

# Public Testimony Sign-Up Sheet

Agenda Item C-6 Halibut Charter

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	NAME (PLEASE PRINT)	AFFILIATION
1	Marc Magats	<del>Seafood Producers Co-op</del> Self
2	Donald Westlund	SELF
3	Dan Hull	CDFU
4	Alec Pfundt	self
5	Joe Willis	self
6	Bryon Pfundt	self
7	DARREN MULLER	self Ouzinkie Onc
8	Bob Alverson/Bark Knutsen	EVOA-Seattle
9	JAMES SKONBERG	SELF Ouzinkie Netive Corp.
10	MIKE DALY	SELF
11	Lorraine Daly	Self
12	Michael Dye	Deep Sea Fishermans Union
13	BONNY MILLARD	
14	CHRIS KNISAT	
15	CARIS MCMONONELL	
16	Brent Crane Crowe	self
17	CHRIS PLACE	
18	JASON HAFFNER	
19	Carter Hughes	ATA (trollers association)
20	RICHIE DAVIS	<del>SEAFOOD PRODUCTS</del> self
21	<del>Kyndal Fogarty</del>	<del>self</del>
22	Charlie Wither	SPCOOP
23	BRENT WESTERN	SELF
24	Bill Lindow	self
25	Robert Beedle	self

NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

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## Agenda Item C-6 Halibut Charter

	NAME (PLEASE PRINT)	AFFILIATION
1	Ryan Nichols	self
2	Carolyn Nichols	self
3	Robert Sanderson	TSH central council
4	JAY Skordahl	self
5	Taft Perry	self
6	Bill Canaga	Family + Self + crew
7	<del>Robert Sanderson</del>	<del>self</del>
8	Stephen Rhoads	self
9	Rhonda Hubbard	Halibut Z. F. & Adden
10	Don Lane	NPFA
11	Kendall Folkert	SELF
12	STEVE FISH	SELF
13	Earl Comstock	Charter Halibut Task Force
14	Rex Murphy	Winterking Charters
15	Chaco Pearman	Pristine Charters
16	Jeff Wedekind	Ketchikan Guided Sportsfish. Assoc.
17	Ken Dole	Waterfall Lodge
18	Tom Ohaus	Angling Unlimited
19	Seth Bone	Kingfisher Charters
20	Casey Gould	Sitka Charterboat Assoc
21	Rick Bierman	Juneau Charterboat Assoc
22	Ken Newman	Kodiak Assoc of Charterboat operators
23	Stan Malcolm	Petersburg Charterboat Assoc
24	Tim Evers	Deep Creek Charter Assoc
25	Bob Ward	A-Ward Charters

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	NAME (PLEASE PRINT)	AFFILIATION
1	<del>Dave Pincoush</del>	Charter Operator - Self
2	Holly Van Pelt	Alaskan Cottages
3	<del>Dan Eames</del>	Prince William Sound Charterboat Assoc
4	Bob Howard	Alaska Charter Assoc
5	Greg Sutter	Captain Greg's Charter
6	Clay Stanaker	Bite's on charters
7	Alan Reeves	
8	Amos Whitelkorn	FN KUIVAK, PAVO
9	Wendy Alderson	self
10	JEFF FAYOUR	SELF
11	Matthew Short	Self
12	Lea Klingert	CFAB
13	Kathy Hansen	SEAK Fishermens Alliance
14	Chuck Clement	IFG Holder
15	Jason Anderson	SELF
16	Cale LaDuke	self
17	Frankie Bulovich	SELF
18	<del>Conrad Peterson</del>	<del>SELF</del>
19	<del>Freddie Christensen</del>	<del>SELF</del>
20	Freddie Christensen	Self
21	Peggy Parker	HANA
22	Victoria O'Connell	Halibut Coalition
23	Wayne Stauffer	self
24	Kimberly Tebrugge	Sportsmans Cove Lodge
25	Linda Behrken	ALFA

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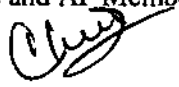
Agenda Item C-6 Halibut Charter

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	NAME (PLEASE PRINT)	AFFILIATION
1	JULIANNE CLARBY	PUDJA
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3	<del>Mike Bawon</del>	self
4	Jeremy Hansen	self
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MEMORANDUM

TO: Council, SSC and AP Members  
FROM: Chris Oliver   
Executive Director  
DATE: March 19, 2008  
SUBJECT: Charter Halibut

ESTIMATED TIME  
8 HOURS

**ACTION REQUIRED**

- (a) Initial review of Areas 2C/3A Halibut Catch Sharing Plan analysis
- (b) SSC review of ADF&G report on 2006 charter halibut logbook program

**BACKGROUND**

Catch Sharing Plan

At this meeting, the Council will conduct an initial review of a proposed halibut catch sharing plan for Areas 2C and 3A. The No Action alternative would maintain the current guideline harvest level program for the charter fisheries in these areas. Alternative 2 would implement a catch sharing plan for the two fisheries that would set an initial allocation to each sector (Element 1) and allow for seasonal increases in allocation by allowing charter halibut limited entry permit holders to lease commercial individual fishing quotas for use by anglers in the charter sector (Element 5). Potential catch accounting systems for monitoring IFQ leases for use in the charter sector are under Element 6. Additional policy decisions on the regulatory cycle for implementing changes to management measures to restrict the charter sectors to their allocations (Element 2), potential management measures (Element 3), and potential timelines for shortening the delay in implementing revised regulations (Element 4) would not be implemented in regulations. Final action on the catch sharing plan is tentatively scheduled for October 2008. If approved by the Secretary of Commerce, implementation could occur for the 2010 (or later) charter halibut season.

