that was caught outside the Line if they moved inside the Line to fish for salmon or other species. It was not my intention to create an enforcement nightmare by allowing charter boat operators to catch halibut outside of the Line and then be allowed to catch other species inside of the Line.

The issue of halibut IFQ bycatch by trollers was not addressed by the Task Force during our meetings and I do not feel comfortable trying to come to a decision about what halibut they may or may not be able to retain, at this point in the process. It just never came up and we did not discuss it.

POSSIBLE SOLUTIONS

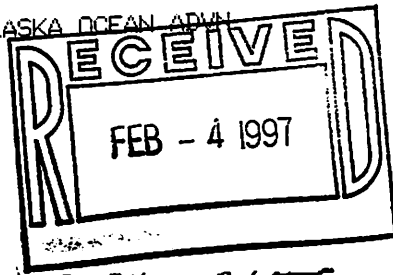
I believe that charter boat operators could arrange their order of fishing to fish for salmon first if they wish to fish inside of the Line and then move outside of the Line to fish for halibut. They would then be required to be in continuous transit through the closed area in returning to port.

Regarding salmon trollers, I, of course, would like to see them not retain any halibut in the closed area. It would need to be decided either in further negotiations or by those making the final decision.

Dated: _____

Mary Jo McNally

RECEIVED AFTER
COPYING DEADLINE



1-30-97

TO: NATIONAL MARINE FISHERIES SERVICE,
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
& INTERNATIONAL PACIFIC HALIBUT COMMISSION:

I'D LIKE TO MAKE THE FOLLOWING
COMMENTS TO YOU AS AN ALASKAN WHOSE
LIVELIHOOD DEPENDS SOMEWHAT ON HALIBUT, AS A
MOTHER, A SUBSISTENCE PERSON, AS A MEMBER
OF ALFA (ALASKA LONGLINE FISHERMEN'S ASSOCIATION) & AS
A MEMBER OF ALASKA MARINE CONSERVATION COUNCIL.

I BELIEVE ALL FISHERIES REGULATING
ENTITIES (SUCH AS YOURS) MUST TAKE A DEEPER
LOOK AT THE INTEGRATED CUMULATIVE AFFECTS
ON ALL FISHERIES, STATEWIDE. I WOULD SUGGEST
USING GIS (GEOGRAPHIC INFORMATION SYSTEM) MAPS THAT
WOULD OVERLAY/COMBINE ALL GEAR TYPES (DIVE,
TROLLING, LONGLINING, TRAWLING, GUIDED SPORTS
FISHING, SUBSISTENCE, RECREATION/PERSONAL USE)
WITH ALL FISH/SHELLFISH SPECIES CURRENTLY
BEING HARVESTED 1986-1996 (OR A WIDER RANGE).

I THINK THIS WOULD PAINT A REAL PICTURE
OF IMPACTS UPON THE SPECIES & HABITAT WHICH
ARE STATE + FEDERAL. I AM SURE ALL THIS
DATA ALREADY EXISTS + JUST NEEDS TO BE
COMBINED THIS WAY, + PRESENTED BY INDIVIDUAL
GULF OF ALASKA DISTRICTS.

IN RECENT RESEARCH ON CURRENT
& ARMADILLA LOG TRANSFER FACILITIES &



2-

Log storage facilities statewide, in order to comment to Alaska D.E.C., I've LEARNED THAT THESE ACTIVITIES ALONE HAVE & CONTINUE TO DESTROY "ESSENTIAL FISH HABITAT". JUST IN THE SITKA AREA ALONE THERE ARE MORE THAN SEVERAL BAYS WITH SUNKEN HUGE HEMLOCK & CABLE-POISON COVE, FOR EXAMPLE IS NEAR TO ONE OF THE LARGEST CRAB ROOKERIES IN S.E. ALASKA - IS ON SE CHICHAGOF IS. - WHERE WE SUBSISTENCE CRAB.

I SUPPORT A NEW PROVISION IN THE MAGNUSON-STEVEN'S ACT TO CONSIDER AREAS OF "ESSENTIAL FISH HABITAT" AS "ESSENTIAL" UNTIL FURTHER EXPLORATION IDENTIFIES A PLACE AS "NOT ESSENTIAL". I HOPE THIS SHOWS YOUR WILLINGNESS TO ERR ON THE SIDE OF CONSERVATION, AND IT DOES SEEM TO BE A PRO-ACTIVE APPROACH.

