


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director 

DATE: January 3, 1994

SUBJECT: Halibut Charter Cap

ESTIMATED TIME

4 HOURS

ACTION REQUIRED

- (a) Receive Report from Halibut Charter Working Group.
- (b) Consider initiating analysis of amendment to cap the guided sport fishery.

BACKGROUND

The Alaska Longline Fishermen's Association (ALFA) has requested the Council to initiate a Regulatory Amendment that would cap the guided sport halibut fishery in Alaska at 1992 catch levels. The proposal (Item C-4(a)) specifies that the need for action is a recent increase in the recreational halibut fishery, which has in turn, reduced halibut available to the directed fishery. ALFA's justification for this proposal is that the sport catch, along with mortality from waste, bycatch, and personal use, are taken off the top of the overall halibut quota. The directed setline fishery is allocated the remainder.

In September, the Council considered this issue and received public testimony. Information indicated that the charter industry has grown and may be fully capitalized, and that some type of limited entry program might be appropriate for this fishery. A control date of *September 23, 1993* was set to notice the industry that a moratorium on the guided sport fishery may be implemented. The Council also established a working group comprised of staff, three commercial fishery representatives, one non-guided sport fishing representative, and six charter vessel representatives to examine traditional management tools and identify potential alternatives for limited access.

The Halibut Charter Working Group met twice to discuss the issue and make recommendations to the Council. The Working Group's report, attached as (Item C-4(b)), should assist the Council with determining whether or not to initiate an analysis of regulating halibut allocation to sport fisheries. The Working Group and Council have received a considerable amount of written public testimony regarding this issue, and copies of this testimony are bound separately as Item C-4(supplemental).

Any analysis will require considerable staff time, and would not be ready for Council review until late 1994. Given the contentious nature of the issue, and the distribution of sport fishermen in the State of Alaska, the Council may wish to review any analysis in Anchorage, after the sport charter season. Meetings are scheduled in Anchorage for December 1994, January 1995, and April 1995. Hence, regulatory changes may not be in effect until 1995 or 1996, if the Council took action other than maintaining the status quo.

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

Name of Proposer: Alaska Longline Fishermen's Assn.

Date: 5/1/93

Address: P.O. Box 1229
Sitka, AK 99835

Phone: (907) 747-3400 . FAX (907) 747-3462

Brief Statement of Proposal:

This proposal requests the Council to initiate a Regulatory Amendment which:

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

Objectives of Proposal: (What is the problem?)

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

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

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

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

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

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

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

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

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

Signature: 

Dennis Hicks (President, ALFA)

Report of the Halibut Charter Working Group
to the North Pacific Fishery Management Council
January 1994

Background

In May 1993, the Alaska Longline Fishermen's Association (ALFA) submitted a proposal to the Council requesting that they initiate a Regulatory Amendment to limits harvests taken by the guided sport halibut fishery in Alaska to 1992 catch levels. ALFA used recent increases in the recreational halibut fishery and the commensurate decrease in the halibut available to the directed fishery to justify the action. The allocation scheme for halibut is an issue because sport catch, personal use, and mortalities from bycatch and waste are subtracted from the overall halibut quota before the commercial fleet is allocated the remainder. Thus, when the biomass diminishes at the same time the sport catch grows, the commercial halibut TAC is affected.

In September, the Council addressed this issue and received public testimony. Information indicated that the charter industry has grown and may be fully capitalized, and that some type of limited entry program might be appropriate for this fishery. A control date of *September 23, 1993* was set to notice the industry that a moratorium on the guided sport fishery may be implemented. The Council also established a working group comprised of staff, three commercial fishery representatives, one non-guided sport fishing representative, and six charter vessel representatives to examine traditional management tools and identify potential alternatives for limited access. Membership of the group is listed in Table 1. The working group was asked to report back to the Council at its January 1994 meeting.

Working Group Meetings

The Halibut Charter Working Group met November 8 and December 20, 1993 to discuss the issue and make recommendations to the Council on how to proceed. The meeting agendas included an overview of the Council process, review of ADF&G data, and IPHC stock assessments and allocations. Officials from the Alaska State Division of Tourism presented their agency's projections for the growth of tourism in the state. The Halibut Regulatory Amendment Advisory Group's (RAAG) suggested alternatives were examined: 1) status quo, 2) harvest limits, 3) license limitation, 4) individual fishing quotas, and 5) traditional management measures. Both meetings included testimony from the public.

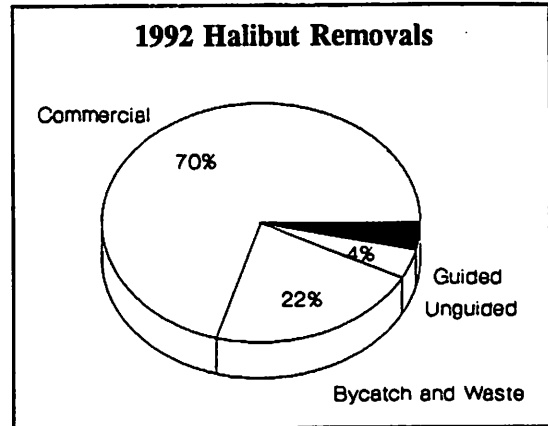
Public testimony provided some insight on the nature of the halibut charter industry. Charter companies typically own one to six or more vessels, which may operate full or part time. Full time vessels may operate 80 to 100 days at sea, depending on weather and the number of clients that can be retained. Prices range from about \$110 to \$170 per person for a daily charter from Homer, Seward, and Valdez. Success rates for individual fishermen have been about 1.75 halibut per angler in these areas. Other primary ports for halibut charters include Kodiak, Deep Creek, Sitka, Juneau, Petersburg, Ketchikan, and others. Regional differences in the operation of these charters exist, primarily due to distance from the fishing grounds, presence of military charters or cruise ships, and local regulations. In 1993, 1,249 vessels were licensed by the IPHC to sport charter for halibut, primarily in Southeast and Cook Inlet (Table 2).

The current sport fishing regulations in Alaska allow for a two halibut daily bag limit, with a two day (4 fish) possession limit. There is currently no minimum size restrictions on sport caught halibut. The legal season runs from February 1 through December 31, although halibut abundance, seasonal tourism, and weather have restricted chartering to May through September. Individual fishermen must be licensed, and are limited to one line with a two hook maximum. These regulations are imposed on guided and non-guided fishermen equally.

Underlying Differences

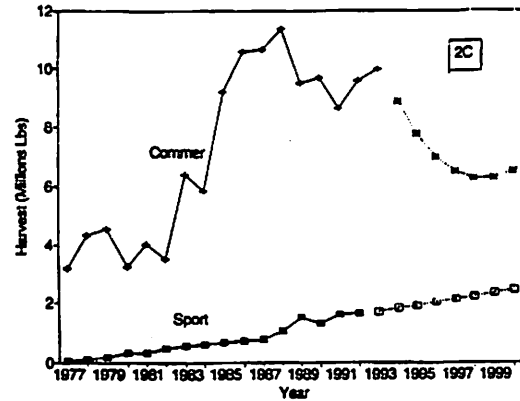
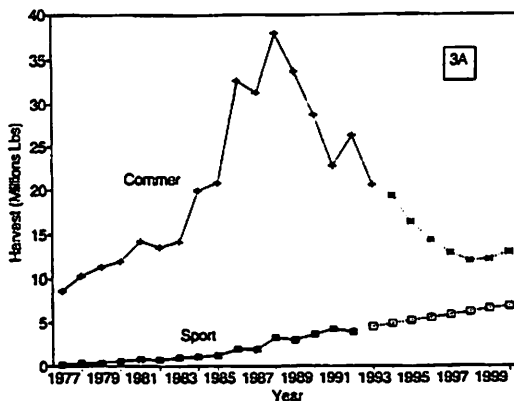
The Working Group divided consistently across industry lines (7 to 3) on most issues, thus often rendering either consensus or majority vote a useless indicator for the Council. The split stemmed from disagreement about three issues fundamental to the sport and charter members, that inhibited serious discussion about any of the alternatives suggested by the Halibut RAAG Committee.

1. The sport and charter members believe that there is no need for a cap on their industry, because it is relatively small. They point to the harvests and compare 6.5 million pound sport catch in 1992 (8% of total halibut removals coastwide) to 59 million pounds (70%) caught by commercial longliners (Figure 1). Assuming that about one-half of the sport harvest is taken by chartered fishermen, total removal of halibut by this user group was about 3.2 million pounds (3.8%) coastwide. For direct comparison, coastwide landings by chartered fishermen totaled about 5% of commercial catch in 1992. The relative proportion of halibut taken by sport fishermen varies regionally; 1992 sport removals were 11% in Area 3A (Southcentral) and 15% in Area 2C (Southeast Alaska).



2. The sport and charter members suggest that if conservation is the problem the proposal seeks to address, and if fairness is a doctrine basic to the Magnuson Act, then the Council should reduce trawl bycatch caps. In 1992, for example, 15.7 million pounds of halibut were removed as bycatch and another 2.5 million pounds classified as waste (Figure 1). The group discussed how implementation of commercial halibut IFQs may help reduce bycatch, waste, and overages, and the sport representatives agreed to join with the commercial industry in finding solutions to reduce bycatch.

3. Many of the Working Group's sport and charter members did not agree with the joint IPHC and ADF&G analysis (attached) of growth projections for the sport fish catch in Alaska. Many questioned the accuracy of the data used in the projections, and cited a decrease in sport landings in 1992. The Division of Tourism's predictions for tourism growth were also met with skepticism by many charter members. Conversely, the Groups commercial representatives, though not dedicated to one rate, believe that tourism will continue to grow and that boat harbors, hotels, plane flights, and other services will develop to meet demand.



Recommendations to the Council

Despite underlying differences that were problematic to the Working Group, they reached consensus on a number of issues. Specifically, they recommend that the Council:

1. Reduce bycatch in all fisheries. The charter industry has resolved to work with the Council in finding ways to reduce bycatch;
2. Evaluate an individual annual catch limit and reporting system for all recreational halibut fishermen. The charter industry has resolved to promote the wise use ethic in the sport halibut fishery, and suggested analyzing catch limits of 8, 10, and 12 halibut per year;
3. Encourage ADF&G and the IPHC to improve their collection of catch, effort, and age composition of halibut taken by sport fishermen;
4. Develop a logbook program for charter vessels;
5. Recognize that regional differences and varying stages of development in Alaska mandate a flexible regulatory scheme and not one that is uniformly applied throughout the state;
6. Request an opinion from NOAA General Council about the legality of imposing limits on the number of halibut that can be exported out-of-state.

Other Issues Discussed

Two other issues surfaced several times during the Working Group meetings that the Council should note.

1. The charter fleet generally believes that guided and unguided sport fishermen should remain as a single category and not be regulated separately.
2. The charter associations believe that, once implemented, the halibut IFQ program will deplete nearshore halibut stocks and crowd the recreational fishermen off their traditional grounds. They may recommend that the Council consider establishing exclusive recreational zones in the future.

Halibut RAAG Alternatives

The Group could not reach consensus on alternatives to recommend that the Council examine. Because most sport and charter representatives do not believe that an allocation problem exists, they recommend that the Council accept status quo. Further, they insist on their absolute need for an uninterrupted season and a two fish per day bag limit to ensure continued economic viability.

Commercial longliners, on the other hand, argued that in the absence of a fixed allocation, the growing sport fishery allocation is increasing annually. They recommend that the Council examine alternatives to limit the growth of the sport fishery.

Given this standoff, the Working Group can only offer the Council the sport and charter members rationale for rejecting all the alternatives except status quo.

Harvest Limits: Charter operators rejected the idea of a fixed or floating cap. They were concerned that harvest limits may cause the fishery to shut down prematurely, causing unpredictable seasons and jeopardizing client reservations. They also believed that adjusting season lengths to restrict harvest would have a negative impact on charter operations and support facilities (motels, restaurants, etc.). Commercial committee members concurred with the disruptive effects, but pointed out that the entire commercial fleet has had to learn to live with them for several years.

License Limitation: Although a moratorium, "time out", or permit limitation program, was considered acceptable to some, the Group could not agree to analyze these programs.

Individual Fishing Quotas: This alternative was soundly rejected by the charter industry. Concerns identified were: 1) the possible migration of quota shares (QS) from the commercial to charter fisheries may negatively impact small communities, 2) analysis of IFQs and allocation of QS would be contentious and time consuming, 3) problems identified in other fisheries which may be solved by IFQs (e.g. safety concern, derby fishery, gear loss), do not exist in the charter fishery, 4) the charter business sells people a fishing experience rather than pounds of fish, 5) charter vessels would target small halibut and/or pressure anglers not to retain fish, and more importantly, 6) monitoring and enforcement would be overly cumbersome, complex, and expensive.

Traditional Management Measures: Maintaining current catch levels of the guided sport fishery for halibut by restricting the size of fish caught, seasons, daily bag limits, or possession limits was considered unacceptable to many sport and charter fishermen. Two fish per day was considered a minimum. Although size limits were discussed, no recommendations were made. The sport and charter representatives made a major concession when they agreed to request that the Council analyze individual annual harvest limits for all recreational users. This issue is further discussed above in the Recommendations section of this report.

Table 1. Membership of the Halibut Charter Working Group, and assigned Staff.

MEMBERS

Shari Gross (Chair), Halibut Association of North America

Dan Falvey, Alaska Longline Fishermen's Association

Doug Ogden, Alaska Sportfish Association

Ed Dersham, Anchor Point Charter Association

Wayne Carpenter, Seward Charterboat Association

Eric Stirrup, Kodiak Charter Association

Jim Heston / Darrel Shreve, Valdez Charterboat Association

Bill Foster, Sitka Charterboat Association

Al Johnson, Homer Charter Association

Jack Knutson, Fishing Vessel Owners Association

STAFF

Calvin Blood, International Pacific Halibut Commission

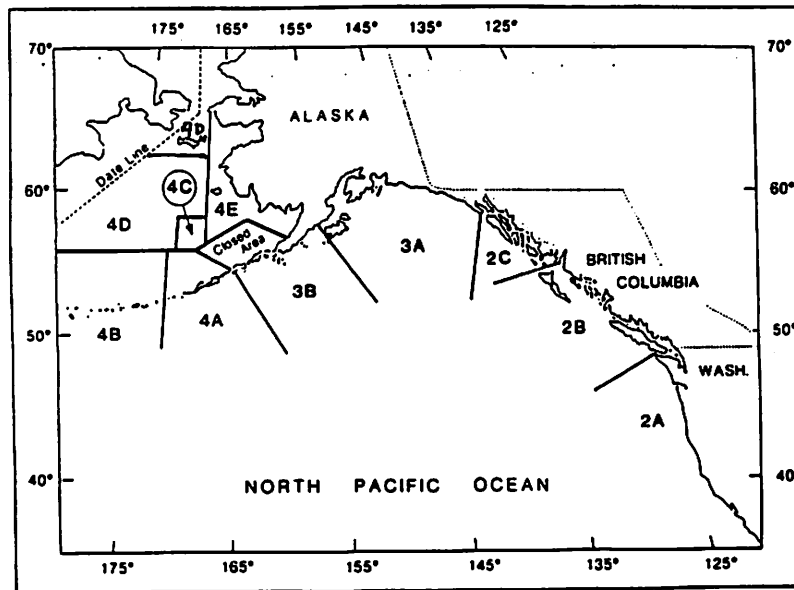
Jay Ginter, National Marine Fisheries Service

Doug Vincent-Lang, Alaska Department of Fish and Game

David Witherell, North Pacific Fishery Management Council

Table 2. Number of vessels licensed by the IPHC in Alaska regions, 1993.