The analysis was mailed on March 14, 2008. The executive summary is attached under Item C-6(a)(1). A supplement that addresses Element 6 is included under Item C-6(a)(2). A list of staff requests for Council clarification of proposed options is provided under Item C-6(a)(3).

ADF&G logbook report (SSC only)

Following completion of 2006 logbook data entry, the Alaska Department of Fish and Game began an evaluation of the quality and reliability of the logbook data (Item C-6(b)). The goal of the evaluation was to utilize a number of data analyses and comparisons in order to make a recommendation concerning the use of logbooks as a reporting mechanism for the charter fishery. The report concludes that logbooks could be used to manage the charter removals of halibut but would present a mismatch with the allocation options adopted by the Council for analysis of sector allocations under the proposed catch sharing plan. Logbook harvests were consistently higher than Statewide Harvest Survey estimates for all years in which halibut were reported in the logbook.

The SSC is scheduled to review this report and provide comments to the Council at this meeting. The report was emailed to the SSC on March 25, 2008 and posted on the Council website.

## EXECUTIVE SUMMARY

The analysis contained in this document examines two alternatives for managing the charter halibut fisheries in Area 2C and Area 3A in the Gulf of Alaska. Alternative 1 is the No Action Alternative. Alternative 2 would create a catch sharing plan for the two areas under which the Council would set initial allocations of halibut harvests between the charter sector and commercial IFQ sector and allow for seasonal increases in allocation by allowing individual charter halibut limited entry permit holders to lease commercial Individual Fishing Quotas for use by anglers in the charter sector.

### Environmental Assessment

The Environmental Assessment (EA) assesses the potential biological, social, and economic impacts of implementing regulations to set an initial sector allocation between the charter and commercial halibut fisheries in International Pacific Halibut Commission (IPHC) Regulatory Areas 2C and 3A.

The problem statement that was adopted by the Council reads, *“The absence of a hard allocation between the commercial longline and charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities that are dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.”*

The purpose of the proposed actions is to (1) create a catch sharing plan that would set an initial allocation between the two sectors and tighten the timeline between an overage and a management response and (2) design a program to compensate the commercial sector for any future reallocations above the level set at initial allocation. Along with restrictive control measures that were considered by the Council separate from these proposed actions because the GHL has been exceeded in Area 2C each year since its implementation in 2004, the proposed sector allocations are intended to stop the *de facto* reallocation from the commercial sector to the charter sector for each area. Over the past 11 years, charter halibut harvests have grown at an annualized growth rate of 6.8% in Area 2C and 4.1% in Area 3A. The number of active vessels, the total number of clients, the average number of clients per trip, and the average numbers of trips per vessel are all at their highest level in the recorded data period of 1998 through 2006. The number of clients per trip (which is one of the best measures of upward pressure on demand) has increased steadily in recent years. This increase indicates that the number of clients is rising faster than the number of trips and likely indicates healthy demand for the services provided by the charter sector.

### List of Alternatives

#### *Alternative 1. Status quo*

Alternative 1 (No Action) would continue management of the charter sector under the GHL program and annual harvest control measures. It includes current federal and state regulations that would otherwise remain unchanged. Emergency orders were issued by ADF&G in 2006 and 2007 to prohibit a sport fishing guide and sport fishing crew member on a charter vessel in Southeast Alaska from retaining fish while clients are onboard the vessel during the fishing season; similar E.O.s are expected for 2008. Current regulations include a two-fish bag limit, with one of the two fish required to be 32 inches or less [72 FR 30714]. In June 2007, the Council recommended revisions to Area 2C GHL measures. Because the GHL was reduced in 2008 from 1.432 M lb to 0.932 M lb, NMFS may recommend more restrictive measures that had been considered by the Council in a final rule expected to be published by April 1, 2008.

**Alternative 2. Establish a catch sharing plan that includes sector accountability**

**Element 1 – Initial allocation**

**Option 1: Fixed percentage**

	Area 2C	Area 3A	Based on:
a.	13.1 %	14.0%	125% of the 1995-1999 avg charter harvest (current GHl formula)
b.	17.3 %	15.4 %	125% of the 2001-2005 avg charter harvest (GHl formula updated thru 2005)
c.	11.7 %	12.7%	current GHl as percent of 2004
d.	15.1 %	12.7%	2005 charter harvest

**Option 2: Fixed pounds**

	Area 2C	Area 3A	Based on:
a.	1.43 Mlb	3.65 Mlb	125% of the 1995-1999 avg charter harvest (current GHl)
b.	1.69 Mlb	4.01 Mlb	125% of the 2000-2004 avg charter harvest (GHl updated thru 2004)
c.	1.90 Mlb	4.15 Mlb	125% of the 2001-2005 avg charter harvest (GHl updated thru 2005)

**Option under a, b, and c:**

Stair step up and down. The allocation in each area would be increased or reduced in stepwise increments based on a change in the total CEY. If the halibut stock were to increase or decrease from 15% to 24% from its average total CEY of the base period selected for the initial allocation at the time of final action, then the allocation would be increased or decreased by 15%. If the stock were to increase or decrease from at least 25% to 34%, then the allocation would be increased or decreased by an additional 10%. If the stock increased or decreased by at least 10% increments, the allocation would be increased or decreased by an additional 10%.