LOCAL & TRADITIONAL KNOWLEDGE MUST BE INCORPORATED WITH SCIENCE.

IDENTIFYING ESSENTIAL FISH HABITAT FOR ONLY FEDERALLY MANAGED COMMERCIAL SPECIES IS IRRATIONAL. BIG MISTAKE!

THIS LEADS ME TO THIS NEXT POINT - I STRONGLY URGE YOU TO ACTUALLY EVALUATE ALASKA'S STATE WIDE OUT-OF-CONTROL GUIDED SPORTS FISHERIES BECAUSE OF THEIR IMPACT, SPECIFICALLY ON HALIBUT - LINGCOD & OTHER SPECIES THEY TARGET.

PLEASE REFER TO THE ENCLOSED INFORMATION FROM SITKA SPORT FISHERY DEPARTMENT OF ADF&G.

I PERSONALLY AM MOST CONCERNED ABOUT THE DECLINE OF HALIBUT STOCKS IN SITKA SOUND.



83

I AM LEARNING + RESEARCHING THAT THE MAGNUSON - STEVENS ACT CLASSIFIES / DEFINES GUIDED SPORTS FISHERMEN AS "CHARTER" VESSELS RATHER THAN "COMMERCIAL", BECAUSE THE FISH CAUGHT ON A GUIDED SPORTS BOAT ARE NOT INTENDED FOR "COMMERCE".

ON THE CONTRARY, GUIDED SPORTS FISHERMEN ARE COMMERCIAL BECAUSE IN EXCHANGE FOR MONEY MILLIONS OF POUNDS OF FILLETS OF FISH ARE EXPORTED. THE GUIDING SPORT FISHERMEN WOULD NOT HAVE THE LIVELIHOOD THEY HAVE WITHOUT THIS EXTRACTION OF RESOURCE. THEY MUST BE CONSIDERED AS COMMERCIAL WITH ALLOCATION OF THE RESOURCE, REPORTING OF LOG BOOKS KEPT, REGULATIONS & FINES IMPOSED AS WITH ANY OTHER COMMERCIAL FISHERY.

ON THE OTHER HAND, THE NEW DEFINITION OF "CHARTER" WOULD ENCOMPASS THE SKIPPER & BOAT FOR HIRE TO TAKE CLIENTS ON THE WATERS FOR THE PURPOSE OF ANY ACTIVITY THAT DOES NOT EXTRACT ANY NATURAL RESOURCE (i.e. shellfish, fish, wild game). THESE "CHARTER BOAT OPERATORS" WOULD ONLY HAVE ACTIVITIES SUCH AS WHALE WATCHING, PHOTOGRAPHY, KAYAK SHUTTLES, ETC.

PLEASE ALSO REFER TO PROPOSAL # 270, PRESENTED RECENTLY TO THE ALASKA BOARD OF FISHERIES. POINT # 2 REFERS TO THE NEED TO ADDRESS THE DEFINITION OF POSSESSION LIMIT TO BE - 0 TO INCLUDE PROCESSED CATCH -

... LOOPHOLES IN "POSSESSION" Hemp paper ideas trees

LIMIT ARE ALLOWING THE GROSS NUMBERS OF FISH BOXES FULL OF FROZEN FILETS OF SPORT GUIDED OTHER SPECIES TO LEAVE SITKA (MANY OTHER ARKAD COMMUNITIES) ON ALASKA RIDGES, HEADING SOUTH.

I APPRECIATE YOUR RESPONSE TO ME ON THESE MATTERS.

I AM AWARE OF H.B. 19 TO BE INTRODUCED

IN ALASKA LEGISLATURE THIS SESSION. OTHER THAN FEDERAL CHANGES OF SPORT FISHING OPERATORS (TO HEADING THIS DIRECTION) TO COAST FISHERIES IN REGULATION TO CHANGE WHAT I KNOW OF THE NORTH EAST

FISHING TELLS ME I, FOR ONE, DO NOT WANT TO HAVE THAT REPEATED IN ALASKA.

PLEASE BE WISE.