<u>Area</u>	<u>License Category</u>		<u>Total</u>
	<u>Sport</u>	<u>Both</u>	
Cook Inlet	192	186	378
Southeast	357	292	649
PWS/Yakatat	27	64	91
Seward	30	32	62
Kodiak	19	37	56
AP/AI/BS	2	11	13
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	627	622	1,249



IPHC

COMMISSIONERS

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RICHARD ELIASON
SITKA, AK
PH G. HOARD
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ESTABLISHED BY A CONVENTION BETWEEN CANADA
AND THE UNITED STATES OF AMERICA

December 16, 1993

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

Dear Shari:

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

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

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

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

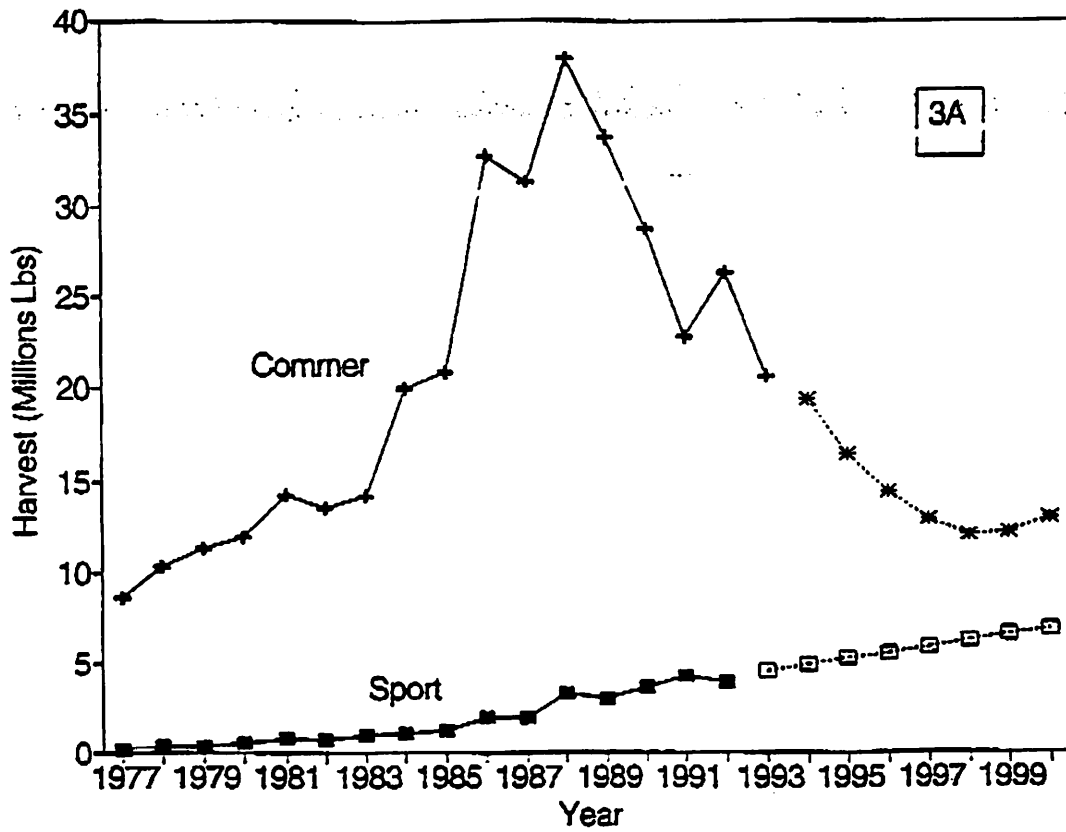
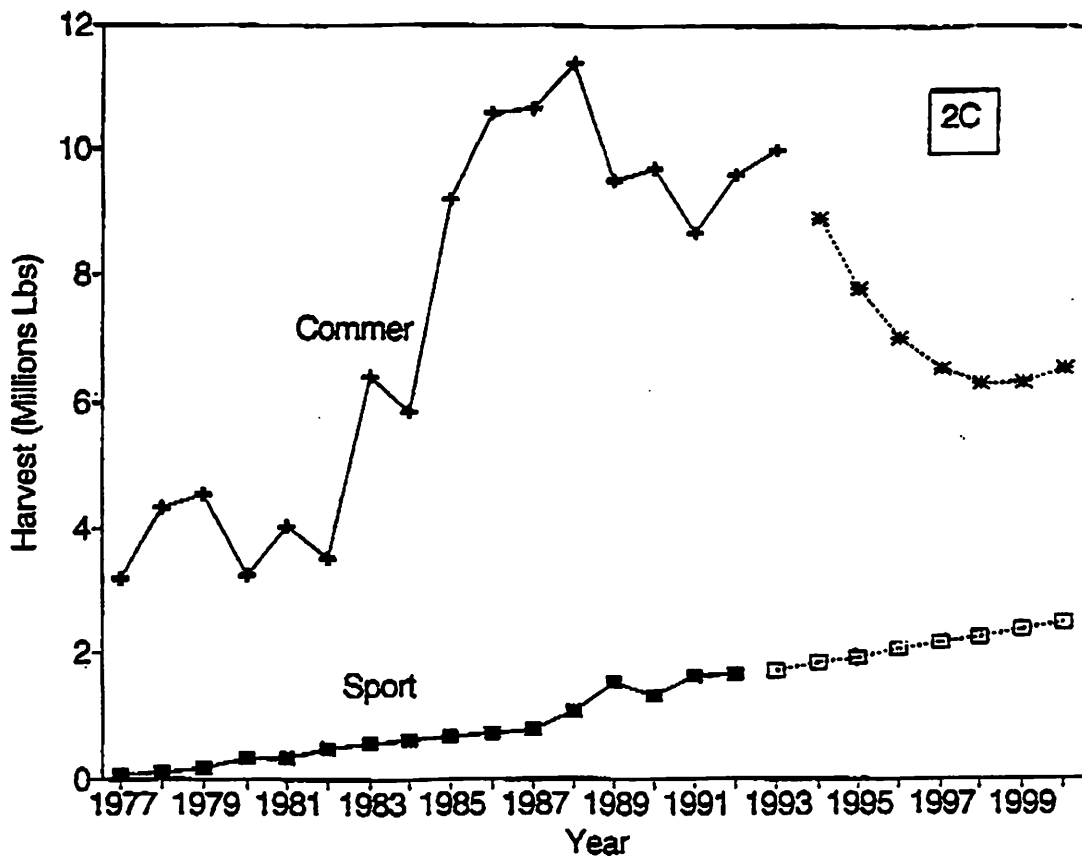
Sincerely,



Douglas Vincent-Lang
Alaska Department of Fish and Game



Robert J. Trumble
International Pacific Halibut Commission



Correspondence Received on Halibut Charter Cap Issue

A.L.F.A.



December 29, 1993

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

C-4 HALIBUT MANAGEMENT: Charter boat cap

Dear Chairman Lauber,

On behalf of the Alaska Longline Fishermen's Association's (ALFA) membership, I would like to submit the following comments on the halibut charter boat cap.

Early last year, ALFA proposed that the halibut charter boat fleet (guided sport) be allocated a fixed quota based on its 1992 recorded halibut catch. ALFA's concern, shared by commercial halibut fishermen state-wide, was that continued growth of the charter boat fleet would displace the historic commercial users, causing socioeconomic hardship to the fleet, the processing sector, and Alaska's coastal communities. The 1992 charter boat catch represents an historic high for the fleet, hence the proposed allocation would prevent further growth without constraining current operators.

At the September Council meeting, the Charter industry expressed concern that a cap may result in an interruption in their season, which would prove damaging to their businesses, and requested an opportunity to identify other options for analysis. A committee of charter boat operators was formed and tasked with developing alternative management strategies. ALFA member Dan Falvey participated in that committee, and recently presented ALFA's membership with a report.

Not surprisingly, most charter boat operators would prefer to be left unregulated--as would most commercial operators, if we had the option. Unfortunately, in this world of limited resources, that option does not exist. ALFA remains receptive to management alternatives to the cap provided that those alternatives have demonstrable, enforceable capabilities of preventing further erosion of the commercial halibut allocation. With this goal in mind, ALFA requests that the Council move forward with the proposed regulatory amendment, analyzing the following options to status quo:

1. Annual limit: Persons fishing from charter vessels would be issued a predetermined number of halibut tags. These tags would allow each individual to harvest a corresponding number of halibut over the course of the year, or halibut season. Because the size distribution of halibut varies so widely between areas, this annual limit should be combined with a poundage regime

(e.g., 3 tags if fish are over 50 pounds; five if under 50) or a total poundage restriction.

2. Export limits: An individual may export no more than 3 sport caught halibut from Alaska per year.

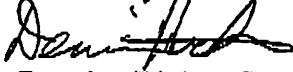
3. Halibut charter boat cap: Allocate to charter boat fleet its 1992 halibut catch as a percentage of the total quota (quota would fluctuate with TAC).

4. Moratorium: followed by license limitations or IFQs. Either license limitations or IFQs will provide a measure of stability to the charter boat business; however, only IFQs will ensure that each operator can plan his or her season in order to maximize business opportunities.

Again, ALFA remains open to suggestions from the charter boat industry, provided those suggestions contain a measure of protection for the traditional commercial halibut industry. ALFA reminds the Council that the recently adopted halibut QS program recognizes and rewards past participation and historical dependence on the fishery; allowing the charter boat industry, a new user group, to continue to expand would contradict this commitment--and a Magnuson Act directive.

Thank you for your attention to this issue.

Sincerely,



Dennis Hicks, President

Eruk Williamson representing



JAN - 3 1994

P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907-835-5679

Public comment concerning proposal by ALFA to restrict halibut catch by sportfishing charter boats in Alaska.

For January 10, 1994 meeting of North Pacific Fishery Management Council.

AWRTA is an organization of wilderness dependent tourism businesses who advocate conservation and the sustainable uses of our natural resources. Any allocation issue must address the relative sustainability of competing users, as well as long term social and economic benefits. Tourism is a valuable industry in Alaska and deserves equal footing to other natural resource dependent industries. We hope to soon have data emphasizing the economic value of tourism and its components, such as halibut sportfishing charters.

AWRTA supports the protection of fisheries from overuse. If there is proof that guided sportfishing operations are depleting the halibut population, we will support measures to reduce that catch. At present there is no conclusive data stating that such is the case. We do have concerns of the impact of the commercial fishery, particularly overage, bycatch, and wastage.

In order for sportfishing charter boats to offer a worthwhile experience to their customers, certain conditions are vital:

1. There must be adequate numbers of the target species to have reasonable hope for a successful outing.

2. The fishing grounds must be close enough to port to allow adequate time to fish during a full or ½ day charter without excessive time travelling. Many charter boats in Southcentral Alaska are now travelling to the limit of their daily range. The day charters have much less flexibility than commercial fishermen in the maximum distance they can travel to the fishing grounds.

3. The overall outdoor experience is also very important to sportfishermen and tourists. Competition from commercial fishermen using the same grounds can severely blemish the sportfishing experience and this reflects on tourism as a whole in the state. Sportfishing is much more than harvesting meat.

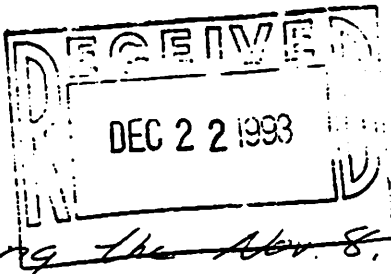
4. The regulations for halibut sportfishing must remain as they are without separate restrictions for guided sportfishing. A 2 fish per day limit is conservative and workable. Reducing the limit to 1 would cause considerable hardship in this industry. The cost of a charter would seem much less reasonable to a prospective customer if they could keep only one halibut. Also, the season must remain at the present length to ensure economic viability for the charterboat industry.

Halibut sportfishing is not uncontrolled. There is a 2 fish daily limit. Each angler has only 1 line with 1 hook. Day charters are limited by the distance they can travel from port. The demand for sportfishing charters is fairly level; certainly not expected to increase dramatically. The budget for the Alaska Department of Tourism has been slashed to where it is questionable whether the marketing efforts will be able to encourage tourism at the present level, particularly where the smaller tourism businesses are concerned.

The Alaska Wilderness Recreation and Tourism Association supports the position of the Valdez Charter Boat Association. Halibut sportfishing is sportfishing whether from a 50 foot guided charter boat or from a kayak. Guided and non-guided sportfishermen should have the same regulations.

AWRTA encourages research to investigate the health of th halibut population, and the relative impacts of all activities including sportfishing, commercial fishing with halibut as target species, or halibut as non-target species, as well as predation and environmental factors.

The Alaska Wilderness Recreation and Tourism Association advocates halibut sportfishing regulations remain as they are with no seperate regulations affecting those on charter boats. We ask equity for sportfishermen.



ANDERSON J ANDERSON
3360 Doll Dr
Anchorage, ALASKA

After attending the ~~the~~ Apr. 8. meeting of the Halibut charter working group I became concerned about the possible alternatives and how they will affect my livelihood.

As a charterboat skipper, I do not own my own vessel, therefore, I do not have a history of holding an I.P.H.C. license. Under any of the possible alternatives other than "status quo", operators like myself will not be allowed free access to a fishery that we have helped to develop.

I realize I do not have as large an investment as those who own their own vessels and lodges, etc..... But is this the only determining factor?

I have been fishing Alaska, both sport and commercially, all my life and feel I have invested a very substantial amount of time, energy and money into developing the guided halibut sport-fishery. Although I have been operating as an independent contractor, I have established my own clientel through advertising, networking and providing a good quality service to my clients. My main objective in this being to build up a large enough clientel to ensure financing of a boat for the 1994 season. But that may not

even be feasible, given the barriers to entry that will result should a quota system, or limited entry law go into effect.

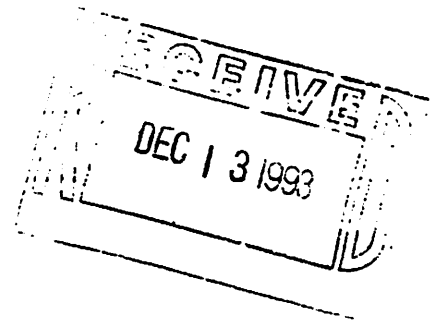
I am not implying that we ignore all types of regulation, but a closer look at the infrastructure of the charter business needs to be taken. The guys running the boats who have direct contact with clients, are who build many successful charter businesses. Some of these skippers will choose to go out on their own, but many will not. Only those with the best service and a large enough clientel will succeed. In summary, by considering them in the qualifying process, you are not allowing for more growth in the fishery, because many of the company clients will follow the guide. Rather, you are letting the competitive process breed a quality service for those that choose to fish with a guide.

Sincerely,
Arnie Chid

RON + RENAE BUCK, PO BOX 1164, BARROW, ALASKA 99723 BUCK

12-1-93

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
PO BOX 103136
ANCHORAGE, ALASKA 99510



TO WHOM IT MAY CONCERN:

WE RESIDE IN THE GREAT STATE OF ALASKA BECAUSE
OF THE VAST OUTDOOR, HUNTING, AND SPORT FISHING
OPPORTUNITIES AVAILABLE. THEREFORE, WE STRONGLY OPPOSE
ANY SHORTENING OF FISHING SEASONS AND THE
REDUCTION OF ANY BAG/POSSESSION/FISH SIZE LIMITS.

THANK YOU FOR YOUR TIME AND CONCERN.

SINCERLY,

R Buck

Renae Buck

RON + RENAE BUCK

CALLENTINE

Stella Callentine
5660 South Tongass Highway
Ketchikan, Alaska 99901
Phone: (907) 247-8780
Fax: (907) 225-7994

December 29, 1993

North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, AK 99510

Members of the Council:

As a member of the United States general public and a resident of the State of Alaska, I am very concerned about the manner that public resources are being taken away from public access.

Halibut are one species of several that commercial fisheries are attempting to claim as their own. I do not believe that wise management of a public resource can occur if a few individuals are allowed to use that resource in their own commercial interests. This is especially true when they are wasteful in their utilization of that resource.

There are much higher numbers of individual sport fishermen accessing far fewer numbers of fish in much less wasteful manners. Management of a public resource requires protecting both the resource and the access of the PUBLIC to it.

I know that you have lots of facts and figures before you to demonstrate many different points of view. I, too, have read facts and figures and emotional appeals. Looking beneath the emotion of the position taken by the commercial fisheries, there is not a convincing case that the few (relative to commercial harvests) fish that sport fishermen (unguided plus guided plus visitors plus Alaskan residents) catch has any real impact on commercial interests. Unless, of course, their total catch is given to one or two commercial fishermen.

Please protect the PUBLIC resource and the PUBLIC'S access to it. Please do not reduce allocations available for sport fishing and please consider management practices which reduce the waste which occurs in the commercial fishing industries.

A concerned public citizen,

Stella Callentine
Stella Callentine

COCHRAN-JOHNSON

TO: NORTH PACIFIC MANAGEMENT COUNCIL

12/29/93

I AM IN SUPPORT OF ALFA'S PROPOSAL TO DIVIDE ALASKAN SPORT HALIBUT FISHERY INTO "GUIDED" & "RECREATIONAL" SPORT FISHERIES, AND TO PUT A CAP OR SOME SORT OF ENFORCEABLE GUIDELINE ON ALASKAN SPORT HALIBUT FISHERY.

I LONGLINE WITH MY HUSBAND & AM CONCERNED ABOUT DRAMATIC INCREASE OF SPORT CAUGHT HALIBUT IN AN UNCONTROLLED GUIDED SPORT INDUSTRY. POSSIBLY EXPORT LIMITS WOULD BE HELPFULL.....

I REALIZE THE IMPORTANCE OF TOURISM - SPORT FISHING & HAVE SEVERAL FRIENDS IN THE CHARTER FLEET IN SITKA. ALL WHO SHARE IN THIS HALIBUT RESOURCE MUST BE RESPONSIBLE, FISHING TO ALLOW CONTINUED HEALTHY HALIBUT STOCKS.

I URGE YOU TO TAKE POSITIVE ACTION ASAP.

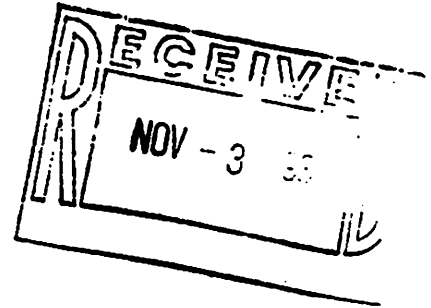
SINCERELY,

Chaire Cochran-Johnson

P.O. 6384

SITKA, AK. 99835

COUGHENOWER



November 2, 1993

Halibut Charter Working Group
c/o David Witherell
North Pacific Fishery Management Council
P. O. Box 103136
Anchorage, Alaska 99510

Dear Halibut Charter Working Group,

As a resident Alaskan sportfishing license holder I strongly object to any plans you may have to regulate guided (charter boat) halibut fishermen differently from non-guided (private boat) anglers. To place halibut sport fishing restrictions on charter boats that are different from those placed on private boats is to create two different classes of sportfishermen. Because I choose not to buy a boat or because I cannot afford to buy a boat you will be telling me that I do not have the same rights to fish for halibut as someone who does own a boat. That is not right or fair.