**Option 3: 50% fixed/50% floating allocation**

	Area 2C		Area 3A			
	50% of:	and	50% of:	50% of:	and	50% of:
a.	13.1 %		1.43 Mlb	14.1 %		3.65 Mlb
b.	15.9 %		1.69 Mlb	15.4 %		4.01 Mlb
c.	17.3 %		1.90 Mlb	15.4 %		4.15 Mlb

**Element 2 – Annual regulatory cycle.**

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the payback year. The Council would not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHl management. Any underages would

accrue to the benefit of the halibut biomass and would not be reallocated or paid forward. The Council assumes (and would request) that the International Pacific Halibut Commission would set a combined charter and commercial sector fishery catch limit and would apply the allocations between the two sectors that would be recommended by the Council in a type of catch sharing plan to the combined fishery catch limit.

**Element 3 – Management toolbox**

Tier 1 measures would be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures would be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. Due to the delayed feedback loop in implementation of management measures, management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded. In providing predictability and stability for the charter sector, it is likely that the full allocation may not be harvested.

Tier 1	Tier 2
One Trip per Vessel per Day	Annual Catch Limits
No Retention by Skipper and Crew	One Fish Bag Limit for all or a portion of the Season
Line Limits	Season Closure
Second Fish of a Minimum Size	
Second Fish at or below a Specific Length	

**Element 4 – Timeline.** The current timeline for the proposal is as described below. [Staff should discuss what would be needed to implement February Council action for June (the same year)]

**Example Scenario 1: four-year feedback loop**

- Charter fishery ends 2007
- October 2008: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.
- December 2008: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year’s analysis with final 2007 harvest estimates.
- January 2009: IPHC adopts combined catch limits for 2009.
- February 2009: Council takes final action on management measures that would be implemented in year 2010.
- Winter 2009: NMFS publishes the rule that would be in effect for 2010.

**Example Scenario 2: three-year feedback loop**

- Charter fishery, with in-season monitoring, ends 2007
- October 2007: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.
- December 2007: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year’s analysis with final 2007 harvest estimates.
- January 2008: IPHC adopts combined catch limits for 2008.
- February 2008: Council takes final action on management measures that would be implemented in year 2009
- Winter 2008: NMFS publishes the rule that would be in effect for 2009



**Element 5 – Supplemental, individual use of commercial IFQ** to allow limited entry permit holders to lease commercial IFQ in order to provide anglers with additional harvesting opportunities, not to exceed limits in place for unguided anglers.

Leasing commercial IFQ for conversion to Guided Angler Fish (GAF).

1. An LEP (Limited Entry Permit) holder may lease IFQ for conversion to GAF for use on the LEP.
2. Commercial halibut QS holders may lease up to 1,500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.
3. LEP holder per vessel may not lease more than 200-400 fish.

Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.

- A. LEP holders harvesting GAF while participating in the guided sport halibut fishery are exempt from landing and use restrictions associated with commercial IFQ fishery, but subject to the landing and use provisions detailed below.
- B. GAF would be issued in numbers of fish. The conversion between annual IFQ and GAF would be based on average weight of halibut landed in each region's charter halibut fishery (2C or 3A) during the previous year as determined by ADF&G. The long-term plan may require further conversion to some other form (e.g., angler days).
- C. Subleasing of GAF would be prohibited.
- D. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations.
- E. Conversion of GAF back to commercial sector
  - (1) GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations.
  - (2) Unused GAF may revert back to pounds of IFQ at the end of the year and be subject to the underage provisions applicable to their underlying commercial QS.
- F. Guided angler fish derived from commercial QS may not be used to harvest fish in excess of the non-guided sport bag limit on any given day.
- G. Charter operators landing GAF on private property (e.g., lodges) and motherships would be required to allow ADF&G samplers/enforcement personnel access to the point of landing.
- H. Commercial and charter fishing may not be conducted from the same vessel on the same day.

**Element 6 – Catch accounting system**

1. The current Statewide Harvest Survey and/or logbook data would be used to determine the annual harvest.
2. A catch accounting system would need to be developed for the GAF fish landed in the charter industry.
3. As part of data collection, recommend the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate

removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.