Sincerely,

Charles Johnson

Charles Johnson care
1705 SUTKA ARKAD
SITKA ARKAD

PH (907) 747 521

I would recommend a moratorium on new PRODUCTIONS INTO "GUIDED SPORT FISHERY" IMMEDIATELY, AS WELL AS A LIMIT # OF SPORTS PER OWNER FOR SAME PURPOSE. ALSO, JUST AS THE

MINIMUM SIZE OF HATCH IS 32" (COMMERCIAL), ALL HATCHES OVER 100# MUST BE REPEATED (THAT'S FIRST) TO REPRODUCE. ID ALSO ENCOURAGE ALL (SUBSISTENCE, PERSONAL USE ETC) HATCHES MINIMUM SIZE 32". THANK YOU.



RECEIVED AFTER
COPYING DEADLINE

To: North Pacific Fishery Management Council

From: Dan Lalkip, IFQ #4409134114

Juneau, Alaska

Re: Management of Halibut in Alaska waters and the North Pacific

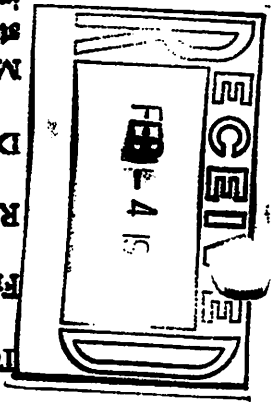
Dear Council and fellow Fishermen:

My father, John L. White fished sport and commercially for halibut and salmon prior to Alaska's statehood and up until limited entry. He quit fishing due to the squabbling and the politics involved, not to mention the enormous paperwork involved that still exists today. As a commercial fisherman and sportman, I may follow in his path. Please consider some of the principles that I learn from my dad, may he rest in peace.

As far as the management of sport caught halibut is concerned, I was taught to self regulate myself in a manner that would be good for the fish. Do not take more than you can eat. From example this was specifically 1 fish, usually about a 30 pound fish. However in today's Alaska that simple notion seems lost and has turned into some sick idea that the individual must take as many fish as possible because he has the right to and to restrict access to do so violates those rights, therefore we must complicate the matter with finger pointing and crazy statistics and percentages, allocations as a diversion at looking at the real issue, not doing what is good for the fish and using sound sportman like good judgment i.e. exercising personal control. To further complicate sport fishing for halibut, we have mixed in money. My dad said "when you mix money into anything you are going to have problems and can throw out the rule book, because greed is going to take over."

This seems to be true should you happen to notice the large volume of charter caught fish being flown out of state, caught not only by registered charter fleet clients, but by the growing number of unregistered boogie charter operators around the state. This past September I witnessed what I had suspected for sometime, as a well learned, visitor, pushed past me in the Gold Streak air freight line asking by name a certain ticket agent who also operates a bare boat charter business to: "send his 100 lbs. of tooth halibut to San Diego tonight by 6 p.m." I know first hand that sport caught King Crab is flown out of Juneau to a tooth black market and I will bet that halibut is too. As a matter of fact should any of the council members wish to call me I can put you in touch with a long time Alaska resident who is a SE bush pilot, he can also confirm the reason some of the so called sportmen need more halibut. The reason being is to sell the large quantities to pay for their trip to Alaska. Last winter while staying in a sport fishing lodge in Yakutat, I over heard the lodge owner say to a non-resident prospective client over the phone, he could "get this client a 1000 lbs. of halibut". Just book with his lodge.

Finally, from following the NPHC discussions regarding sport caught halibut over the past 6 years that seems to be all that has been, just talk. Please return the sport in back into sport fishing for halibut. Tackle the sacred cow, the non-Alaskan resident bag-limit. Adopt a seasonal non-Alaskan resident bag-limit of 1 halibut and no more than 25 lbs. of processed sport caught halibut export limit. If tourist want more fish have them buy it at the local store, and get a receipt. This way everyone benefits, especially the fish resource. Think of this as a IFQ program for the so called sportmen. In conclusion, I would hope you make good decisions, my or other commercial fishermen sons are counting on having access to a viable and sustainable fishery in their future.





Post Office Box 9618
Ketchikan, AK 99901
907-254-0796

Reservations
1-800-962-7889

February 3, 1997

North Pacific Fisheries Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Attn: Clarence G. Pautzke, Executive Director

IMPACT OF IFQ FISHERIES ON SPORT AND INSHORE FISHERIES

My family operates a sportfishing lodge on the eastern shore of Prince of Wales Island, twenty-five miles west of Ketchikan. Our capacity is 24-30 guests per day, fishing from five 36' charterboats. Our product is saltwater fishing, primarily for salmon and halibut.

I would like to bring to your attention my personal experience on the impact that the Halibut IFQ system is having on sport and local inshore fisheries. My concerns center around the following points:

1.) Increased pressure and competition on close-in local stocks.