According to the Alaska Department of Fish and Game report, "Harvest, Catch, and Participation in Alaska Sport Fisheries During 1992 (Fishery Data Series No. 93-42)" on page 102 the harvest statistics for the Kenai Peninsula area show that charter boats took 83,157 (52%) and private boats took 76,396 (48%) of the boat harvested halibut in that area. As far as I can see its pretty much a 50-50 split between charter and private boats and it would be WRONG to restrict one group of anglers over the other.

If you are certain it is necessary, for the protection of the resource, to impose additional regulations (above what currently exists) on the halibut sport fishery then please treat all anglers equally. Don't create a situation of "Have and Have Not" anglers.

Sincerely,

D. Douglas Coughenower
P. O. Box 619
Homer, Alaska 99603

DEEP CREEK

DEEP CREEK CHARTERBOAT ASSOCIATION, INC.

P.O. BOX 39423
NINILCHIK, ALASKA 99639
(907)567-3518 FAX (907)567-1041

DECEMBER 17, 1993

DEC 22 1993

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
P.O. BOX 103136
ANCHORAGE, ALASKA 99510

SUBJECT: HALIBUT MANAGEMENT PROPOSAL

THE MEMBERS OF THE DEEP CREEK CHARTERBOAT ASSOCIATION OPPOSE THE HALIBUT MANAGEMENT PROPOSAL BY THE ALASKA LONGLINERS ASSOCIATION. THE GUIDED SPORT HALIBUT FISHERMAN SHOULD NOT BE SEPARATED FROM THE RECREATIONAL SPORT FISHERMAN. AN ALASKA SPORT FISHING LICENSE GIVES ALL SPORT FISHERMEN EQUAL RIGHTS. EVERY PERSON WHO BUYS AN ALASKAN SPORT FISHING LICENSE IS ENTITLED TO TWO FISH PER DAY. CHOICE OF TRANSPORTATION TO THIS SPORT FISHERY SHOULD NOT BE A REGULATORY ISSUE.

WE FEEL THAT IN OUR IMMEDIATE NINILCHIK AREA, THE HIGHEST AND BEST USE OF HALIBUT STOCKS IS FOR SPORT FISHING AS THE ECONOMIC VALUE GENERATED PER POUND OF FISH HARVESTED IS MUCH GREATER. IF LIMITS WERE TO BE IMPOSED FOR BIOLOGICAL REASONS, WE FEEL THAT THE SPORT FISHING HARVEST SHOULD BE GIVEN SOME PRIORITY OVER COMMERCIAL LONGLINING. WITH THIS MANAGEMENT PHILOSOPHY OUR HALIBUT STOCKS WILL BE ABLE TO PERPETUATE THEMSELVES EVEN WITH AN INCREASED SPORT FISHING EFFORT.

MANY NEW FACTS HAVE BEEN BROUGHT OUT IN A VERY SHORT AMOUNT OF TIME. YOUR DIRECT ATTENTION TO THESE FACTS WE HAVE LISTED WILL HOPEFULLY LEAVE YOU WITH A CONCLUSION THAT STATUS QUO IS THE ONLY ALTERNATIVE TO THE PROPOSAL AT THIS TIME. OUR GROUP SUPPORTS KEEPING THE HALIBUT FISHERY AS IS UNTIL AN IN DEPTH STUDY BY AN UNBIASED GROUP IS COMPLETE. WE ALSO SUPPORT THE MORATORIUM DATE OF SEPTEMBER 23, 1993 AS A CONTROL DATE UNTIL FURTHER ANALYSIS IS COMPLETED.

THE FACTS: (1) IPHC AND ADF&G DOWNGRADED ESTIMATES OF THE 1992 SPORT CATCH FROM 7.3 MILLION POUNDS TO 6.6 MILLION POUNDS. THE SPORT CATCH OF 6.6 MILLION POUNDS IN 1992 IS 300,000 POUNDS LESS THAN THE SPORT CATCH IN 1991. ALL INDICATIONS ARE THAT THE 1993 SPORT CATCH WILL BE LESS THAN THE 1992 SPORT CATCH. (2) THE PUBLIC HAS BEEN INFORMED BY THE IPHC THAT THE LONGLINERS OVERFISHED THEIR 1993 QUOTA BY 3.9 MILLION POUNDS AND THAT THEIR WASTAGE WAS 2.4 MILLION POUNDS. THAT IS A TOTAL LOSS OF 6.3 MILLION POUNDS IN 1993, REPRESENTING 300,000 POUNDS LESS THAN THE TOTAL SPORT CATCH IN 1992.

PAGE 2
NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
DECEMBER 17, 1993

MAY WE SUGGEST THAT WHEN THE IFQ PROGRAM GOES INTO EFFECT FOR THE COMMERCIAL LONGLINERS IN 1995, THAT THEIR WASTAGE AND OVERCATCH REDUCTION ALONE WILL BE EQUAL TO THE SPORT FISH HARVEST, ONE OF THE BENEFITS OF THE IFQ PROGRAM. THIS REDUCTION ALONE WILL INCREASE THE COMMERCIAL HARVEST IN FUTURE YEARS, A BENEFIT FOR ALL USERS OF THIS RESOURCE. AN HONEST AND FAIR SOLUTION TO THE PROPOSAL WILL, IN FACT, BE RESOLVED BY THE VERY GROUP THAT HAS ASKED THE COUNCIL TO INITIATE SUCH A REGULATORY AMENDMENT.

ANOTHER ALTERNATIVE TO THIS PROPOSAL THAT WE COULD SUPPORT WOULD BE TO DIVIDE THE HALIBUT 50/50 BETWEEN SPORT AND COMMERCIAL FISHERMEN. THIS ALTERNATIVE WOULD GIVE EQUAL AMOUNTS OF THE RESOURCE TO THE TWO TRADITIONAL USER GROUPS, NOT CREATE A NEW USER GROUP.

THE MEMBERS OF THIS WORKING GROUP HAVE AN OPPORTUNITY TO ASK THE COUNCIL TO FURTHER STUDY THIS PROPOSAL. WE APPRECIATE YOUR TIME AND EFFORTS PUT FORTH IN THIS MATTER. THE FACTS DO SPEAK FOR THEMSELVES.

RESPECTFULLY SUBMITTED,

DEEP CREEK CHARTERBOAT ASSOCIATION, INC.

Timothy R. Evers
TIMOTHY R. EVERS, PRESIDENT

Lawrence B. Cobb
LAWRENCE B. COBB, VICE-PRESIDENT

Paul F. Goedert
PAUL F. GOEDERT, SECRETARY-TREASURER

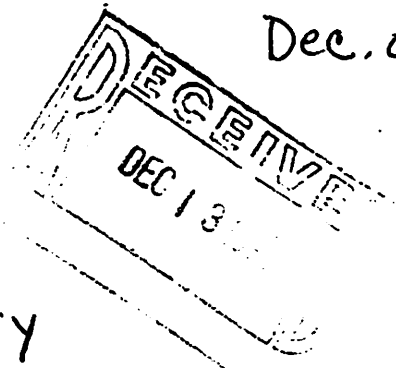
Al Stueflothen
AL STUEFLOTEN, BOARD MEMBER

Steven Smith
STEVEN SMITH, BOARD MEMBER

cc: DW-
ERION

North Pacific Fisheries Management
Council
PO Box 103136
Anchorage, AK 99510

Dec. 06, 1993



Re: Guided Sport Halibut Fishery

Dear North Pacific Fisheries Management Council,

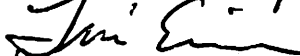
I am against the idea of dividing "Guided Sport and Recreational Sport fishing." It seems very unfair to discriminate against all sportsman just because he can not afford a boat, so he has to hire a guided outfitter to go fishing a few times a year.

As far as the 1993 quota for the Charter boats they had 3.6 million pounds verse's the longliners 60 million pounds, that's not to mention the 2.4 million pounds "By Catch", and over fished their quota by 3.9 million. With these kind of numbers why are the Charter Boats going to be controlled and restricted with only 3.6 million pounds. It's not fair!

I think the only regulation should be the, Limited Entry to the IPHC until further studies are done.

Please recognize this concern.

Sincerely,
Tim Erion / Charter Boat Operator / owner


PO Box 1596
Soldotna, AK 99669

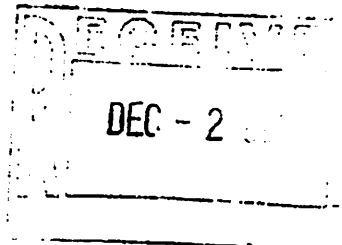
1907 567-3387

JONATHAN D. FAULKNER

4621 WEST HILL ROAD
HOMER, AK 99603

cc: DW
FAULKNER

Nov. 29 1993



Dear NPFMC

As a lifetime Alaskan, and hotel operator in Homer,
I urge you to resist further restrictions upon
public access to a public resource.

Slapping restrictions on Halibut Charter operators or
privatization of sport fishing through quotas is not
focusing on the real problem. Nor is it an
acceptable solution to increasing competition for
limited resources.

My Solution: Pay a little more attention and respect
to the people who own the resource. The American
taxpayers, yes the general public, should have the first
right to freely access public resources within
sustainable harvest limits. The balance should be sold
annually, or periodically, to the highest bidder.

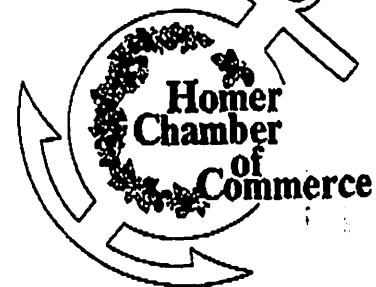
Under this system, the public would realize a host
two benefits -- access and income -- from existing
"management" policies.

Let's ask the question "who are we managing this asset
for?" before we determine how to manage it!

Respectfully yours,

HOMER *etc*

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To DAVE Withera II	From Homer Chamber	
Co.	Co.	
Dept.	Phone # 235-7740	
Fax # 271-2817	Fax # 235-6557	



"Halibut Fishing Capital of the World"

North Pacific Fisheries Management Council
PO Box 103136
Anchorage, AK 99510

December 1, 1993

To Whom it May Concern:

It has come to the attention of the Homer Chamber of Commerce that the Alaska Longline Fisherman's Association has asked the North Pacific Fisheries Management Council to divide the Alaskan Sport Halibut fishery into two categories and place an annual cap on the guided sport fishery equal to the 1992 catch.

Certainly you realize the economic impact closing the sportfishing season would have on our local economy. Again, if numbers from research everyone agrees on show that the Longliners overfished their 1993 quota by 3.9 million pounds and the total guided catch was estimated at 3.6 million pounds then it would appear that the wrong group is being scrutinized. Please make every effort to develop and work with unbiased statistics and realize the overall economic impact of what you are recommending. We are hopeful you will succeed.

We wish you luck in your strategizing and realize your job is not an easy one but neither is explaining why the economies of several small seaside towns would be devastated by an incorrect decision. If we can be of assistance in any way throughout this process, please do not hesitate to ask.

Sincerely,

Todd K. Greimann, President

AL JOHNSON

DEC 30 1993

December 27, 1993

North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, AK 99510

To Whom it May Concern:

I strongly oppose the proposal from the Alaska Longline Fisherman's Association. This proposal would divide the sport fishing into two groups; "guided sport" and "recreational sport." Further, it would impose a cap at the 1992 catch level of the guided sport catch. The following are the reasons for my opposition:

1. A sport fisherman is any person that purchases a sport fishing license. The means they use to reach the fishing area should not be any consideration. A charter boat is a Coast Guard licensed passenger carrying vessel. The skipper is not a licensed guide. For income tax purposes the IRS considers the charter industry as in the entertainment business.

2. To place a cap on the total catch of the sport fishing would be an additional IFQ on the fisherman. There is a 2 fish per day cap already in place to protect the numbers of halibut. The numbers of sport fisherman is limited by the infrastructure of the area, ie; harbor space, boat launching areas, motel/hotel accommodations, and the remoteness of the area. The guided sport fishing industry is limited by economics.

The sport fishery, unlike other user groups, is a clean fishery. There is essentially no bycatch or mortality. Contrast this with the longline fishery where in 1993 there was over 2.5 million pounds wasted while going over the allocation by 3.9 million pounds. Figures are not available for mortality from sport fishing but it would seem negligible.

There appears to be no biological reason for a change in the method of determining the sport harvest catch. It also appears the Alaska Longline Fisherman's Association "went after" the easiest group politically. My suggestion would be to start with the real culprits which are themselves and/or the drag fleet.

Sincerely,


Al Johnson

Al Johnson
347 Riverside Drive
Soldotna, AK 99669

P. 01
PAGE 1 OF 2
NOËL JOHNSON

DEAR NPFMC MEMBER,

I AM WRITING TO YOU REGARDING
THE RAPIDLY INCREASING TAKE OF
PACIFIC HALIBUT BY THE GUIDED SPORT
FISHERY IN THE GOA.

IN THE PAST 8 YEARS (84-92) THE
NUMBER OF GUIDED SPORT VESSELS
REGISTERED WITH THE IPHC HAS
MORE THAN DOUBLED (260-559)
WHILE THE REPORTED SPORT CATCH
OF HALIBUT HAS INCREASED FOUR
FOLD (1.65 MILLION LBS TO 6.2 MILLION LBS).
WITH UNCONTROLLED UNCHECKED GROWTH
IN THE CHARTER (GUIDED SPORT) FLEET
- 100 NEW PERMITS ISSUED FOR SITKA
AREA IN 1993 - THE ENTIRE
HALIBUT QUOTA FOR THE GOA,
COULD BE CAUGHT BY THEM BY
THE YEAR 2000.

IT IS TIME TO PLACE A CAP ON
THE HARVEST OF HALIBUT BY THE
GUIDED SPORT FISHING FLEET
SIMILAR TO THE ONE WORKED
OUT BY THE STATE OF ALASKA FOR
KING SALMON.

THE FUTURE OF THE COMMERCIAL
LONGLINE FISHERY, AS WELL AS,
ANY IFQ PROGRAM LIES IN
RAPID ACTION BY THE COUNCIL
TO ESTABLISH A FAIR HARVEST
LEVEL OF PACIFIC HALIBUT BY THE
GUIDED SPORT FISHING FLEET IN
THE GOA.

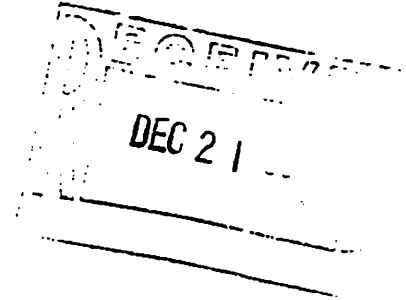
SINCERELY

NOEL JOHNSON
BOX 6304
SITKA AK 99835

Ketchikan Marine Charters, Inc.

December 17, 1993

Richard Lauber, chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510



Dear Chairman Lauber,

Ketchikan Marine Charters, an association of charter vessel and fishing lodge owners, is opposed to any regulatory action by the Council of the "guided sport" halibut fishery other than "status quo".

In our opinion, the regulatory amendment proposal submitted by the Alaska Longline Fisherman's Association is invalid and should not even be considered by the Council for the following reasons:

1. The increased halibut sport harvest alluded to by ALFA is directly attributable to population growth and increased numbers of visitors to Alaska which has resulted in increased sport fishing effort.
2. Sport anglers, "un-guided" or "guided", harvest halibut. And, the number of sport anglers has been steadily increasing according to State license sales statistics.
3. Charter operators only provide a service to sport anglers in the form of transportation and tackle.
4. Growth of the sport fishing service industry is directly attributable to increasing sport angler demand which in part has been created by the State of Alaska's visitor promotion efforts in addition to resident population growth.
5. The "guided sport" fishing industry is regulated by market demand and influenced by a multitude of factors not even considered by Trumble in his dubious growth projections.
6. Alaska Department of Fish and Game halibut sport harvest data is inaccurate due to an implicit creel survey bias and the less than reliable results of the postal survey.
7. ADF&G data regarding the "guided sport" halibut harvest is nothing more than an estimate with a wide margin of error due to an inconsistent and sporadic statewide creel census program.

Ketchikan Marine Charters, Inc.