The Council considered 10 options under Alternative 2, Element 1 for initial sector allocations in each area. These include four fixed percentage options, three fixed poundage options that include suboptions to step the allocations up or down depending on halibut biomass, and three options that match 50% of one of the fixed pound and one of the percentage options. Element 2 would define the annual regulatory cycle focusing on how the halibut charter fisheries common pool of halibut would be regulated in the current and future years. Element 3 would define the management tool box that would be available to the Council to adjust future harvest levels. Element 4 provides examples of how the timeline for management decisions and actions to adjust the charter sector's harvests, if they are needed. Element 5 defines how charter operators would acquire and use commercial IFQ to supplement the halibut that is available from their common pool. Finally, Element 6 provides a discussion of the catch accounting system that would be needed to monitor two classes of halibut that would be harvested by the charter sector under Alternative 2.

### **Effect of Alternatives**

The proposed alternatives address halibut resource allocation issues. The proposed alternative to the status quo would neither affect harvest levels and fishing practices of individuals participating in the charter halibut fishery nor the health of the halibut stock. Regardless of the amount of halibut biomass taken by a sector, no adverse impacts to the halibut resource would be expected because the IPHC factors most resource removals in the halibut stock assessment when setting annual catch limits. Therefore, none of the proposed alternatives is expected to significantly impact the halibut stock. None are expected to affect the physical environment, benthic community, marine mammals, seabirds, or non-specified groundfish species. There is insufficient data to evaluate whether groundfish stocks may be affected by the proposed alternative. There may be an effect on the human environment as there are winners and losers under any sector allocation.

### **Regulatory Impact Review**

The economic impacts of the alternatives considered in this amendment are discussed in terms of the status quo and the new options being considered by the Council. The status quo allows the charter fleet in Areas 2C and 3A to harvest up to the GHL without additional management actions being considered. The GHL is established annually for IPHC Areas 2C and 3A based on the CEY that is set by the IPHC. New options that are being considered by the Council would alter how the charter sector's allowable catch is determined. Their allocation could be based on a percentage of a combined commercial and charter catch limit that is set annually by the IPHC<sup>1</sup>, a fixed poundage allocation, or a combination of the two approaches. The Council is also considering an option that would allow the charter sector to lease IFQ from the commercial sector. The Guided Angler Fish (GAF) that result from the commercial IFQ are converted from pounds to fish using the average halibut weight set for that year. If halibut are returned to the commercial sector, the same conversion factor would be used to change fish into pounds of IFQ. GAF could be harvested under the same bag and size limits that are set for the unguided sport sector.

#### **Alternative 1. Status quo**

The status quo is defined by the management measures that are currently in place or are expected to be in place in the future. Using those management measures, projected charter harvests were calculated. Projected charter harvests can then be compared to GHLs that are expected to be set based on IPHC CEY projections.

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<sup>1</sup> The IPHC currently only sets a commercial catch limit. However, their staff has indicated that they could establish an annual combined commercial and charter catch limit if they were requested to do so by the Council.

If the charter sector's harvest exceeds the GHL, NMFS would notify the Council of the overage in writing within 30 days of being advised of the overage. The Council has already considered management alternatives to implement if an overage occurs under other amendments. An appropriate combination of the management measures that have been considered could be implemented by the Secretary of Commerce to constrain charter harvests.

Status quo management measures in 2007, for IPHC Area 2C, include the GHL, the proposed moratorium, a 2-fish bag limit, a prohibition on captain and crew harvest, a requirement that one of the two halibut in the bag limit must be less than 32", and a line limit that is set equal to the number of clients on the vessel or six lines, which ever is less. The Area 2C status quo for 2008 is assumed to include the GHL, the proposed moratorium, a one-fish bag limit, a prohibition on captain and crew harvest, and a line limit that is set equal to the number of clients on the vessel or six lines, which ever is less. It is also possible that a four-fish annual limit is implemented in place of the one-fish annual limit. However, this analysis assumes the one-fish bag limit would be implemented. Changing the bag limit from two halibut to one halibut is expected to have a substantial impact on client demand and the number of halibut harvested.

Implementation of the one-fish bag limit is assumed to be necessary because of the reduction in the Area 2C CEY. The CEY was decreased from 11.4 M lb in 2007 to 6.5 M lb in 2008. Because the CEY was reduced that amount it triggered a reduction in the Area 2C GHL from 1.432 M lb to 0.931 M lb. The management measures that were in place for 2007 are not expected to limit 2008 harvest to a 0.931 M lb GHL.

The GHL remains unchanged at 3.650 M lb in Area 3A. Because the GHL remained unchanged in 2008 and is expected to remain unchanged over the time period being considered in this action, the management measures are expected to remain unchanged. A one-fish bag limit and a prohibition on skipper and crew harvests are assumed to be in place for the entire 2007–2011 time period. The charter moratorium is also assumed to be in place, but it is not expected to impact the amount of charter harvest. Client demand is assumed not to change as a result of keeping these management measures in place.

Because management measures like the one-fish bag limit are expected to impact client demand, harvest projections are included that account for that demand change. Estimates were made that include about a 40% reduction in client demand as a result of the one-fish bag limit in Area 2C. A projection was also made that assumed no change in client demand. Because of uncertainty where changes in client demand might fall within that range, the average of the two were used to calculate the point estimates used in this analysis. The harvest projections using the other demand assumptions are included in the analysis, but for simplicity are not directly compared to the allocation options.