For the first time last year (1996) we experienced a considerable amount of commercial longline competition on our usual sportfishing grounds, competition the likes of which I have not experienced in the fourteen years I have fished in Southeast. I believe there are three primary reasons for this.

A. Elimination of the halibut "Derby" fishery:

With a season that lasts many months now, instead of hours, commercial longline fishermen are, for the first time in decades, enjoying the luxury of being able to fit in their halibut season at their convenience, often between other gear openings and/or when the weather is good. With the elimination of "Derby" type halibut fisheries, the halibut fisherman is no longer being forced offshore to the highly productive distant grounds where there is little pressure, and where he could make his season in the compressed time span previously allowed. In one 30 day period alone, I collected eleven circle hooks with gagon attached, from halibut caught by my guests. Normally I might come across one such fish in an entire season.

B. Longer "soak" times for longline gear:

There is no incentive to pull the gear within a given time frame. As a result longline gear stays in place for much longer periods of time.

C. Relative unfamiliarity with inshore grounds by larger vessels:

Boats that we had never seen on our grounds before were dumping gear in on top of sport boats actively engaged in fishing. We were informed that it was because the sport fleet "marked the hotspots" in areas that the larger commercial boats had not normally fished and were not familiar with.

2.) Increased juvenile mortalities.

In our region, the Twenty Fathom Bank is a popular area for halibut sportfishing. This is an underwater plateau on the west side of Clarence Strait, fifteen miles west of Ketchikan. Comparatively shallow water depths, accessible with light sport gear, along with abundant halibut, make this an ideal sportfishing environment. Those of us who fish the Bank on a daily basis are aware that juvenile halibut congregate near the "top" of the Bank. We watched with dismay last season as several vessels laced the Twenty Fathom Bank with longline gear including the shallower areas of high juvenile concentration.

As a member of the IPHC conference Board in 1993, I recall being shown a graphic which represented the redistribution of effort in the Canadian halibut fisheries before and after the institution of the Canadian IFQ system. The graphic showed a definite "shrinking" of the grounds along with additional concentration of effort around the ports. Is it any surprise that this is happening to us?

The IFQ system has proven to be an incredible windfall to the American commercial halibut fisherman: greater flexibility and economies have reduced his costs; increased ex-vessel prices have added to his bottom line; and his own personal share of the public resource has added (in some cases considerably) to his net worth. And now he has been awarded an increase of 35% for 1997!

But this boon to the commercial halibut fisherman may spell the end of the very valuable inshore sport fishery which is one of the mainstays of Alaska tourism.

A "Greenbelt," free of commercial halibut fisheries must be established for the inshore areas where sportfisheries are subject to predation by an IFQ fleet that has suddenly been freed of past restrictions.

Sincerely,



Larry G. McQuarrie
CEO, Southeast Alaska Sportfishing Adventures, Inc.

cc: NPFMC members
IPHC
Governor Tony Knowles
Secretary of Commerce
Senators Ted Stevens and Frank Murkowski
Congressman Don Young

FROM JAMIE JAMES
HC 02 BOX 7814-A
PALMER, ALASKA 99645
(907) 746-2646

06 FEBRUARY 1997

*Couldnt appear -
handed out*

TO ADVISORY COUNSEL
NMFC

THIS LETTER IS TO INFORM THE COMMITTEE OF POSSIBLE ADVERSE OUTCOME CONCERNING DECISIONS MADE BY COUNCIL REGARDING THE MORATORIUM ON HALIBUT IN THE COMMERCIAL SPORTS CHARTER FISHERY.

I HAVE BEEN A SALMON FISHERMAN SINCE 1977, AND A BOTTOM FISH FISHERMAN SINCE 1981. I HAVE A CATCH HISTORY OF HALIBUT AND SABLEFISH SINCE THE EARLY EIGHTIES, IN ADDITION TO P. COD, ETC. IN 1988 I BEGAN TO OPERATE LARGER VESSELS THAN MY OWN, SO WHEN THE IFQ,s WERE PASSED AROUND I WAS EXCLUDED. THE LOSS OF OPPORTUNITY IN THOSE FISHERIES HURT ME FINANCIALLY IN ADDITION TO THE SHOCK OF BEING EXCLUDED FROM OPERATING ON MY OWN WITHOUT THE OUTRAGEOUS EXPENSE OF PURCHASING SHARE QUOTAS.