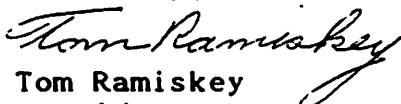
Page 2

8. The rapid growth of the "guided sport" halibut fishery is exaggerated and can not be substantiated as there is no data available to determine the actual number of charter operators "actively" involved in providing sportfishing services to halibut sport anglers.
9. ADF&G and IPHC registration lists reflect only the number of registrants, not the number of participants, and may be inflated by commercial fishermen registering in anticipation of a limited entry permit. In Southeast Alaska alone, 25-27 percent of the registered charter operators are commercial fisheries permit holders.
10. ALFA's proposal to subdivide the sport halibut fishery into two separate categories is not within the Council's authority. Any action that regulates the halibut sport fishery as two separate groups and establishes differential regulations is both discriminatory and inconsistent with the Constitutional and statutory provisions concerning equal opportunity.

Ketchikan Marine Charters maintains that any increase in sport halibut harvest can and should be absorbed by the directed fishery as part of the "cost of doing business" and as payment for the "privatization" of a public resource that has occurred with the IFQ system. It is difficult enough to accept the "leap of faith" required to justify the Constitutional principles that had to be compromised for the IFQ system let alone the first manifestation of this new "right of ownership" which is exhibited in ALFA's proposal!

In our opinion, the by-catch of the trawl fishery and wastage in the longline fishery are of such a magnitude that the sport halibut harvest is a small price to pay as compensation for the continuance of such devastating wasteful commercial fisheries. Obviously, a decrease in by-catch and wastage could offset the sport halibut harvest and should be the Council's objective. A possible incentive might be to annually levy a "fine" against individual trawl by-catch, based on an average per pound price for halibut, and use the proceeds to fund research or to compensate longline fishermen for lost harvest opportunity.

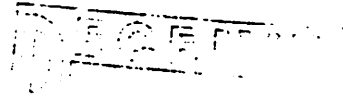
Sincerely,


Tom Ramiskey
president

KODIAK WESTERN CHARTERS

PO Box 4123, Kodiak, Alaska 99615-4123 • Phone (907) 486-2200

KODIAK WESTERN



DEC 30

Monday, December 27, 1993

Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, AK 99501

Dear Mr. Lauber,

Thank you for the opportunity to participate in the charter industry meetings. Regretfully we could not come to a more conclusive end. As time goes by I'm certain that this issue is far from rested and I hope that I may continue to serve the council on this matter.

I strongly support the council process and those that give their time so unselfishly. Please find enclosed our company's written comments to the council on the matter.

Once again thank you for the opportunity to serve. I look forward to working with you and the council in the future.

Respectfully,

Eric C. Stirrup

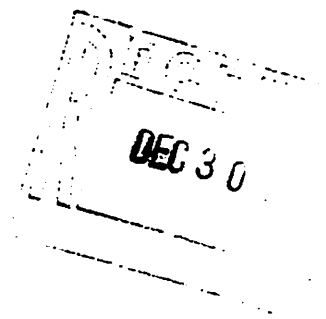
KODIAK WESTERN CHARTERS



PO Box 4123, Kodiak, Alaska 99615-4123 • Phone (907) 486-2200

Monday, December 27, 1993

Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, AK 99501



Dear Mr. Lauber,

The following represents our charter company's position regarding proposed sport charter halibut restrictions and future management options.

Firstly, it is paramount that we as an industry do not attack other industry use prior to managing our own. We do not believe that the commercial by-catch of halibut is the answer to remove the current scrutiny of our charter usage. This is a separate issue being used to cloud the real issue...responsible resource use, and learning to share that resource with its other users.

With that in mind I strongly support the following actions which have no adverse affects on any presently licensed legitimate charter businesses.

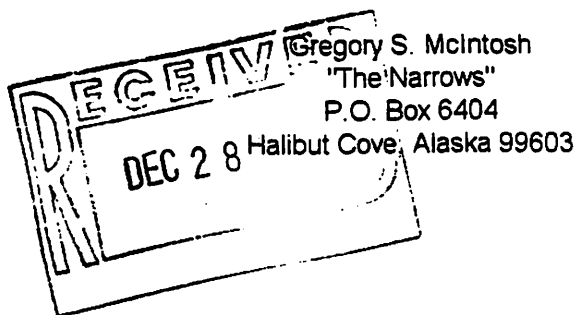
- 1: Implement an immediate moratorium on new license issues for sport charter vessels requiring IPHC licenses.
- 2: Freeze all operators to their current areas of operations based on recent history and landings by port.
- 3: Implement a mandatory logbook reporting program for Alaskan sport charter operators by area and specific sub area. It is not only important to assess catch quantity but also the exploitation rates for near shore areas. An important question is, where are we headed and how fast will we get there.

I'm not advocating a permanent "Close the door" to all future participants but rather a pause. The present industry leaders and resource managers jointly need to assess the future direction and set sensible industry growth criteria based on the available fishery resource not the political demands of the user groups. Our resources have finite limits and we all need to realize that.

To take any further steps now would be premature. Once accurate harvest and use levels are determined, then and only then should decisions be made permanently regulating present and future licensees.

Respectfully,


Eric C. Stirrup



November 27, 1993

Editor
Homer News
3482 Landings Street
Homer, AK 99603-7999

Dear Editor,

Recent efforts by the North Pacific Fishery Management Council (NPFMC) to curb the Alaska guided sport halibut fishery by means of limited entry and transferable quotas are not warranted. These are tools more appropriately used in the management of commercial fisheries.

Limiting recreational access and opportunity to halibut stocks will serve no valid biological or socio-economic purpose. The idea of transferable quotas for the guided recreational fishery is also inappropriate. Unlike commercial fishing, angling is not related to landings; it is not driven by an economic necessity to deliver a maximum number of pounds within a minimum period of time to produce a high price to the fisherman. It exists and survives specifically because it relates to the total experience surrounding catch and not landings. Recreational fishing is just what it says it is, *recreation*. When was the last time you heard a trout fisherman say he caught four totes of rainbows? Or a duck hunter bragging he shot 200 pounds of mallards? Recreational activities (such as fishing and hunting) are regulated by bag limits, size limits and seasonal or area closures. Not by pounds caught or killed, or limitations on opportunities to fish or hunt. I suspect the reason "commercial" solutions are suggested for "recreational problems" is that, to my knowledge, the NPFMC has little experience with recreational fishing issues. Up until now, all conservation and management issues before the NPFMC have dealt with the prosecution of commercial fisheries.

Problems exist within the halibut fishery and the NPFMC is beginning to take appropriate action to bring "halibut" into compliance with the Magnuson Act; however, suggesting that the guided sport halibut fishery is a primary component of those problems is inaccurate. Proposing to curb it by means of limited entry and transferable quotas is unsupportable and unwarranted.

Sincerely,

Greg McIntosh

McINTOSH

January 2, 1994

Editor
Homer News
3482 Landings Street
Homer, AK 99603-7999

Dear Editor,

The headline to Doug Loshbaugh's *Homer News* article, "Charters worry about proposed limits on catch," is appropriate. But owners of hotels, restaurants, barber shops, tackle stores, boutiques and gift shops should be worried, too. In fact anyone who serves that happy crowd of summer, halibut anglers should keep a close eye on what is going on at the North Pacific Fishery Management Council (NPFMC) during the next few weeks.

What's happening at the Council is really quite simple. One group of fishermen (Alaska Longline Fishermen's Association, ALFA) wants to prevent another group of fishermen (Alaska Guided sport fishery) from growing and, as a result, catching more fish. ALFA alleges that growth in sport fishing will reallocate halibut away from longliners, thus causing them economic harm. This from a group that overshot its quota last year by 3.9 million pounds, an amount in excess of the reported, state-wide charter catch. Nevertheless, the question remains, should longliners profit at the expense of recreational angling and the economic benefits it brings to the state? I would hope not. Some economists calculate that every dollar a recreational fisherman spends to catch a fish ripples through coastal communities six times over. Using that formula, the annual value of the guided recreational halibut fishery is just over \$160 million dollars. That's a lot of money and it pays for a lot of hotel rooms, camper spaces, meals, haircuts, beer, plane and derby tickets.

Data show commercial fishermen caught close to 60 million pounds of halibut in 1992. Combined by-catch and other commercial fishing related mortality accounted for another staggering 35.7 million pounds. Under the present system, then, commercial fishing effort wastes more than half a pound of halibut for every pound it produces. With such a record, should ALFA be rewarded by additional allocations? Should halibut charters be penalized? Or should commercial fishermen be required to clean up their act and allow recreational fishing to proceed until there is some biological necessity to regulate it further?

We respectfully make the following suggestions to the NPFMC.

1. Request the National Marine Fisheries Service to "Describe the Alaska Recreational Halibut Fishery."
2. Contract for the performance of an economic study to determine the value of the recreational halibut fishery to the state of Alaska. Part of this study to include a sensitivity analysis of recreational bag and possession limits. The study should also examine the economic loss to the state, caused by present commercial fishing practices and procedures within the halibut fishery.

3. Retain "benchmark" date concerning recreational effort limitation, however, table the request submitted by ALFA for a regulatory amendment until the above studies have been completed and distributed to interested parties. This process not to exceed 18 months.

We suggest the Alaska recreational fishing community follow Ms. Gross' advice and urge Governor Hickel to nominate a qualified recreational fishing candidate to replace Oscar Dyson, whose term expires this year. It is time for the Council to come into compliance with the Magnuson Act.

Sincerely,

Greg McIntosh

Greg McIntosh

NICHOLS

December 13, 1993

DEC 21 1993

To: NPFMC Members,

The letter below relates to the concerns about whether the charter boat INDUSTRY should be separated from the Sport category. I am sure that unless the true- non commercial sport fishery is separated from the charter boat industry that it is only a matter of time, and not very long either, before the Council and the IPHC will have huge problems on their hands with this totally unregulated growth of a Commercial fishery(Charter). Please separate them and regulate the Charter Fleet for what they really are. There would not be such a tremendous increase in the "sport" catches and so much controversy involved if there was no money being made by the charter boat operators. Where there is money being made, there is a commercial venture. By allowing the charter industry to hide in the Sport category only hurts both the non commercial sport fisherman and the commercial fleet that has been in existence for many years. Please act on this issue decisively now. Thank You.

To: Board of Fish,

I am very concerned with the proposals put forth by various segments of the charter fishing industry concerning King salmon allocation. First of all let me state that under no circumstances should the Board of Fish reallocate any more King salmon to the "sports" away from the trollers! In my mind there are a multitude of reasons for this. I am licensed as a charter operator, but my living is made trolling. Because I have a charter license I have received numerous things in the mail from charter organizations wanting support on taking fish away from the trollers. One of the reoccurring themes in these letters states that without more King salmon that the charter industry will suffer shut down time, economic loss, and dissatisfied customers. Wait one minute right there! This is a sport-troll allocation that is being contended. What is another commercial gear group doing in this? The charter fleet needs to be separated from the true sportsman NOW. They are also asking for a moratorium on charter licenses as this INDUSTRY is growing so fast. Where does that leave the true sportsman who goes out to catch A fish to take home? Certainly in a different world than the charter boat operator who apparently wants their customers to take home enough fish to pay for their trip.

The trollers have suffered closures, political nightmares and major

economic losses from losing more and more king salmon to the commercial group of charter operators who are hiding under the name of sportsmen. The Board of Fish gave the "sports" an allocation of King Salmon even though it was obvious then that this fast growing charter industry wouldn't use it wisely and in combination with poor management by Fish And Game caused problems in season for the sports. Now the charter operators are back wanting more. Where will this end? Who are these greedy, irresponsible people who are out for themselves and are willing to wipe out one of the major economic sections(trolling) for their own gain? Why should the trollers suffer MORE cutbacks due to the charter operators and ADF&Gs poor judgement and mismanagement of the sports allocation. Shouldn't each group with an allocation under the Pacific Salmon Treaty be responsible for its own actions? If the trollers have to suffer every time the charter operators want more and more then who is to suffer in return for the trollers needing more King Salmon? Did it ever occur to you that the charter operators are really never going to be satisfied until they have every King Salmon under the treaty allocated to them? The Board of Fish cannot allow this to continue.

The Salmon Treaty states that one commercial group cannot grow at the expense of another within the treaty so the Board of Fish cannot allow this to happen. The Charter Industry is as commercial as trollers, seiners and gillnetters. It is time the Board of Fish made the Charter Industry be responsible users of a small segment of this limited resource. Separate them from the true, non commercial sport fishermen and give them their fair share of this very limited resource **BASED ON THE NUMBERS OF HISTORICAL USE**. To base it on anything less than a ten year average and taking into account that the trollers took a large cutback at the onset of the treaty already (and where were all these charter operators then? They weren't nearly as many then!) would be grossly unfair. They are NOT a more privileged segment of the population and should not be asking for or getting more than has been allocated in the past. There is no way the Board of Fish can work towards the elimination of a historical user group (trollers) to favor a new industry that is seemingly totally irresponsible both socially and economically. Their demands, if satisfied will do permanent damage to all the fishermen who have made their living for years trolling, which is a part of the culture for everyone in S. E. Alaska.

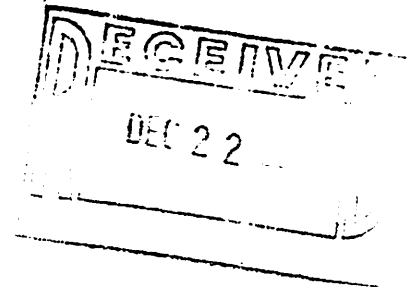
Sincerely,

Carolyn Nichols
305 Islander Drive
Sitka AK 99835

Carolyn Nichols

NINILCHIK C/C

Ninilchik Chamber of Commerce
P.O. BOX 39164
NINILCHIK, ALASKA 99639



DECEMBER 17, 1993

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
P.O. BOX 103136
ANCHORAGE, ALASKA 99510

SUBJECT: HALIBUT MANAGEMENT PROPOSAL

WE ARE WRITING THIS LETTER IN REGARD TO THE PROPOSAL TO SPLIT SPORT HALIBUT FISHING INTO TWO USER GROUPS WHO ARE REGULATED SEPARATELY, AS WELL AS OTHER ISSUE CONCERNING LIMITS ON GUIDES AND CATCH QUOTAS.

WE HAVE DISCUSSED THESE ISSUES AND FIRMLY BELIEVE YOU SHOULD MAINTAIN THE STATUS QUO UNTIL YOU HAVE GATHERED ACCURATE DATA. IT IS OUR OPINION THAT STATISTICS GATHERED SO FAR ARE NOT RELIABLE.

ANY ATTEMPT TO SPLIT CHARTER FISHING FROM OTHER SPORT FISHING IS UNFOUNDED BECAUSE, AFTER ALL, THEY ARE SPORT FISHING EVEN THOUGH THEY HIRE THEIR TRANSPORTATION.

WE FEEL THAT IN OUR IMMEDIATE NINILCHIK AREA, THE HIGHEST AND BEST USE OF HALIBUT STOCKS IS FOR SPORT FISHING, AS THE ECONOMIC VALUE GENERATED PER POUND OF FISH HARVESTED IS SO MUCH GREATER. IF LIMITS WERE TO BE IMPOSED FOR BIOLOGICAL REASONS, WE FEEL THAT THE SPORT FISHING HARVEST SHOULD BE GIVEN SOME PRIORITY OVER COMMERCIAL LONGLINING. WITH THIS MANAGEMENT PHILOSOPHY, OUR HALIBUT STOCKS WILL BE ABLE TO PERPETUATE THEMSELVES EVEN WITH AN INCREASED SPORT FISHING EFFORT.

PLEASE KEEP US INFORMED AS TO ANY CHANGES THAT MAY OCCUR TO OUR FISHERIES. WE ARE ALL CONCERNED BECAUSE OF THE DIRECT IMPACT YOUR DECISIONS MAY CAUSE. OUR PHONE IS (907)567-3571 AND FAX IS (907)567-1041.

THANK YOU FOR YOU ASSISTANCE IN THIS MATTER.

RESPECTFULLY SUBMITTED,

Vicki Steik

VICKI STEIK
PRESIDENT

A handwritten flourish or signature mark consisting of a vertical line with a horizontal crossbar and a small loop at the bottom.

cc: DWR
SCHOMING
RECEIVED
DEC 13 1993

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510
Attn: David Witherell

12/1/93

To the council

My concern after sitting through The Halibut Charter Working Group that met on Monday November 8th, 1993 is that the end result that we are attempting to accomplish, the restoration of good halibut population in Near Coastal Waters, will not be accomplished.

As far as Kachemak Bay and surrounding waters are concerned I have seen a tremendous population decline of halibut in the last five years and if the truth were spoken I think most fishing operators would have to agree. Not only do we have to go out further for decent fishing grounds, the average size fish is getting smaller.

Following public testimony, the Working Group focused on three alternatives; status quo, limited entry and traditional measures. The central theme seemed to come back to limited entry as the means that will be approved; understandably this would hurt the Charter Operator the least but just how much do you think this will bring back the healthy population of halibut?

I am concerned that the halibut population will end up like the King Crab and shrimp that once populated Kachemak Bay. There was all kinds of reasons for the drastic decline but when the dust settled it was obvious to most that they were just over fished!

I think limited entry will bring a regulatory licensing program which regulate licenses but will not have any effect on the fish restoration. I support a more aggressive approach; drop the quota to "one" for all Sport and Charter operators every other year (odd or even years). This will cause a more drastic decline on the overall fish taken and will also satisfy a more fair approach to the real problem.