Charter harvest projections were provided by the Northern Economics, Inc (NEI) staff for the years 1995–2011. Harvest projections were made using an ARIMA model. Estimates included 95% confidence intervals around the harvest point estimates. The reader is cautioned that the standard errors and the resulting 95% confidence intervals may be too small. If they are too small, the reader cannot be 95% confident that the actual charter harvest would fall within the projected range.

Projections for the years 2007–2011 are used to compare projected charter harvest to various charter allotments (Table ES-1). Comparing the Area 2C harvest projections and the GHL estimates, provided by the IPHC, indicates that the charter sector would stay within their allocation from 2008–2011. The GHLs from 2007–2010 fall within the 95% confidence intervals estimated for those years, Charter harvest for 2011 is projected to be less than the 2011 GHL. Therefore, implementing a one-fish bag limit in Area 2C is expected to keep the charter sector within the GHL over the time period being considered. If the halibut CEY continues to increase after 2011, the one-fish bag limit may be too restrictive to allow the charter sector to harvest their GHL.

Harvest projections for Area 3A indicate the charter sector would stay within their 3.65 M lb GHL every year, during 2007–2011. Charter harvests are projected to increase every year from 2007–2011. During 2007, the charter sector is projected to harvest about 3.2 M lb. Their harvest is projected to increase to about 3.5 M lb. Based on those projections, additional charter harvest restrictions would not be required to keep the fleet within their GHL. However, because of the trend that indicates the charter harvest is increasing the charter fleet may exceed their GHL in the future.

**Table ES-1 Projected charter harvest and GHL under the status quo, 2007–2011**

Year	IPHC Area 2C				IPHC Area 3A			
	Projected Harvest (M lb)	Lower 95% CI (M lb)	Upper 95% CI (M lb)	GH L (M lb)	Projected Harvest (M lb)	Lower 95% CI (M lb)	Upper 95% CI (M lb)	GH L (M lb)
2007	1.459	1.370	1.548	1.432	3.172	3.075	3.270	3.65
2008	0.999	0.899	1.100	0.931	3.264	3.153	3.375	3.65
2009	1.041	0.929	1.154	1.074	3.379	3.254	3.504	3.65
2010	1.082	0.957	1.206	1.217	3.431	3.292	3.570	3.65
2011	1.123	0.987	1.260	1.432	3.471	3.318	3.624	3.65

Source: IPHC estimates of GH L and NEI estimates of charter harvest.

## **Alternative 2. Establish a catch sharing plan that includes sector accountability**

### **Element 1 – Initial Allocation**

Element 1 would revise the halibut regulations to create a catch sharing plan for the charter and commercial IFQ sectors in Area 2C and 3A. Common pool allocations would be set for harvest by charter clients of licensed charter businesses; the remainder from a combined charter and commercial IFQ catch limit that would be set by the IPHC each year would be allocated to the commercial sector. If the charter sector allocation is exceeded by the charter sector’s harvest, the fishery would not be closed in-season. Instead, when an overage occurs, additional management measures would be applied future years to constrain harvests to the allocation. The timeline of how long it would take to determine when an overage has occurred and when new management measures would be implemented are discussed in Element 2. The system would work best if there is not a time lag between the overage and when the new management measures are implemented. However, it is anticipated that a one or two year lag may occur. The Council has also stated that its intent is to keep the charter sector within their common pool allocation over a five-year rolling average. Clients must abide by any annual, bag, or size limits that are in place for the halibut charter sector in an area when harvesting from the common pool. GAF may allow charter clients to harvest halibut under the same regulations as the unguided halibut sector. Any halibut harvested outside of the charter fishery regulations must be identified as GAF.

**Staff requests that additional direction from the Council be provided to determine how the five-year rolling average should be calculated for the first four years of the program.**

The Council is considering three basic methods to determine the size of common pool from which all charter LEP holders may allow their clients to harvest. The first method has four options that would allocate the charter sector a fixed percentage of a combined commercial and charter catch limit. The percentages are determined by using formulas based on historic charter harvest. A combined commercial

and charter catch limit is not currently established by the IPHC. However, IPHC staff has indicated that they could generate that estimate if the Council and NMFS requested it. The second method has three options that would allocate the charter sector a fixed number of pounds. A suboption is included under these options that would cause the fixed pounds to vary in steps associated with predefined changes in the Total CEY. The suboption causes the fixed pound allocation to behave more like a percentage based allocation that changes the amount of halibut assigned to the charter sector in predefined steps. The third set of options uses half of the result from the fixed pound allocation and half the result of the fixed percentage option for the same base time period.

Charter harvest estimates were compared to each charter sector allocation to show which allocations would fund the common pool without the need to impose different management measures. Option 1a is calculated using 125% of the 1995–1999 average charter harvest (current GHL formula). That option results in the charter sector being allocated 13.1% of the combined commercial and charter catch limit in Area 2C and 14.0% in Area 3A. IPHC staff has provided estimates of projected commercial and charter catch limits for the years 2007–2011 (Table ES-2). The catch limits incorporate the slow up fast down methodology that is used by the IPHC.