FACED WITH THE REALIZATION OF NOT FISHING COMMERCIALY AGAIN, I BRANCHED INTO THE MERCHANT MARINES AND INTO THE CHARTER INDUSTRY. I OPERATED A VESSEL FOR ANOTHER COMPANY IN 1995 FOR SPORT CHARTER, AND IN 1996 I LEASED A VESSEL FOR THE HALIBUT CHARTER FISHERY WITH THE OPTION TO BUY. I SUBSEQUENTLY PURCHASED THAT VESSEL IN MID NOVEMBER OF 1996.

I DONT WANT THE COUNCIL TO FORGET THE LOSS IT HANDED ME IN THE HALIBUT IFO PROGRAM. THE FINANCIAL LOSS FROM NOT BEING ABLE TO PARTICIPATE IN THE HALIBUT SPORT CHARTER FISHERY WILL MOST LIKELY FORCE ME INTO BANKRUPTCY. I HAVE A NEWLY PURCHASED BOAT, AND ITS PAYMENTS ALONG WITH INSURANCE THAT CAN ONLY BE MADE BY CHARTERING.

I MOST EARNESTLY ASK THE COUNCIL TO ALLOW THE LEASE AND OR PURCHASE OF VESSELS IN 1996 TO BE INCLUDED IN ANY FINAL DRAFT OF THE HALIBUT SPORT CHARTER FISHERY.

YOUR DECISION IS MY FUTURE!

RESPECTFULLY YOURS,
JAMIE N. JAMES



ALASKA WORLDCLASS CAMPING, INC.
HYLEN'S CAMPER PARK

AFISHUNT CHARTERS, INC.
AFISHUNT CHARTERS

PO BOX 39388
NINILCHIK AK 99639
(907) 567-3393
75707.2007@Compuserve.com

Nov 21, 1996

To Whom It May Concern:

As owner of the charter fishing vessel AFISHUNT, AK8652M, I hereby certify that during the calendar year 1996 Jamie James has leased with option to purchase, and subsequently purchased, that vessel..

In addition, I certify that Jamie James, leasor and owner of said vessel, has operated that vessel under IPHC license #AK8652M as a halibut sportfishing charter vessel during the calendar year 1996.

John G. Baker
President, AFISHUNT Charters, Inc.



BORROWER	
JAMIE JAMES BONNIE JAMES	
ADDRESS	
P.O. BOX 3027 PALMER, AK 99645	
TELEPHONE NO. 907-746-3669	IDENTIFICATION NO.

**FIXED RATE
COMMERCIAL
PROMISSORY
NOTE**

OFFICER INITIALS	INTEREST RATE	PRINCIPAL AMOUNT	FUNDING DATE	MATURITY DATE	CUSTOMER NUMBER	LOAN NUMBER
RPM08	10.500%	\$47,000.00	11/22/96	12/15/02	334477	9001
KS/ 1992 BOAT						

PROMISE TO PAY

For value received, Borrower promises to pay to the order of Lender indicated above the principal amount of FORTY-SEVEN THOUSAND AND NO/100 Dollars (\$ 47,000.00) plus interest on the unpaid principal balance at the rate and in the manner described below, until all amounts owing under this Note are paid in full. All amounts received by Lender shall be applied first to accrued unpaid interest, then to unpaid principal, then to any late charges and expenses or in any other manner as determined by Lender, in Lender's sole discretion, as permitted by law.

INTEREST RATE: Interest shall be computed on the basis of 360 days and the actual number of days per year. So long as there is no default under this Note, interest on this Note shall be calculated and payable at the fixed rate of TEN AND 500/1000 percent (10.500 %) per annum or at the maximum rate of interest permitted by law, whichever is less.

DEFAULT RATE: In the event of any default under this Note, the Lender may, in its discretion, increase the interest rate on this Note to: 18.00% or the maximum interest rate Lender is permitted to charge by law, whichever is less.

PAYMENT SCHEDULE: Borrower shall pay the principal and interest according to the following schedule:

71 PAYMENTS OF \$892.04 BEGINNING JANUARY 15, 1997 AND CONTINUING AT MONTHLY TIME INTERVALS THEREAFTER. A FINAL PAYMENT OF THE UNPAID PRINCIPAL BALANCE PLUS ACCRUED INTEREST IS DUE AND PAYABLE ON DECEMBER 15, 2002.