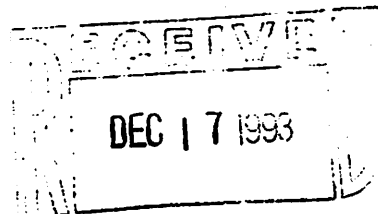
The above method of control is not an easy one for myself, as I am a avid fisherman. I was born in Seldovia and have been fishing the waters of South Central all my life. I can not help believe that if one fish (halibut) is allowed that we will still have are bays full of fisherman trying for that 300 pounder. The cold hard truth is we must all do our part in this endeavor.

Sincerely submitted



Ked Schoming (Lic. Skipper) Morning Glory
HCO-1 Box 6118
Palmer, Ak. 99645

TURNER



JIM TURNER
P.O. BOX 71553
FAIRBANKS, AK
99707

N PACIFIC FISHERIES MGMT COUNCIL

P.O. Box 103136

ANCHORAGE, AK, 99510

GENTLEMEN

I THINK THE ALASKA LONGLINE
FISHERMEN'S ASSOCIATION IS LOOKING
IN THE WRONG DIRECTION WHEN THEY
WANT TO CONTROL THE CHARTER &
PERSONAL USE NAUIGUT FISHERIES.

I FEEL THAT IF THEY ARE
SERIOUS ABOUT THE NAUIGUT
STOCKS THEY SHOULD LOOK AT

WASTE FROM THE TRAWLERS AND
SEINERS WHO CATCH AND DISCARD
MILLIONS OF POUNDS OF ALL KINDS
OF FISH EACH YEAR. THE SMALL
PERCENTAGE CAUGHT BY CHARTER
AND PERSONAL USE PALES BY
COMPARISON WITH THIS WASTE.

Sincerely,
Jim Turner
P.O. Box 71553
FAIRBANKS, AK 99707

VALDEZ CHARTERBOAT ASSOCIATION
PO BOX 2850
VALDEZ, ALASKA 99686

SUBJECT: HALIBUT CAP POSITION PAPER

20 DEC 93

The Valdez Charterboat Association represents 31 charterboat companies that provides a transportation service to non-boat owning sportfisherman from Valdez to various locations in the Prince William Sound and the Gulf of Alaska.

The membership of the Valdez Charterboat Association elects to remain at **Status Quo** for the following reasons:

1. As 1992 sport halibut harvest records indicate, The sportfisherman took 5.6 million pounds of halibut from Alaskan waters, it is projected that about 40 % of such halibut were caught from sport guided vessels or approximately 2 million pounds. The commercial longliners however exceeded their 1993 catch limits by 3.9 million pounds in area 2C, 3A and 3B and the by-catch continues to soar at 17 to 20 million pounds annually. The scale of equality is not even close. Maybe the time has come to reevaluate the intent of the 1982 Halibut Act as what entities have acquired an excessive share of the halibut fishing privileges and realign those fishing privileges more equitably among all users.
2. The unknown effects of the new IFQ fishery on the sportguided industry will not be experienced until 1995. We have concern that the IFQ permit holder will be able to fish directly on top of the sportguide operator, the sportguide operator is constrained by distance to the fishing grounds and depth of water his clients could realistically sportfish. We would like to see an exclusive fishing zone for the sportfisherman and sportguides imposed from 1 May through 1 Oct to prevent the foreseeable user conflicts on the grounds. We further understand that in the development of the commercial IFQ fishery, no consideration of the sport guided fishery was discussed or acknowledged.
3. The lack of data concerning the amount of active sport operators actively engaged in the fishery. Currently the IPHC permit issue records of 1993 indicate that 622 vessels received **both** a sport halibut permit and a commercial halibut permit. The VCBA desires that IPHC ask for validation of a sport permit prior to issuance. It is suggested that a copy of a USCG license be submitted with application. This will aid in giving a decision body much more accurate figures on the active sportguided operators to base possible additional regulations from without doing an injustice to the charter fishing industry.

PAGE 3

Alternative 5: Utilize traditional management measures to restrict catch.

The VCBA feels that under alternative 5, all measures must remain equal between sport guided and the recreational sportfisherman, We do not support separating non-boat owners from boat owners.

The VCBA does not support restricting the guided sport fishery for halibut by restricting the size of fish caught, seasons, daily bag limits or possession limits.

The VCBA does support a restrictive punch card system provided that no other alternative be utilized.

The VCBA suggest that a possible punch card system be put in place that would provide a limiting number of ten halibut per year per sportfisherman. The current IPHC sport regulation would remain unchanged as to daily bag limits and possession limits.

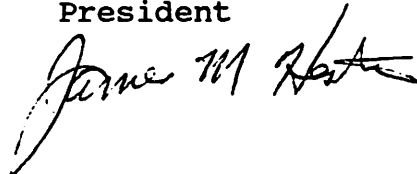
The punch card system would eliminate crew fish beyond their ten fish limit, we suggest that in the interest of equality that the commercial longliners give up their personal use fish also.

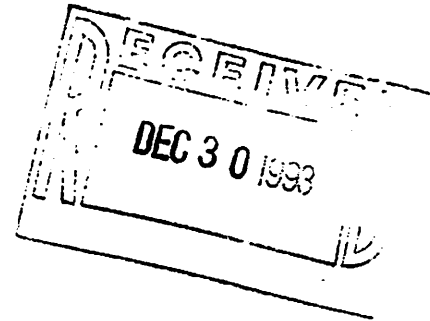
The punch card system should be structured to: 1. validate harvest separation between recreational and sport guided 2. validate harvest data by sub-division of 3A .

The VCBA supports using the data supplied over a three year implementation of the punch card system with additional data to be available in fall 94 from University of Alaska as justifiable to base regulatory decisions

The membership of the Valdez Charterboat Association is in full agreement of this position paper and is provided for record to the Halibut Charter working group meeting of 20 Dec 1993.

JAMES HESTON
Valdez Charterboat Assn.
President





December 26, 1993

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, AK 99510

Re: Guided Sport Halibut Allocation

To Whom It May Concern:

My partners and I own Waterfall Resort which is located 60 miles west of Ketchikan in Southeast Alaska. Waterfall can accommodate up to 84 guests per day and operates 25 guided cabin cruisers.

The Halibut resource is critical to attracting our clientele. Since our average guest stays between four and five days, it is imperative that we are able to access the halibut resource for our entire season. Any closure of Halibut fishing would amount to a substantial economic loss to our company.

The concept of limiting access to halibut by the sport fishing community is ludicrous based on the facts outlined in the attached statement from the Homer Charter Association. I do not intend to revisit the reasons outlined in the attached letter but would like to bring up some other issues for your review.

Both Alaska State and U.S. Constitutions and Laws protect the rights of public access to our resources. Based on the current utilization of the halibut resource by the sport user groups, any attempt to restrict this use would have to be a violation of the public's right to access. If the Washington State allocation has any basis in reality, the Alaska sport user groups are a long way from using their fair and equitable share of the existing resource.

The concept of only restricting "guided" sport users is a certain violation of interstate trade laws. It is obviously a thinly veiled attempt to separate resident and non-resident user groups. It is obviously more politically correct to protect the state residents and harm the businesses that attract non-residents who do not have the political clout to fight these biased "fishery management organizations".

I can hardly believe that any regulation of sport user groups is even being considered. Shouldn't you change your name to the North Pacific Commercial Fish Advocacy Group. It would be a much closer representation of the goals and biases of your organization. Please, look at the facts from both a public access and economic viewpoint. Only one decision can be reached, LEAVE THE SPORT USER GROUPS ALONE!

Respectfully submitted,



Kenneth A. Dole
Managing General Partner

Homer Charter Association

P.O.Box 148 Homer, Alaska 99603 (907) 235-2282 phone/fax

November 18, 1993

In May 1993 the Alaska Longline Fisherman's Association, based in Sitka, asked the North Pacific Fisheries Management Council to divide the Alaskan Sport Halibut fishery into "Guided Sport" and "Recreational Sport" fisheries and place an annual cap on the "Guided" Sport fishery equal to the 1992 catch.

This proposal grew out of a study done by biologists with the International Pacific Halibut Commission which showed in a worst case scenario that by 1999 if the charter fleet grew at the estimated rate, its catch would grow past a declining longline catch. Another study done by biologists with the Alaska Department of Fish and Game showed that this is not the case at all. The charter fleets have about topped out and cannot expand past the number of clients available. We have concluded that the figures can be skewed to show any position needed for a desired result.

The ALFA proposal was to be brought up at the June meeting of the NPFMC held in Kodiak. The sport fish services were immediately defensive because of the timing and manner of the proposal. The sport fish fishery would not be able to adequately respond due to the meeting being held during the busy charter season and being held in a place represented by very few charter boats.

Fortunately through the efforts of statewide charter fishing associations the proposal was put off until the September meeting held in Anchorage. At that meeting the NPFMC decided to put a control date of September 23, 1993 as the possible date for closure to new entries into the guided sport fishery and to form a working committee made up of members of the commercial Longline fishery, charter boat and charter business owners and operators, ADF&G and IPHC biologists, NPFMC staff and the general public. The working committee would try to decide which would be the best way to regulate the guided sport fishery either through annual harvest caps, floating harvest caps, Individual Fishing Quotas (IFQ's), License limitations, status quo or traditional means such as shorter seasons, smaller bag limits, size limits, etc.

Through public testimony and testimony of the sportfishing members of the working committee, their position was overwhelmingly in favor of keeping the fishery as it is now, keeping the control date and doing an in-depth study by an unbiased group. The University of Alaska is currently conducting such a study.

A lot of interesting information came out of the meeting. The IPHC and the ADF&G downgraded their estimates of the 1992 sport catch from 7.3 million pounds to 6.6 million pounds which is 300,000 pounds less than the 1991 sport catch, while at the same time we are supposedly growing at 15% per year. If the sport catch is actually decreasing why are the commercial interests trying to restrict the catch?

Also we were informed by the IPHC that the Longliners over fished their 1993 quota by 3.9 million pounds. The total guided sport catch was estimated at 3.6 million pounds which means their over catch exceeded our paltry total. (the guided sport catch is approximately 51% of the total sport catch) Incidentally, depending on stock assessments, any over fishing on their part is not taken as a direct deduction from their next years quota.

The wastage in the Longline fishery was estimated at 2.45 million pounds mostly from high mortality of released juvenile fish and commercial fishing gear left on the grounds.

So here we have two user groups and the one that catches 60 million pounds, overfishes and wastes fish is trying to control and restrict the one that catches just 3.6 million pounds, has a very low mortality rate and very low bycatch. Is this fair??

In Washington state the halibut catch is divided 37.5 % sport, 37.5 % commercial and 25 % tribal. So it has been suggested that perhaps the halibut resource in Alaska be divided 50/50 between sport and commercial. As soon as that is mentioned the commercial interests say "how could you possibly utilize that much fish, your industry isn't big enough". Exactly our point. Why are you bothering us??

The guided sport halibut fishery should not be separated from the recreational sport fisherman. From any management perspective there is no reason to have two separate regulations for the two groups. All a charter boat does is take the sport fisherman to the fish. The Longliners say they are only a platform used to bring fish to the people who cannot afford to go catch their own. I couldn't agree more. Let's leave it that way. If the charter boats are restricted the end result is that the sport fisherman is restricted once again.

Suppose the charter fleets were held to an IFQ or cap on the amount of fish taken. If it was a good fishing year the season could conceivably be shut down in mid August leaving 2-3 weeks left in an otherwise good year. That quota could allow commercial Longliners to have say 2 million more pounds of halibut to harvest. Six thousand boats currently commercially fish for halibut and each one of them could average 333 pounds more catch. At an average price of \$1.10 per pound each fisherman could make \$366.00 more income while a shortened season could devastate the charter industry.

Anyone who sport fishes or has a tourist related business should be very concerned about any restriction that shortens the season or reduces the present bag limit.

The next opportunity for public comment will be the meeting of the subcommittee on December 20, 1993 at the Federal Building in Anchorage. The full council will meet on January 10, 1994 in Anchorage.

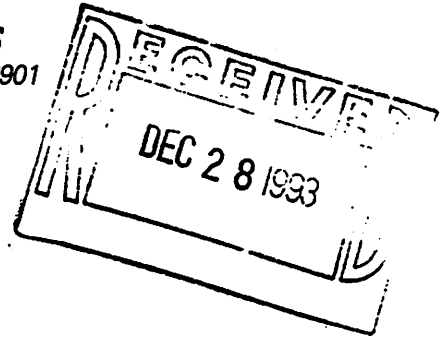
Please address all letters to:

North Pacific Fisheries Management Council
P O Box 103136
Anchorage, AK. 99510

Please call Sean Martin at 235-5130 or Robert Ward at 235-7014 or the Homer Charter Association at 235-2282 for more information.

WIDNESS

Robert D. Widness
P.O. Box 7462 • Ketchikan, Alaska • 99901
(907) 225-1906



Dec. 21, 1993

N.P.F.M.C.
P.O. Box 103136
Anchorage, AK 99510

Dear council members,

This letter is in protest to your consideration of any change to sport halibut regulations. The idea is unfound by logic. The people of the United States of America own those halibut and only give rights to the commercial industry to harvest them. Those rights are a privilege and do in no way give ability for the commercial industry to regulate catch by the public (i.e. subsistence, sport, or guided sport users).

I am trying to keep this letter as mild as possible , but, I am raging inside. It just seems that the council sees themselves as pompous godlike figures that can dictate and dole out the quotas so that their particular fishery is satisfied. I wish the council would take it upon themselves to treat these fish as if fishermen do not own them, because WE THE PEOPLE DO !!!!

In other words, status quo until the demand for subsistence, sport, or guided sport becomes greater. Then start allocating back to the owners of those fish. In the meantime, try to let the commercial fishing industry know they have a "hand that feeds them" (US).

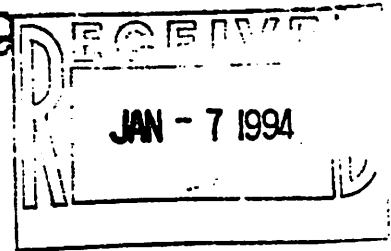
Thank you for hearing these comments.

Sincerely,

Robert D. Widness

Randa's Guide Service

Box 3055, Soldotna, Alaska 99669
(907) 262-9494



North Pacific Fisheries Management Council
Fax: (907) 271-2817

RE: Alaska Longline Fishermans Association proposal to regulate the sport
halibut charter industry

Dear North Councilmember:

As an Alaska resident and a guide/charterboat operator this proposal before the council concerns me. The Council's actions regarding this issue and the exchange at the work sessions have done little to give me confidence that the Council has the expertise or the objectivity regarding this issue to make decisions which will effect an industry obviously under attack by the longline fishermen. I also question the existence of representation of my industry on the Council.

I participated to the extent possible in the recent work shops and was able to achieve a greater understanding of halibut management and some of the problems the Council deals with such as trawl fleet by-catch and fishery waste and overage. I also learned about my industry and the problems which it presents to your Council.

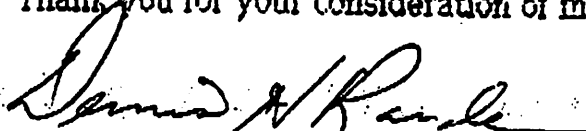
Briefly, and the facts support this, I do not believe that the ALFA proposal has any grounds other than greed and historical harvest to sustain their argument. The information from ADF&G as recently revised does not support the claim of continued growth in the charterboat industry. This information actually suggests that the peak may have been in 1991. Until the 1993 data is processed we won't know.

It is my contention, and again the facts support this, the Council as it exists does not nor will it (if the longline representatives at the work shops are an example) be able to understand the variables in my industry, a must for any management to be successful (unless the goal is to destroy the industry). The Council has authority to restrict my industry, I acknowledge this, but the justification just does not exist at this time for imposing a "cap", or "limits", or "quota", especially when their impacts on the industry are not understood by the Council.

The Council receives its direction from the language of the Magnuson Act, which states that 1) "that to regulate a user group, that group should have representation on the council", and 2) "no individual, corporation, or other entity, should acquire an excessive share of halibut fishing privileges." From my point of view application of this language as criteria for managing my industry leaves the North Pacific Fisheries Management Council short of representation of my industry as well as by implication that sportfishing as a whole (let alone the charter industry) could possibly be threatening to acquiring an excessive share of the halibut fishing privileges.

I would feel differently if there were conservation concerns expressed, but there hasn't been, therefore I only support effort to improve the professionalism of the charterboat industry and assure the quality of its service to the public. I would also support increased effort to gather the accurate data necessary for management decisions, both to determine what if any regulatory action might be necessary and what their effect upon my industry would be.

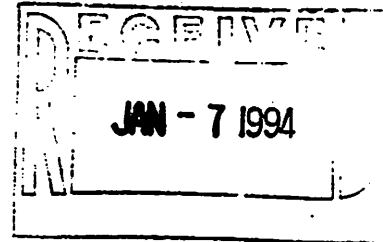
Thank you for your consideration of my position.



Dennis H. Randa

January 3, 1994

North Pacific Fisheries Management Council



RE: Alaska Longline Fishing Association proposed action to separate halibut charter patrons from sport anglers and to regulate their harvest.