**Table ES-2 Combined commercial and charter catch limit using slow up-fast down**

Year	2C	3A
2007	10.57	30.38
2008	7.67	32.09
2009	6.68	33.05
2010	6.63	33.13
2011	6.87	34.37

Source: IPHC

The projected poundage allocations that result during 2007-2008 are within the 95% confidence intervals of projected harvest in Area 2C. During 2009–2011 the allocation is not projected to cover charter harvests. On average, over the five-year period, the charter sector is projected to exceed their allocation by 0.13 M lb per year. The allocation in Area 3A is projected to exceed the charter harvest by an average of 1.25 M lb per year.

Option 1b (125% of the 2001–2005 average charter harvest - GHL formula updated through 2005) results in the charter sector being allocated 17.3% of the combined commercial and charter catch limit in Area 2C and 15.4% in Area 3A. The Area 2C allocation is projected to exceed charter harvest during 2007 and 2008. During 2009-2011 the charter allocation is projected to fall within the 95% confidence intervals for charter harvest. Over the five-year average, the charter sector is projected to be under their allocation by an average of 0.18 M lb. In Area 3A, the charter sector allocation is projected to exceed their allocation every year during 2007-2011. Over that five-year period the charter would exceed their allocation by 1.68 M lb per year.

Option 1c (current GHL as percent of 2004) results in the charter sector being allocated 11.7% of the combined commercial and charter catch limit in Area 2C and 12.7% in Area 3A. The Area 2C allocation is projected to be less than the charter sector's harvest each year, except 2008. During 2008, the charter allocation is projected to be within the 95% confidence intervals for harvest. Over the five-year period, the charter sector is projected to exceed their allocation by an average of 0.24 M lb per year. In Area 3A the charter allocation is projected to exceed their harvest each year. They are projected to harvest an average of 0.8 M lb less than they would have been allocated from 2007–2011.

Option 1d (2005 charter harvest) would yield an allocation of 15.1% of the combined commercial and charter catch limit in Area 2C and 12.7% in Area 3A. The Area 2C allocation is projected to exceed charter harvest during 2007 and 2008. During 2009-2011 the charter allocation is projected to fall within the 95% confidence intervals for charter harvest. Over the five-year average, the charter sector is projected to be under their allocation by an average of just 0.03 M lb. In Area 3A the charter sector allocation is projected to exceed their allocation every year during 2007-2011. Over that five-year period the charter would exceed their allocation by 0.8 M lb per year. The Area 3A allocation is the same under both Options 1c and 1d.

The allocations under Option 2 issue the charter sector a fixed number of pounds every year. Option2a would allocate the Area 2C charter sector 1.43 M lb per year and the Area 3A charter sector 3.65 M lb per year. Option2b would allocate the Area 2C charter sector 1.69 M lb per year and the Area 3A charter sector 4.01 M lb per year. Option2c would allocate the Area 2C charter sector 1.90 M lb per year and the Area 3A charter sector 4.15 M lb per year. Allocations of that magnitude are projected to exceed the charter sectors harvest almost every year. The only year that it would not is in Area 2C during 2007. That year the allocation falls within the 95% confidence intervals for harvest. In Area 2C, the charter sector's allocation is projected to exceed its harvest by an average of 0.29 M lb (Option 2a), 0.55 M lb (Option 2b), and 0.76 M lb (Option 2c) over the 2007-2011 time period. In Area 3A, they are projected to exceed their harvest by an average of 0.31 M lb (Option 2a), 0.67 M lb (Option 2b), and 0.81 M lb (Option 2c) over that same time period.

The suboption that would implement a stair step up and stair step down that adjusts the charter allocation when the total CEY changes a predefined amount. It should be noted that the starting point from which changes are measured needs to be defined. Until that is defined, it is not possible to provide the actual future CEYs that would trigger the changes.

If Option 2a were selected, no changes occur to the charter allocation when the CEY increases or decreases less than 15% from the baseline amount. Increases greater than that amount would trigger changes in the charter allocation. The first step changes the initial allocation by 15%. Each additional 10% change in the CEY triggers an additional 10% change in the charter sector's allocation. In Area 2C, the first step is triggered by a 15% change in the CEY and results in the allocation increasing or decreasing 0.21 M lb. In Area 3A the allocation is changed by 0.55 M lb. Each additional 10% change in the CEY results in the charter sector's allocation increasing or decreasing 0.14 M lb in Area 2C and 0.36 M lb in Area 3A.

Because the initial allocation is larger, under Option 2b, the changes in the allocation at each step are also larger. In area 2C, the initial 15% increase or decrease in the allocation increases or decreases the amount by 0.25 M lb. Each additional 10% increase (or decrease) increases (or decreases) the allocation by 0.17 M lb. In Area 3A, the initial change is 0.60 M lb, and each additional 10% change moves the allocation by 0.40 M lb.

Since the initial allocation is larger under Option 2c than either of the other two options, the changes in the allocation, at each step, are also larger. In area 2C, the initial 15% increase (or decrease) in the allocation increases (or decreases) the amount by 0.28 M lb. Each additional 10% increase (or decrease) increases (or decreases) the allocation by 0.19 M lb. In Area 3A, the initial change is 0.62 M lb, and each additional 10% change moves the allocation by 0.41 M lb.