As President of the Alaska Council of Trout Unlimited I would address our concerns for your consideration before taking action on the aforementioned.

1) Trout Unlimited is North America's largest cold water conservation organization. We oppose any action separating sport anglers from charter boat patrons (who are sport anglers). There are only two user groups here: commercial and sport.

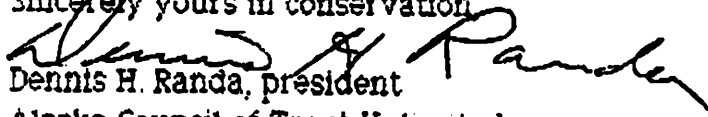
2) Trout Unlimited supports NPFMC action to restrict the halibut sport fishery **only** when that fishery has reached a harvest approximately equal to that of the directed longline fishery. Sport harvest presently is less than 10 percent of the total harvestable bio-mass and appears to be leveling off or declining rather than increasing as ALFA claims.

3) Trout Unlimited finds by examination of the data that there is tremendous wasted resource within the trawl industry, 20 million pounds (less than 1 lbs/fish) of by-catch in 1992. Also in 1992 the longline fishery over quota harvest plus their waste plus their personal use exceeds the total sport fish harvest. The sport fishery is **very** clean by comparison.

4) Trout Unlimited will oppose any action by the NPFMC until the Council is representative of the user groups it intends to regulate. There presently are no sport representatives on the Council and only one on the Advisory Committee.

5) Finally, Trout Unlimited is very concerned for the recruitment health of the halibut resource. The trawl industry by-catch represents the future of the resource and it's potential for harvest and is quite possibly only the tip of the problem. It is completely inconceivable to us that the NPFMC would attack a clean industry while it is apparently impotent to deal with those who have the greatest adverse impact on a public resource.

Sincerely yours in conservation


Dennis H. Randa, president
Alaska Council of Trout Unlimited

C-4
1994

January 8, 1994

TESTIMONY AT NPFMC REGARDING HALIBUT CAP

LONGLINE QUOTAS ARE DETERMINED BY FIRST SUBTRACTING THE BYCATCH, PERSONAL USE, WASTAGE, AND SPORT HARVESTS FROM THE CONSTANT EXPLOITABLE YIELD. ALFA CLAIMS THAT AN INCREASING SPORT HARVEST REALLOCATES THE RESOURCE AWAY FROM THEIR FISHERY BECAUSE OF DECLINING STOCKS. THEY PROPOSE TO CAP ONLY THE SPORT GUIDED HARVEST IN ORDER TO AVOID AN ECONOMIC LOSS TO THE TRADITIONAL DIRECTED FISHERY. OF THE HARVESTS REMOVED FROM THE C.E.Y. TO OBTAIN THE CATCH QUOTA FOR LONGLINERS, GUIDED SPORT IS ABOUT 10%.

TO LIMIT A USER GROUP THAT BRINGS THE STATE A POSITIVE ECONOMIC ACTIVITY BEFORE RESTRICTING THE OTHER GROUPS THAT NOT ONLY WASTE, BUT COMPLETELY REMOVE FROM THE POTENTIAL PROCREATION OF STOCKS, IS NEGLIGENT MANAGEMENT PRACTICE TOWARDS CONSERVATION AND THE HIGHEST AND BEST USE OF A RESOURCE. THIS NEGLIGENT PRACTICE IS ALSO IN DIRECT VIOLATION OF THE MAGNUSON ACT, (SECTION 3) (21)(A) TO ACHIEVE OPTIMUM YIELD, WHICH WILL PROVIDE THE GREATEST OVERALL BENEFIT TO THE NATION, WITH PARTICULAR REFERENCE TO FOOD PRODUCTION AND RECREATIONAL OPPORTUNITIES.

LIMITING ONLY GUIDED SPORT HARVEST BASED ON TOTAL SPORT HARVEST REMOVALS IS UNFAIR AND ILLOGICAL. SUBDIVIDING THE SPORT FISHERY INTO GUIDED SPORT AND RECREATIONAL SPORT IS UNLIKELY TO SURVIVE JUDICIAL REVIEW. I SUBMIT THAT COUNCIL REJECT THE ALFA PROPOSAL AT THIS TIME.

SUPPORTIVE DATA USED TO JUSTIFY THE ALFA PROPOSAL HAS BEEN REASSESSED BY IPHC AND ADF&G TO REFLECT A REDUCED RATE OF GROWTH FOR THE CHARTER FLEET AND A DECREASE IN POUNDS HARVESTED.

STATE BUDGET CUTS OF \$3,000,000 FOR TOURIST PROMOTION SUGGESTS FURTHER DECLINE IN GUIDED SPORT FISH GROWTH.

CHARTER BUSINESS REGISTRATION WITH THE CITY OF VALDEZ SHOWS STABILIZATION OF FLEET, REFLECTING SLOW FUTURE GROWTH.

WAITING LISTS FOR BOAT SLIPS IN MOST ALASKA HARBORS VALIDATES STABILIZATION OF CHARTER FLEET GROWTH.

IMPLEMENTATION OF IFQ ON COMMERCIAL FISHING COULD, AND MOST LIKELY WILL, CONFLICT DIRECTLY WITH GUIDED SPORT FISHING EFFORTS THEREBY REDUCING SPORT GUIDED HARVESTS.

RECRUITMENT OF HALIBUT MAY HAVE REACHED ITS LOW POINT AND WILL LIKELY BEGIN INCREASING THIS YEAR. THE RELATIVE ABUNDANCE OF SMALL HALIBUT WILL INCREASE AND THE MEAN WEIGHT OF A LANDED HALIBUT SHOULD BEGIN TO FALL RESULTING IN STABILIZATION IN THE NET WEIGHT OF HALIBUT REMOVED BY SPORT ANGLERS.

COMMERCIAL LONGLINE FISHING, WITH TRIP LIMITS APPLIED, OVER HARVESTED THEIR C.E.Y. CATCH QUOTA, WHICH UNDER TREATY CANNOT BE EXCEEDED, BY 3.9 MILLION POUNDS IN 1993. THIS OVER HARVEST IS REFLECTED IN THE IPHC RECOMMENDATION OF HARVEST QUOTA FOR THE NEXT YEAR.

THE TOTAL GUIDED SPORT CATCH WAS ESTIMATED AT 3.6 MILLION POUNDS IN 1992. I AM TOLD THAT THE HALIBUT BIOMASS IS IN DECLINE, BUT THE IPHC STAFF RECOMMENDS A COMMERCIAL SETLINE CATCH LIMIT IN AREA 3A AND 2C TO INCREASE BY 7.3 MILLION POUNDS USING AN EXPLOITATION RATE OF 30% INSTEAD OF 35% AS IN THE PAST. AGAIN, I SUBMIT THE COUNCIL REJECT THE ALFA PROPOSAL AT THIS TIME.

I SUGGEST TO THE COUNCIL TO INITIATE ANALYSIS OF A ANNUAL LIMIT OF TEN (10) HALIBUT, PER YEAR, OF ANY SIZE, APPLIED TO ALL SPORTFISHERMAN. A PUNCH CARD SYSTEM FACILITATING THE 10 FISH LIMIT COULD DOCUMENT AREA HARVESTS AND DIFFERENTIATE GUIDED SPORT FROM RECREATIONAL SPORT FISH HARVEST. IN CONJUNCTION WITH LOG BOOKS ON CHARTER BOATS, AND THE ECONOMIC STUDY NOW UNDERWAY BY THE UNIVERSITY OF ALASKA, THE PUNCH CARD SYSTEM COULD EXTRACT DATA VERIFYING JUSTIFICATION OF ANY LIMITS IMPOSED ON THE CHARTER FLEET. THIS WILL ALSO ADDRESS THE EXPORT LIMIT. IT WOULD REDUCE SPORT HARVESTS FROM A CURRENT INDIVIDUAL ALLOWABLE TAKE OF 660 FISH TO 10. A BETTER EXAMPLE AS APPLIED TO A CHARTER CAPTAIN IS AS FOLLOWS:

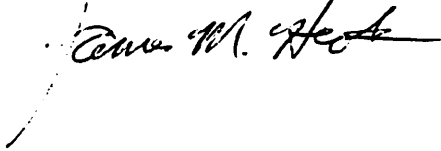
2 FISH PER DAY X 100 DAYS EQUALS 200 FISH.
10 FISH PER SEASON REDUCES ANNUAL HARVEST BY 190
1000 CAPTAINS X 190 EQUALS 190,000 DECREASE.

IFQ FOR CHARTER FISHING WILL NOT ALLOW ME TO PLAN MY SEASON. CLIENTS REQUESTING LATE SEASON BOOKINGS MONTHS IN ADVANCE, CANNOT BE GUARANTEED ACCESS BECAUSE THE QUOTA REMAINING IS UNKNOWN. THE DEVASTATING RESULTS TO THE ALASKA TOURIST INDUSTRY ECONOMIES FROM IFQ'S ARE ENORMOUS.

IF THE COUNCIL CANNOT APPLY THE AFOREMENTIONED INFORMATION AND SUGGESTIONS TO ANALYZE THE PERCEIVED PROBLEM OF SPORT HARVESTS, THEN I OFFER A SOLUTION TO ALL RESOURCE PROBLEMS REAL OR PERCEIVED IN ONE WORD.....BYCATCH

THANK YOU FOR LISTENING

JAMES M. HESTON, OWNER OPERATOR
SEAVIEW CHARTERS



**ALASKA OUTDOOR COUNCIL**

2932 C Street, Suite B
Anchorage, Alaska 99503
(907) 563-4AOC
FAX: (907) 561-0800

JAN 10 1994

January 10, 1994

Mr. Richard B. Lauber, Chairman
North Pacific Fisheries Management Council
605 West 4th Avenue
Anchorage, AK 99501

Dear Chairman Lauber:

The Alaska Outdoor Council (AOC) expresses in the strongest terms its opposition to the Alaska Longline Fishermen's Association (ALFA) proposal of 5/1/93 to separate "guided sport" from "recreational sport" halibut fisheries and to place an annual harvest cap on the "guided sport" halibut fisheries.

The AOC is a statewide umbrella outdoor organization comprised of 45 clubs plus individuals and businesses representing over 10,000 members. The AOC's purpose is to promote sound, scientific fish and wildlife management, equality of public access and use of public fish and wildlife resources, wise use of natural resources and the right to keep and bear arms.

The AOC objects to this proposal on several grounds:

1. The proposal does not address a biological problem related to fishing. Based on data you have, if such a problem exists it is more likely related to overfishing and waste by commercial fisheries including the longline fishery and trawlers.
2. The proposal discriminates against sportfishermen who do not own or operate the necessary equipment to fish for halibut and therefore employ charter boat services for "guided sport fishing". These fishermen have the same basic right to fish for halibut as other fishermen.
3. The argument that the "guided sport halibut fishery" threatens the longline fishery is flawed. As you know, the 1992 estimated sport fishing halibut catch is down from 1991. Other information indicates that the number of charterboats has stabilized. Further, the sport halibut catch in total is a relative drop in the bucket (10-12%) of the total halibut removal. It equals little more than 1/2 of the bycatch and waste of the commercial halibut fishery in area 3A, for example.

Mr. Richard B. Lauber

- 2 -

January 10, 1994

4. Several proposed limitations on "guided sport" halibut fishing would very likely make halibut charter boat operation uneconomic. Halibut sportfishermen who do not own or operate the necessary equipment for halibut fishing would be unable to fish. In addition, related commerce which is important in many communities would suffer.

The Alaska Outdoor Council strongly recommends that you reject the Longliners proposal, that you adopt the "status quo/moratorium" recommended by the charter boat associations, and that you take no further regulatory action prior to analysis of the University of Alaska sportfishing study currently underway.

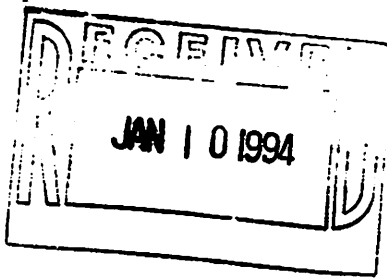
Adoption of the longliner proposal would be an arbitrary action based on a factually flawed rationale. It would certainly compromise the NPFMC's credibility. Most important from the Outdoor Council's perspective, it would be a gross injustice to sportfishermen, as well as to the legitimate charter boat enterprise that serves them.

Sincerely,



Richard H. Bishop,
Vice President

cc: Governor Walter J. Hickel
Clem Tillion, Special Ass't, Fisheries
Senator Frank Murkowski



Ron Bennett
1167 Airline Drive
North Pole, AK 99705

NPFMC,

I SUPPORT YOUR EFFORT
TO CAP THE SPORT FISH GUIDE
CATCH OF ANY SPECIES. IT'S
A COMMERCIAL VENTURE AND
IS TRYING TO AVOID COMMERCIAL
GUIDELINES UNDER THE GUISE
OF SPORT FISHING. THE SPORT FISH
PEOPLE THEMSELVES SHOULD
OPPOSE UNREGULATED GUIDING.
PEOPLE IN THE INTERIOR UNDERSTAND
NOTHING ABOUT COMMERCIAL



FISHING AND PEOPLE ON
THE COAST UNDERSTAND
NOTHING ABOUT THE WOLF
ISSUE.

THE GUIDES ARE NEWCOMERS
ON THIS ISSUE AND ARE
IDIOTS TO ATTACK OTHER
RESOURCE USERS LIKE THEY
DO!

THANK YOU

Lawrence

TO: NORTH PACIFIC MANAGEMENT COUNCIL

12/29/

I AM IN SUPPORT OF ALFA'S PROPOSAL TO DIVIDE ALASKAN SPORT HALIBUT FISHERY INTO "GUIDED" + "RECREATIONAL" SPORT FISHERIES, AND TO PUT A CAP OR SOME SORT OF ENFORCEABLE GUIDELINE ON ALASKAN SPORT HALIBUT FISHERY.

I LONGLINE WITH MY HUSBAND + AM CONCERNED ABOUT DRAMATIC INCREASE OF SPORT CAUGHT HALIBUT IN AN UNCONTROLLED GUIDED SPORT INDUSTRY. POSSIBLY EXPORT LIMITS WOULD BE HELPFUL.....

I REALIZE THE IMPORTANCE OF TOURISM + SPORT FISHING + HAVE SEVERAL FRIENDS IN THE CHARTER FLEET IN SITKA. ALL WHO SHARE IN THIS HALIBUT RESOURCE MUST BE RESPONSIBLE, FISHING TO ALLOW CONTINUED HEALTHY HALIBUT STOCKS.

I URGE YOU TO TAKE POSITIVE ACTION ASAP.

SINCERELY,

Claire Cochran-Johnson

P.O. 6384

SITKA, AK. 99835

January 12, 1994

North Pacific Fishery Management Council
P. O. Box 103136
Anchorage, Alaska 99510

SUBJECT : C-4 Halibut Charter Cap

Dear Council Member,

This written testimony is a summary of the verbal testimony that I plan to present at the council meeting on January 14, 1994.

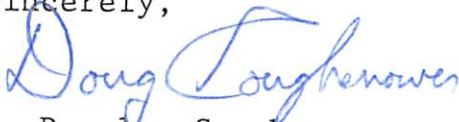
As a resident Alaskan sportfishing license holder I strongly object to any plans you may have to regulate guided (charter boat) halibut fishermen differently from non-guided (private boat) anglers. To place halibut sport fishing restrictions on charter boats that are different from those placed on private boats is to create two different classes of sportfishermen. In effect you are telling me that because I choose not to buy a boat or because I cannot afford to buy a boat I do not have the same rights to fish for halibut as someone who does own a boat. That is not right or fair.

According to the Alaska Department of Fish and Game report, "Harvest, Catch, and Participation in Alaska Sport Fisheries During 1992 (page 102) the harvest statistics for the Kenai Peninsula area show that charter boats took 83,157 (52%) and private boats took 76,396 (48%) of the boat harvested halibut in that area. As far as I can see its pretty much a 50-50 split between charter and private boat fishermen. Why are you proposing to impose additional regulations (i.e. limiting the access) of one of these groups but not the other? I believe the Magnuson Act requires fair and equitable treatment of all user groups in matters of resource allocation.

There has also been talk of extending the pending IFQ program to the charter operator. This also has very unacceptable implications to me as a sportfisherman. Are you proposing to give "sportfish" to the charter operators in the form of a quota and then expect the operator to sell this quota back to the sportfisherman? Not only would this limit charter halibut fishing to those who could pay the most but I believe it is still illegal, in Alaska, to sell sportfish.

If you are certain it is necessary, for the protection of the resource, to impose additional regulations on the halibut sport fishery then please treat all anglers equally. Don't create a situation of "Have and Have Not" anglers.

Sincerely,



D. Douglas Coughenower
P. O. Box 619
Homer, Alaska 99603

January 10, 1994

Steve Fish
P.O. Box 6448
Sitka, Ak. 99835

TO: Dan Falvey
NPFMC Advisory Panel
C/O NPFMC Anchorage, Ak.

Please distribute to chairman Lauber and members of council as part of comments on Halibut Charter Boat management item. Thanks.

Dear Chairman Lauber and members of the Council,

I would like to address the issue of management of the out-of-control growth of the halibut charter boat fleet.

I have fished halibut for a living since 1975 and currently own a 67' longliner. I live in Sitka.

First of all, I would like to say that the halibut charter boat fleet is a commercial and not a sport fleet and should be managed as such. They rely on halibut for all or part of their living and should act accordingly as proper stewards of that resource.

They should not expect this well publicised burgeoning growth of their fleet and the subsequent effect on the halibut resource to be allowed to continue unchecked. They should be accountable for their take and responsible members of the commercial management scenario, concerned with the rest of us about a safe and stable resource.

The commercial fleet has a long record of supporting conservative halibut management, at times to its own immediate detriment. We have always had a quota to work under. It is ludicrous to consider that this relatively new and virtually unregulated group should be allowed to grow unchecked at the expense of the established and responsible commercial fleet.

The commercial halibut fleet now has its cap, the IFQ system. The commercial charter boat fleet should be allocated a portion of the TAC according to its past history and regulated under their own quota. How they propose to live with their stable quota is up to them and management.

Thank you for this opportunity to comment on this issue.

Sincerely,



Steve Fish

Rod N Real Charters
266 Redwood Court
Soldotna, AK 99669
FAX 262-6622

N.P.F.M.C.
P.O. Box 103136
Anchorage, AK 99510
FAX 271-2817

January 11, 1994

Dear N.P.F.M.C. Members:

I am an Alaskan resident. I derive my livelihood from the waters of Alaska as a charter boat operator. My son works with me on my boat. My wife operates our business as office manager. My brother, Randy Berg and his family are partners with us in Rod N Real Charters. In short, fishing is our chosen lifestyle, a proud family tradition.

For no good reason (reason= biological problem with the resource) ALFA has a proposal to bring some limits on the Halibut charter boat industry in Alaska. I have participated in the workshops/public hearings on this proposal to my fullest extent. I have found the hearings to be disgustingly one-sided (against the charter industry). After intense review of all available data pertaining to this subject, it is painfully obvious that greed is the impetus driving the ALFA proposal.

In light of the recent public exposure of the true extend of trawler fleet by-catch and longline wastage and overage, it appears ALFA has initiated a "smoke screen" to take the heat off themselves and the trawlers.

As I stated in public testimony, arbitrary and capricious proposals of this nature will serve the charter industry well. This public service industry will enjoy overwhelming public support as well as becoming a powerful unified MENACE to the self-serving political powers trying to control all of Alaska's fisheries. Such abhorrent behavior of this gluttonous commercial minority shall not withstand judicial scrutiny. I cannot find, in my vocabulary, any stronger words of warning.

There is absolutely no biological data to support any regulatory changes that would in any way bring new restrictions against the sportfish charter industry. None, whatsoever. If any industry is to be limited because of possible biological harm, let it be those industries which have been proven to be destructive.

Further, under Magnuson Act language, "to regulate a user group, that group should have representation on the Council", and "no individual, corporation, or other entity should acquire an excessive share of

Halibut fishing privileges". Do you see how clearly this is stated? My fellow fishermen, please consider why the Magnuson Act was initiated.

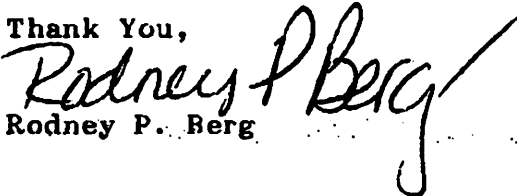
The entire sport harvest (Alaskan waters), according to A.D.F. & G. and I.P.H.C. best guesstimated are well under 10% of the total commercial harvest. The charter industry takes well under 50% of this figure.

Members of the public choosing to use charter boats as a method and means of gathering a good supply of fresh Halibut for consumption do this as a first choice of a higher quality product as well as a recreational opportunity.

In lieu of the facts set forth here and in other lengthy testimony brought before this Council, that is the total unfairness and greed motivating the ALFA proposal, I reject any compromise or alternative to this proposal.

Leave the charter industry and the public it serves alone. Reject the ALFA proposal and any other similar self-serving, avaricious, deceitful and unjustified attempt to restrict public access to it's own resource.

Thank You,


Rodney P. Berg

**From Halibut Charter Associations of Alaska
for the NPFMC:**

**A Reply to the Discussion Paper for the
Halibut Charter Working Group**

**I. Reply on Alternatives
II. Summary of Alternatives
III. Report and Recommendations
on Moratorium**

**ANCHOR POINT CHARTER ASSOC.
P.O. Box 537, Anchor Point, AK. 99556**

**HOMER CHARTER ASSOS.
P.O. BOX 148, HOMER, ALASKA 99603**

**ALASKA FEDERATION OF SPORTFISHING SERVICES, INC.
P.O. BOX 1136, SITKA, ALASKA 99835**

**SEWARD CHARTER ASSOC.
P.O. BOX 954, SEWARD, ALASKA 99664**

**CORDOVA CHARTER CAPTAINS
P.O. BOX 14 CORDOVA, ALASKA 99574**

**SITKA CHARTERBOAT ASSOC.
2810 SAWMILL CREEK, SITKA 99835**

**DEEP CREEK CHARTERBOAT ASSOC.
P.O. BOX 39423, NINILCHIK, AKASKA 99639**

**VALDEZ CHARTERBOAT ASSOC.
P.O. BOX 2850, VALDEZ, AK. 99686**

**KENAI RIVER GUIDES
P.O. BOX 251 SOLDOTNA, ALASKA 99669**

**TROUT UNLIMITED
BOX 3055, SOLDOTNA, ALASKA 99669**

**KETCHIKAN MARINE CHARTERS
428 TOWER ROAD, KETCHIKAN, ALASKA 99901**

**JUNEAU CHARTER OPERATORS ASSOC.
P.O. BOX 34522, JUNEAU, ALASKA 99803**

**By JOHN GOODHAND &
KARYN ELLINGSON
Valdez Charterboat Association
P.O. Box 2850
Valdez, Alaska 99686
907-479-5562
907-835-4333**

Alternative 1 & 3 Status Quo and License Limitation

The Charter Associations feel that Status Quo means the control date of 9/23/93, set forth by the NPFMC, is a moratorium date for entrance into this fishery. For reasons stated in the Valdez Charterboat Association Position Paper, 12/20/93, Status Quo/Moratorium is the only course of action that should be entertained.

Reasons for Status Quo/Moratorium:

1. The Trumble report to the IPHC, that ALFA based its proposal on, has been withdrawn from consideration.

2. The current Vincent-Lang/Trumble report of 12/16/93, is a liberal interpretation of sportfishing growth, according to ADFG.

3. There are no accurate figures referring to the percentages of the sportfishing harvest which belong to the charter fleet. 40% has been unofficially put forth by ADFG.

4. The Charter Fleet agrees with the Vincent-Lang and Scott Meyer report of 9/93. In this report, two scenarios are set forth. Taken into that account are:

- A. Harvest numbers that show minimal growth, stabilization, and decline, from port to port.
- B. The infrastructure in the ports.
- C. The distance of travel to fishing grounds.
- D. Competition within the charter fleet, which will regulate itself.
- E. The weight change of halibut with change in biomass.

5. The Charter fleet agrees with the ADFG report of 9/93, which shows a decrease in average fish weight.

6. None of the reports put forth show the removals accurately compared.

The Vincent-Lang/Trumble compromise of 12/16/93, show only landed figures, and not all removals by Commercial fishing; while all Sportfish removals are shown, not just the smaller quantity of only the Charter landings, that the ALFA proposal addresses.

Furthermore, comparing all Sport harvest from 2A to 4E (2A and 2B are

Oregon, Washington, and Canada), and comparing those figures of 2C to 4E (only Alaskan waters) of the Commercial fish harvested, does not present an accurate picture.

This 12/16/93 report from IPHC, made by Vincent-Lang/Trumble, contains 2 graphs showing area 2C & 3A. The text of the report indicates commercial bycatch, wastage, and personal use fish, are subtracted from the CEY, however, these forms of commercial removals are not indicated on the Vincent-Lang/Trumble graphs.

7. The graphs that have been included in this paper, have these forms of commercial removals combined with the proposed catch limits by IPHC for 1994.

The quantities of Sport Charter fish caught, which are what the ALFA proposal addresses, are shown in green, and are separated from all sportfishing removals, shown in purple.

These figures are overlaid on graphs 3A and 2C of the 12/16/93 Vincent-Lang/Trumble report.

Area 2C is shown to have 17% sport, which in reality is made up of only 4.5% Charter. Area 3A, at 19% Sport, is in reality 6.2% Charter.

ALL ALASKAN WATERS:

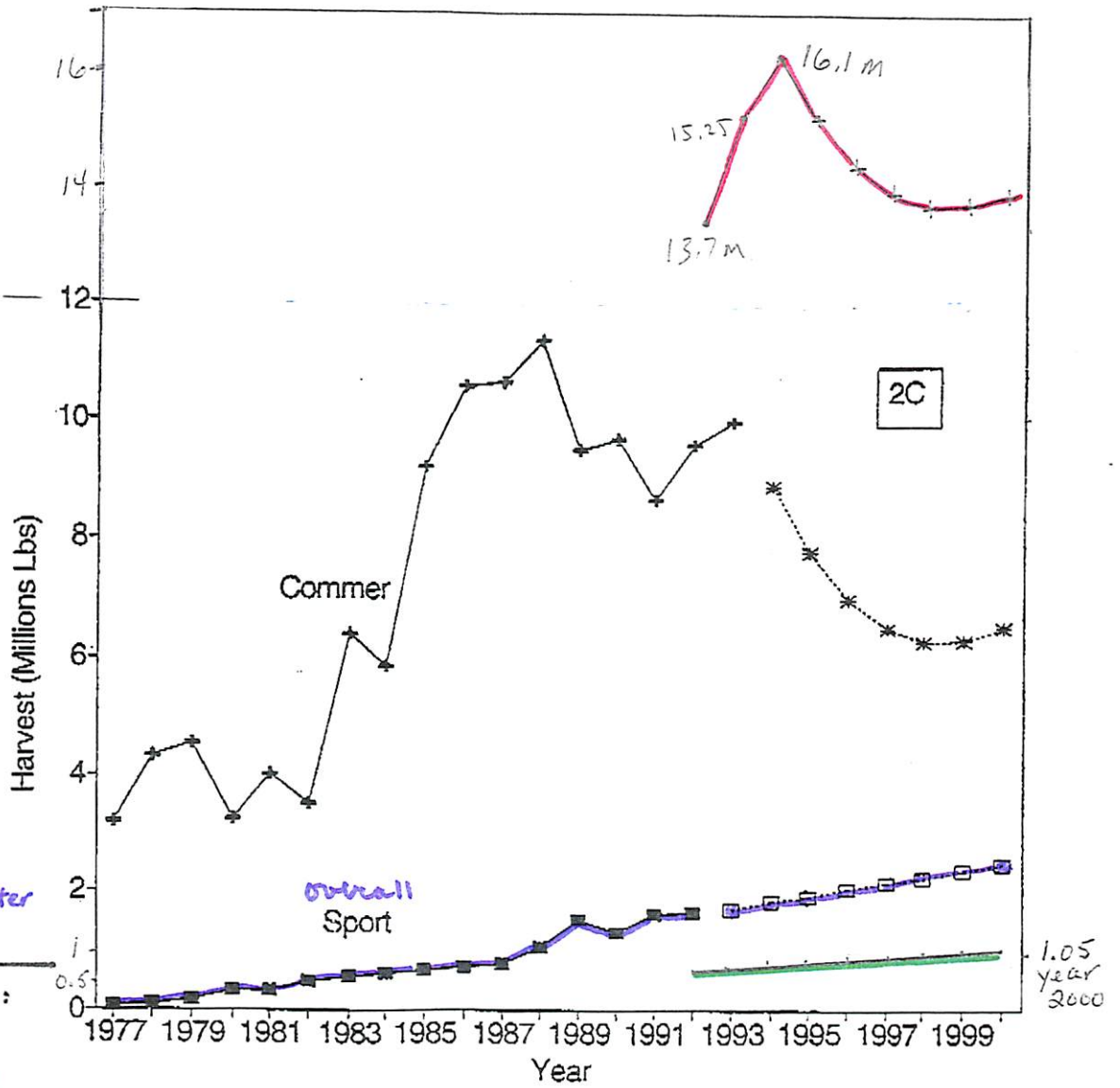
<u>Alaskan waters (Gulf)</u>	<u>(millions of pounds)</u>	
A. Commercial	43.22	(IPHC)
By-catch, all	<u>+ 20.036</u>	(Pacific Assoc.)
Total removals	63.256	
 B. Sport	5.47	(ADFG)
less 60% (non-charter)	<u>- 3.28</u>	
Charter catch total	2.19	

By comparing the total of all Sport removals, including 2A and 2B, and the Commercial harvest excluding 2A and 2B, you can see the inaccuracy. By using figures given by ALFA, Charter fishing appears to be 15.5% of the total allowable catch. A look at all total removals shows the real picture of 3.5%.

With the lack of accurate data on the economic impact to coastal communities, without input from the Charter Fleet, without accurate data on what the Charter Fleet catches, without studies as to the legalities, without, without, without.....etc, License Limitation at this stage would be way out of line.

A Moratorium fits the bill, and allows time to gather the regional differences that are of concern to the various Charter Associations, and conduct other studies that are needed. Moratorium answers the ALFA proposal, in which it states. "...restrictions are unnecessary if growth is constrained." A License Limitation Program at this time is not justifiable. Other management tools need to be looked at first, preceded by justification.

↑ chart ↑
extended



Commercial landings
Spot + Spot Charter combined

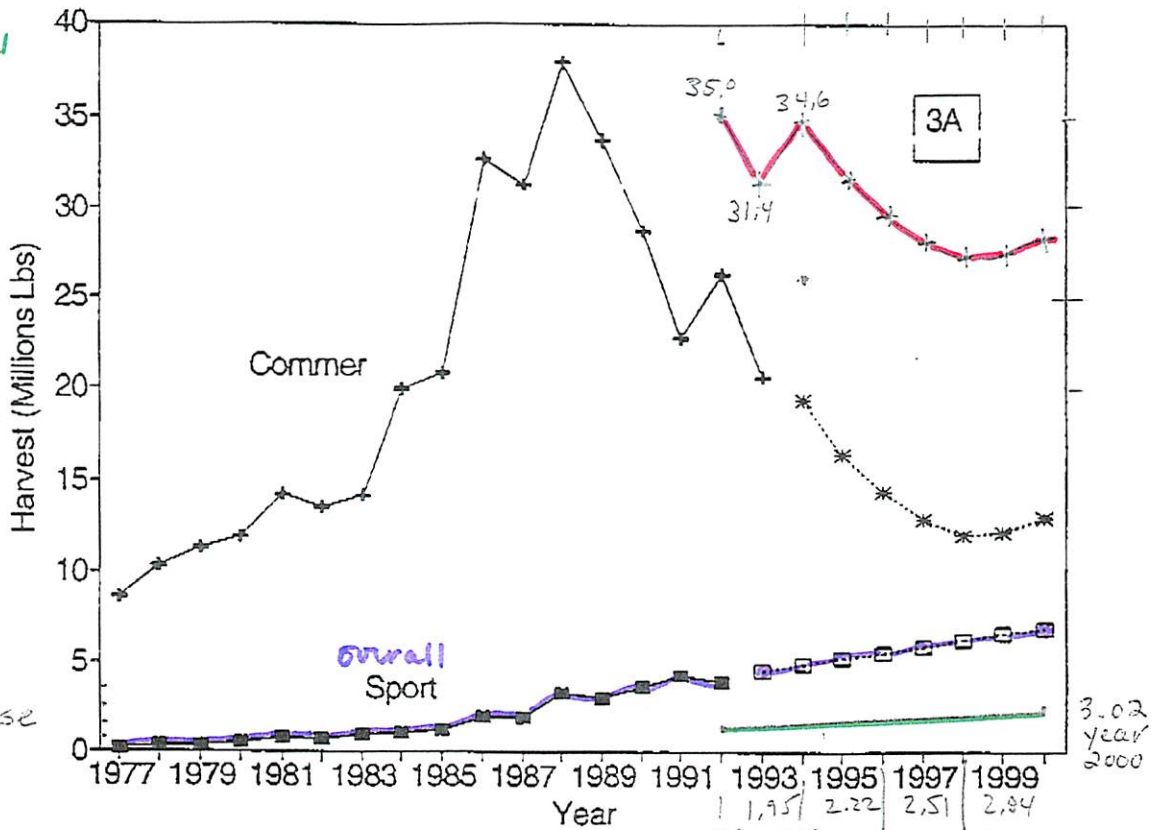
Actual Removals:

Commercial
Actual Removals addressed by ALFA proposal
Spot Charter

2-C
40% charter

3-A
50% charter

* at 6.5% increase



[3.]

1.95 2.00 2.22 2.51 2.84
2.36 2.67

ALTERNATIVE 2 & 4 HARVEST LIMITS or CAP and IFQ'S

Alternatives 2 & 4 are combined here, for the reasons of the similar effects that they would have on the charter fleet.