Option 3 allocations are based on 50% of the percentage allocation and 50% of the fixed pound allocation. Because the allocations are based in part on fixed pounds, the charter sector is given a floor allocation. Their allocation would never drop below that amount unless there are resource conservation dictates a reduction. Option 3a uses the years 1995-1999. It results in an Area 2C allocation that is projected to be within the 95% confidence interval of harvest during 2007, 2009, 2010, and 2011. During 2008 the allocation is projected to exceed charter harvest. Over the five-year period, on average, the charter sector's allocation is projected to be 0.07M lb more than harvest. In Area 3A the allocation is

projected to exceed harvest every year. Over the five-year period, on average, the charter sector's allocation is projected to be 0.80 M lb over its allocation.

Option 3b is based on the years 2000–2004. Because those years were not an alternative under Option 1, the percentage was calculated for Option 3 using the same formula used in Options 1a and 1b. Option 3c is based on the years 2001–2005. Both Options 3b and 3c are projected to yield allocations that are larger than the charter sector's projected harvest, every year from 2007–2011. In Area 2C the allocations, on average, are projected to exceed the Option 3b harvest by 0.25 M lb and the Option 3c harvest by 0.39 M lb. In Area 3A the allocations, on average, are projected to exceed the Option 3b harvest by 1.27 M lb and the Option 3c harvest by 1.24 M lb.

Given the above discussion, the only allocations that would exceed the status quo harvest projections are Options 1a and Option 1c in Area 2C. All other allocation options are projected to exceed status quo charter harvest during the 2007–2011 time period. Many of the Area 3A options are not projected to be binding in the near future.

The percent options do not match (corrected) historical records. The Council can choose to correct the percentages to the 1/10<sup>th</sup> of a percent or maintain the current options as adopted in October 2007; however, the discrepancies are minor. The analysis would need to address why the Council might choose to not correct its options to match the historical records.

## **Element 2 – Annual regulatory cycle**

The Council has announced its policy that the charter halibut season would not be closed when its allocation has been reached. The Council would not revisit or readjust the sector split if an overage(s) occur. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward to the charter sector. No regulations would be generated as a result of Element 2.

Management of the charter halibut sector to its allocation would be achieved through an annual regulatory analysis of management measures (delayed feedback loop) that takes into account the projected CEY for the following year and any overages by the charter industry in the past year(s). Under Element 4, the Council requested that staff identify potential timelines that would reduce the time between a charter allocation overage and implementation of regulations to eliminate the overage. Staff identified a number of scenarios that would reduce the delay 1) an allocation set in a pounds would not be dependent on IPHC action, however, a two-prong preferred alternative timed with IPHC action could be used with a floating or hybrid initial allocation; 2) if an overage is identified in October, final action could be scheduled, as needed, each December (foregoing the 4-week advance release of the public review document and scheduling SSC review at the same meeting as final action); 3) tiering off a previous analysis and proceeding straight to final action; or 4) the Council could take action on only a (2-3 page) supplemental analysis, with a complete, revised EA/RIR/IRFA prepared for Secretarial review. These are discussed in more detail under Element 4.

## **Element 3 – Management toolbox**

No regulations would be generated as a result of Element 3. The estimated effects of potential management measures are provided to illustrate how the Council's preferred policy may be implemented in the future. Element 3 would establish a Council policy for the management toolbox to be used if the charter industry exceeds its allocation (Table ES-3). The Council would select the tool (or tools) that allow it to reduce charter harvest by an amount that is likely to allow the industry to "pay back" the halibut biomass that amount of the overage(s) in the preceding year(s). Element 3 would establish two tiers of measures that the Council can utilize to manage the charter common pool. Tier 1 measures would be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures would be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. Due to the delayed feedback loop in implementation of regulations, management measures may be more restrictive to ensure that the charter

sector allocation is not exceeded. In providing predictability and stability for the charter sector, the full allocation may not be harvested.

**Table ES-3 Proposed Management Measures by Tier**

Tier 1	Tier 2
One Trip per Vessel per Day	Annual Catch Limits
No Retention by Skipper and Crew	One Fish Bag Limit for all or a portion of the Season
Line Limits	Season Closure
Second Fish of a Minimum Size	
Second Fish at or below a Specific Length	

If the Council is to meet the regulatory cycle discussed in Element 2, it may have to rely on estimates from past GHM analyses (NPFMC, 2007b and NPFMC, 2007c) to estimate the effect of each management measure on the charter industry’s harvest. Table ES-4 shows the estimated effect of each management measure by sub-option as analyzed and reported by NPFMC (2007b) and NPFMC (2007c). Note that the analyses did not look at the same sub-options for each management area, as the Council tailored the sub-options to fit each area’s individual management needs.

The approach provided by this element provides a rapid, “back of the envelope” method of estimating the effect of management measures to reduce charter industry halibut harvest. However, there are limitations to the approach that should be recognized, including the effect of changing average weights, the effect of changing harvest composition, and the difficulty of accounting for the interaction effects associated with utilizing several management measures at the same time.

**Element 4 – Timeline**

No regulations would be generated as a result of Element 4. The estimated effects of potential timelines are provided to illustrate how the Council’s preferred policy may be implemented in the future.