Capping the charter fleet would make our season uncertain, at best. As stated by the representatives of the Charter Associations, and by Paul Fuhs of the Department of Commerce, at the North Pacific Fishery Management Council working group session, "...2 fish each day, with an uninterrupted season..." is essential. Bookings for the latter half of the summer would be difficult, and arranging payments, deposits, or refunds in the tourist retail trade with travel agents, or tour companies, all could discourage travel to Alaska. This will have serious economic consequences to more than a few maritime communities.

Attempting to set caps at "1992 levels of poundage" is ridiculous, to say the least. Whose records? What records? Sportfishermen catch fish by the numbers, not by weight. Charter operators themselves do not sell or harvest fish. Charter companies sell a seat to a sportfisherman on an individual basis, who then fishes for, at most, an already regulated by the Alaska Department of Fish and Game, 2 fish per day, with a 2 hook per rod maximum.

CAPS and IFQ's are a means of regulation for use in a wholesale trade style business, and will not work in the retail service trade of charter sportfishing with the tourist public. Putting IFQ's, or a CAP, on the sport halibut fisherman we feel is in direct disregard of the Magnuson Act where it states, "...no individual, corporation, or other entity, should acquire an excessive share of halibut fishing privileges..." Furthermore, the NPFMC does not have any sportfishing representatives on the council, and section 302, a & b, of the Magnuson Act states, "...that to regulate a user group, that group should have representation on the council...".

The Ketchikan Marine Charters, Inc. Position Paper of 12/17/93 to the NPFMC, makes the point, that "privatization" of a public resource is morally wrong, possibly illegal, and currently being contested.

In the discussion paper for the Working Group prepared by the NPFMC staff, titled Potential Limited Entry Programs of 12/20/93, IFQ's rear their ugly head, again. It was a surprise to the Charter Associations that after the 11/08/93 meeting, IFQ's and Harvest Caps were again included on the 12/20/93 agenda. It becomes difficult to understand what it takes to make the NPFMC staff, or members, realize that IFQ's are unworkable in any form, except one, to be explained later. The Charter Associations would like clarification as to what part of "NO" is misunderstood here?

IFQ's and Harvest Caps were discussed at length at the 11/08/93 meeting of the Working Group. "No" was said by all Charter Associations in public

testimony, and soundly put down by charter representatives in the Working Group. At the 12/20/93 meeting, it was asked of the NPFMC staff, "Why are we going to waste time on this, again?" In reply, Chairman Gross stated, "...for brief review only". IFQ's were then brought forth and allowed to take valuable time, which was needed to work on the 3 alternatives set forth in the Staff Report of 11/10/93. This issue had been previously laid to rest.

To clarify the position of the Charter Associations represented in the Working Group, the following is a point by point response to the "IFQ section," set forth in the 12/20/93 Working Group paper, titled Potential Limited Entry Programs:

#1, Paragraph 1, under IFQ's in the 12/20/93 paper it says, "...although dismissed by the Working Group, IFQ's could be a 'reasonable alternative' unless determined to be unreasonable for this fishery." Adequate justification was stated time and again. IFQ's were put before the memberships of the various Charter Associations at their meetings, and has been discussed at length time and again within them. IFQ's are a threat to the charter fishing business, by not insuring 2 fish a day and an uninterrupted season, a major cornerstone of the Charter industry.

The retail trade of "passenger for hire" to transport a sportfisherman for a day of fishing, is not addressed in the IFQ regulations even once. The IFQ regulations are directed at a wholesale/manufacturing style of business. In the Working Group it became obvious that different "languages" were being spoken, leading to misunderstandings.

To understand a "retail service-orientated Charter business," let's define the economic differences. According to Webster's:

"Retail.....to sell individually or in small quantities; to sell directly to the consumer: opposed to wholesale.

Service.....work done or duty preformed for another or others; a serving; as, professional services, repair service.

Wholesale.....(a) in large quantities and, usually at a reduced price; hence. (b) extensively and generally, without singling out."

Sportfishing Charter businesses must spend a portion of their income advertising, in sports shows, telephone books, visitor guides, brochures, on the radio, and with a variety of reservation agents, just to find the individual to buy a seat for a day charter. This is done in most cases, one seat at a time. At that point only does a Charter then go in search of fish.

In wholesale Commercial fishing, the "money people" are waiting when the vessel returns to port. and then they receive a check for the whole catch.

It becomes obvious that the only common ground here is Halibut. Regulations for one industry just won't work for the other. At the same time, the

need for Charter fishing representation on the Advisory Panel and the Council itself, becomes obvious. In fact, more Sportfishing representation, in general, on the A.P, and some on the Council, is needed. To make a point, Linda Behnken was quoted on 12/28/93 on KCHU radio of Valdez, "...several members of the Council are Sportfishermen who use Charter boats, for that reason." We recognize this to be a fact, however, having the capability to purchase a seat ticket, and the ability to hook a fish on rod and reel, does not give this person insite on the "ins-and-outs," let alone the economics of the Charter Fleet.

#2. Migration of Quota Shares between Commercial and Sport Charter would also be a concern. Movement back and forth between the two industries would create economic chaos. This, of course, is assuming that "pounds of fish" can be converted into "seats for the public."

#3 "... to target small fish and/or pressure anglers not to retain fish..." This would deny the sportfishermen the potential trip they could have had, if they owned a boat. This would ultimately result in bad public relations for Charter boat businesses, and lead to the destabilization of a retail-oriented business which deals with servicing the public on an hour to hour basis.

Interaction between the customer and the Charter Captain and/or crew is ongoing for the 12 hour trip. Personal, honest interaction is essential. At this time, catch and release fishing is being promoted, and on the increase, in the Charter Fleet. The customer must not feel cheated, and must be entertained, in order to insure the potential to be a repeat customer, which is one of the other cornerstones of our business.

#4. Enforcement of an IFQ would be an expensive and complex nightmare. This is considered unworkable within the charter fleet. The Charter fleet and its customers could not bear the cost of such a cumbersome, restrictive program.

In summation, about the only way IFQ's would be workable in the Charter fishery, is to have an equal share with the Commercial fisheries, 50/50. Only after the sportfish main tourist season, hypothetically September 30, could whatever percentage is unused, then go to Commercial fishing. This would allow for unhampered growth, up to our equal share of the Total Allowable Catch.

ALTERNATIVE 5: TRADITIONAL MANAGEMENT

All halibut sportfishing by sportfishermen is currently regulated at 2 fish per day, and 4 in possession by the IPHC.

Furthermore, sportfishermen who elect to hire a charter boat, are also regulated by the U.S. Coast Guard to a 12 hour dock-to-dock trip.

Seasons limits: Seasons are now Feb. 1 - Dec. 31. If a shorter season is needed for sportfishing, any closure beyond April 1, and until Oct. 31, would damage the retail trade of the charter fleet. This hypothetical season of 4/1 thru 10/31, would be 4 months shorter equally, for ALL SPORTFISHERMEN, without creating a third allocative group (i.e, by subdividing sportfishing into boat owners, and non-boat owners).

In the fringe months, weather is expected to have an impact. Tourists in significant numbers arrive in May, June, July, August, and September only. Weather during summer months is less frequently a problem, but **safety** in a "passenger for hire" charter, is of highest priority.

Bag limits and size limits: Either a minimum size restriction, or reduction from 2 to 1 fish allowable each day, would result in HIGH GRADING of premium fish. Larger fish tend to be female breeding stock, and this practice is looked upon by sportfishermen as a poor form of conservation.

Implementation of a Halibut Punch Card System for 10 fish annually for sportfishermen, and any person not having a commercial halibut permit, such as deckhands or crew, etc., is one possible solution. Currently, a catch of 2 fish each day, 330 days each year, for a total of 660 fish, is allowable.

Log books on a voluntary basis, by charter businesses, could assist in further regional data gathering.

In summary, areas like Prince William Sound and Resurrection Bay have their own unique, regional limitations. Charter vessels routinely travel 90 to 180 nm. to reach the Gulf of Alaska in one round-trip day. Combine this with the Coast Guard regulation of only 12 hours on the water, and the Alaska Department of Fish and Game's regulation of 2 fish/day, 4 in possession, and only 2 hooks/fisherman, and it's apparent that time on the fishing grounds is limited, and amply regulated.

Southeast, and some other areas, stated punch cards and shorter seasons would interfere with subsistence harvesting for the individual families of coastal communities. Under a Moratorium with studies that indicated this form of management is needed, this potential restriction could be addressed on a regional basis.

Before Traditional restrictions are considered, Charter Associations feel that biological justification, or impacts to other user groups must be shown. At this time, there is nothing that points to the sportfishermen. Compared to the sportfisheries slow, but steady growth, the uncontrolled growth during the late 1970's to mid - 1980's of the Commercial Fleet (see graph page 3) borders on being exponential.

In addition, many charter vessels are specialized, and do not have the option of fishing in other fisheries.

Summary of Alternatives

Status Quo and License Limitation are viewed as a moratorium. Charter Associations have been asking for this all along, but due to a terminology barrier, little was accomplished. The Answers to The Alternatives, and a report from the Charter Associations involved, is an attempt to clear this up.

Caps and IFQ's are combined, also, because of their lack of workability in The Charter Industry. IFQ's are not designed for an industry that works with the public, and from reports in the news, IFQ's may not be workable even in the wholesale commercial fishery it was designed for.

Traditional management is an alternative to look into under a moratorium, as this addresses all Sportfishermen equally.

The Charter Associations feel that creating 2 Sportfishing groups to manage is unnecessary and counter-productive, with no gain to anybody.

If any limits are to be imposed on the Charter Fleet, representation on the NPFMC is required, as per the Magnuson Act. With this in mind, multiple seats on the Advisory Panel would be in order.

If limits are to be considered, the Charter Associations would suggest a Work Shop be made up of members from Charter Associations involved, and they work under direction of the Management Council.

Bycatch, Wastage, and overcatch is the single most important issue to Charter Associations. The Associations recognize the difficulty in dealing with this issue. It is felt that Bycatch should be reduced to help the declining bio mass before a restriction is put on the Charter Fleet.

At this time, Charter Associations would like to request the NPFMC to instruct the IPHC to hold Commercial Catch Limits to no more than the 1993 levels on an area to area basis. This is for the purpose of conservation of the resource while in a decline. Only 2 areas are increased, 3A by 20.5%, or 5.3 million pounds, and 2C by 17%, or 2 million pounds. What justifies these increases while the bio mass is in a 10% decline? These are the main 2 sportfish areas. All the other areas went down about 10%.

The unknown effect/problems of commercial IFQ's in 1995 on sportfishing could be devastating, i.e. Laying gear across sportfishermen, following them to fishing grounds during the tourist season, etc. The effects/problems are unknown, and of great concern.

Once again do not make 2 classes of sportfishermen. The fact is, there is only 2 user groups, Commercial and Sportfish.

Report and Recommendations of the Halibut Charter Working Group from the Halibut Charter Associations of Alaska

First, please understand that the Charter Associations are new to this "arena," so we base our position on the intent of this report. With the limited amount of time to respond to the NPFMC, the technicalities may not be addressed. Language, and assumptions, differ greatly. We are learning "the system," and we will become more organized on a state wide level, politically and publicly, as time goes on. It is quite apparent that ALFA, and the NPFMC, do not understand how the Charter Industry functions.

At this time, we would request a Moratorium, as described in Halibut Working Group Draft of 12/20/93, titled Potential Limited Entry Programs. This is a "perceived/projected hypothetical problem," and not a current problem, or problem of the near future. A Moratorium would allow the input on a regional basis, as this is of great concern. This request is assuming we follow the text of the 12/20/93 Draft cited above, and will be referred to from now on as the "Draft".

The Charter Associations at this time would recommend the following:

#1. Install a Moratorium; Charter Associations accept this as it is written in the Draft. In the Draft, it states, "... a Moratorium should provide sufficient time to develop, approve, and implement a permanent limited access program or (and we stress OR) other program for the halibut charter fishery, or to decide to abandon limited access in favor of open access management measures." The Charter Associations feel strongly about this intent.

Quoting from the Halibut Management Proposal of 5/1/93 submitted by ALFA, under "Are There Alternative Solutions?", ALFA considers a cap on the recreational sport halibut fishery unnecessary, provided growth in the guided sport halibut fishery is constrained. A Moratorium meets this requirement. No other management restrictions are necessary.

In the Draft, it puts forth 4 points for moratorium; qualifying, length of time, vessel replacement, and appeals. This is a "perceived/projected hypothetical problem," and not a current problem as stated by IPHC,

therefore a liberal view to the 4 points must be taken. Charter Associations only should make up a workshop/board for these points, and should make the only appeals decisions. These workshop/board members must come from incorporated Charter Associations only.

As this is not a problem at this time, a U.S. Coast Guard License of "passenger for hire" is a must, or, proof of a hired licensed Captain before 9/23/93. This could also provide for Captains who worked in the industry, but did not have a business at that time, a "use it or lose it" plan. In the Draft, it states, "...a moratorium is to keep a fishery from being overcapitalized ... while alternatives are considered, and that this is considered a temporary measure...", of 3 years with a possible extension of 2 years. Our fears are of speculative entry into this industry. Speculation would give the ALFA proposal, for the first time, a real curve of growth within the Sport Charter industry, which their proposal does not have now.

Vessel replacement should be viewed liberally, also. Any plan that had been set in motion before 9/23/93 should be considered as in a "pipeline".

Finally, appeals should be handled by the Charter work shop/board only.

#2. The Charter Associations will enter into a moratorium with the understanding that this does not necessarily lead to license limitation programs. The Charter Associations would recommend a Working Group made up of Association representatives. Representatives would come from 2C, Ketchikan, Juneau, and Sitka, and from area 3A, Valdez, Seward, Homer, Deep Creek, and Kodiak. The Working Group along with NMFS and NPFMC staff, would make recommendations to the Council, under the guidance of the Council. The representation that needs to be on the Advisory Panel and the NPFMC should be from, and approved by, the Charter Sportfishery Associations.

#3. Because of the regional differences, and for data gathering, 3A needs to be made into smaller units for sportfishing only.

These recommendations are made and deemed fair, because Charter sportfishing doesn't represent a problem now, or in the near future.

#4. With bycatch at 10 times the level of all total Charter caught fish in this species, trying to save declining stocks this way is ludicrous. Wastage and Personal Use fish in 1993 in the longline fishery by itself is larger by 35%, and the overcatch of 3.9 million pounds in 1993 is 45% greater than the entire statewide Charter catch total. Bycatch in Ground Fisheries reported for 1992 resulted in 20,035,767 pounds of

Halibut Mortality. At approximately 9/10ths of 1 pound each, this totals about 22,261,963 actual animals. If allowed to mature at a natural survival rate to become an 8 year old fish, this totals out to 5,282,868 fish. Multiply this number of fish by an average weight of 22.5 pounds and that comes out to 118,864,530 pounds!!!! This is 39,622 pickup truck loads of halibut carrying 3000 pounds each. Please picture 39,622 trucks, with 1 car length between each, forming a continuous traffic jam from Anchorage to the Fairbanks City Dump, 340 miles away! This is an unbelievable Waste Of Halibut, a Public Resource!! Maybe it's time to have a discussion, analysis, and review of bycatch and wastage, and its affect on the declining resource.

#5. Charter Associations feel that implementation of a commercial IFQ system will be a disaster for the Charter Fleet. IFQ's will severely damage "near shore" fishing for the traditional sportfishermen. Zones closed to commercial fishing within 12 miles of shore, from May 1 to Sept. 30 should be considered.

The ALFA proposal is unsubstantiated by any facts, and furthermore, would create another allocative group of insignificant size. The size of the Charter catch is less than 1/4 of the error in the bio mass projections.

Furthermore, IPHC has proposed an increase of 3.1 million pounds over the 1993 catch limit for 1994, with IPHC staying with its 30% CEY figures. This is an increase of 6%, when biomass is supposed to be declining at 10% each year. Without consistent policies being followed by IPHC, how can it be expected for Charter Associations to believe in fair management towards Traditional Sportfishing?

We suggest that the Longline Fishery is possibly over capitalized, and the Longline Fishery have a look inward. The Charter Fleet caught 2.19 million pounds in 1992. If an emergency order closed the halibut sportfishery at midseason, let's say at 50% or 1.1 million pounds (about the same as Personal Use fish) let's look at what this does: 1.1 million pounds divided by 5619 commercial fishermen equals 195.75 pound, multiplied by say \$1.25 per pound, it equals \$244.70. Each Commercial Fishermen that holds an IPHC permit, would receive the price of 11 boxes of #16 circle fishing hooks. For this one time increase in pay of \$244.70 to each Permit holder, the Charter Industry would be devastated!

With the IPHC proposed increase, and the obvious corresponding increase in biomass, it again becomes obvious that regulations for the slow growing Charter Fleet are not needed. If you will refer to the graphs on page 3 of this report, and look at the rapid uncontrolled growth in the

Longline fleet, and compare this to the slow, but steady, growth of the sportfishery, it becomes obvious that the sportfishermen is the impacted user group here. This should make you wonder, why are we even here looking at this issue?

At this time, we would request that the ALFA proposal be withdrawn.

SOURCES FOR THIS PAPER

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