Element 4 is linked to the discussion of an annual regulatory cycle under Element 2. Three to four years may elapse between the year in which (1) an overage occurs; (2) the year in which ADF&G data report that an overage has occurred; (3) the year in which the Council selects a preferred alternative to address the overage; and (4) the year in which new regulations are in effect. Element 4 outlines two scenarios for the timing of regulatory action for a response to an overage. The primary difference between the two proposed scenarios is when an estimate of charter harvests is available (step 2).

Staff identified that there are no potential time savings in the year in which an overage occurs. Interagency staff identified that a year in the feedback loop could be eliminated by using halibut harvest tags<sup>2</sup> (or some other mechanism) as the measure of charter harvest rather than waiting for the subsequent October for the SWHS (step 2), but the use of harvest tags to monitor the common pool is not supported by agency staff or representatives of the charter fleet.

<sup>2</sup> Preliminary design considerations for a harvest tag program and electronic reporting in an interagency staff report were provided to the Council in December 2007.



**Table ES-4 Estimated Effect of Management Measures**

Tier	Management Measure	Sub-Option	Estimated Harvest Reduction (%)	
			Area 2C	Area 3A <sup>1</sup>
	One Trip per Vessel per Day	None	1.8% – 2.4%	5.5 – 6.3%
	No Retention by Skipper and Crew	None	4.3% – 4.7%	10.4%
	Line Limits <sup>2</sup>	None	Not Analyzed	Not Analyzed
Tier 1	Second Fish of a Minimum Size <sup>3</sup>	45"	18.8% – 27.0%	32.5% – 39.3%
		50"	23.1% – 30.8%	36.9% – 43.3%
	Second Fish at or below a Length Limit <sup>4</sup>	32 Inches	19.7% – 26.1%	18.2% – 24.5%
		34 Inches	Not Analyzed	15.2% – 21.1%
		36 Inches	Not Analyzed	12.1% – 18.3%
	Annual Catch Limits	Four Fish	16.4%	6.5%
		Five Fish	9.3%	4.1%
		Six Fish	4.3%	2.1%
Tier 2	One Fish Bag Limit for All or a Portion of the Season <sup>5</sup>	Full Season	39.7% – 57.8%	47.1% – 62.9%
		May	1.8% – 2.6%	5.0% – 6.6%
		June	10.0% – 14.6%	12.4 – %16.5%
		July	14.5% – 21.1%	17.8% – 23.8%
		August	12.0% – 17.5%	9.9% – 13.2%
		September	1.4% – 2.0%	1.8% – 2.9%
	Season Closure <sup>6</sup>	Full Season	100.0%	100.0%
		May	5.2%	10.5%
		June	25.7%	26.0%
		July	35.4%	37.7%
		August	29.9%	21.2%
		September	3.7%	4.0%

1. Numbers for Area 3A reflect the analysis for NPFMC (2007c) updated with ADF&G's final 2006 harvest estimates.

2. Neither NPFMC (2007b) nor NPFMC (2007c) analyzed line limits as an individual option.

3. Upper estimates include an assumption of a 10% reduction in the demand for halibut charter trips.

4. Upper estimate assumes that anglers catch the average fish below the length limit based on biomass. Lower estimate assumes that anglers are able to high-grade by one two-inch size class.

5. Upper estimates include an assumption of a 30% reduction in the demand for halibut charter trips. The analysis did not make any adjustments for anglers rescheduling their trips to other parts of the season which do not include the one-fish bag limit.

6. Estimates based on ADF&G data provided for NPFMC (2007b) and NPFMC (2007c). Estimates do not include the effect of anglers migrating to other months or otherwise adapting to the closure.

Source: NPFMC (2007b) and NPFMC (2007c).

### Element 4 – Timeline

No regulations would be generated as a result of Element 4. The estimated effects of potential timelines are provided to illustrate how the Council's preferred policy may be implemented in the future.

Element 4 is linked to the discussion of an annual regulatory cycle under Element 2. Three to four years may elapse between the year in which (1) an overage occurs; (2) the year in which ADF&G data report that an overage has occurred; (3) the year in which the Council selects a preferred alternative to address the overage; and (4) the year in which new regulations are in effect. Element 4 outlines two scenarios for

the timing of regulatory action for a response to an overage. The primary difference between the two proposed scenarios is when an estimate of charter harvests is available (step 2).

Staff identified that there are no potential time savings in the year in which an overage occurs. Interagency staff identified that a year in the feedback loop could be eliminated by using halibut harvest tags<sup>3</sup> (or some other mechanism) as the measure of charter harvest rather than waiting for the subsequent October for the SWHS (step 2), but the use of harvest tags to monitor the common pool is not supported by agency staff or representatives of the charter fleet.

Depending on the initial allocation and amount of IFQ leasing that occurs in each of the regulatory areas, from none to two CSP analyses could be submitted each year or they could be combined into a single analysis and rulemaking. Some streamlining during regional review may occur as these analyses become annual updates of previously reviewed documents, as compared with wholly new analyses. No resolution to a bottleneck is foreseen in which CSP analyses compete with other higher priority analyses for review.

Staff identified alternate methods for streamlining the preparation of a final rule in response to a charter halibut allocation overage. The Council could adopt one or more of the following proposals as its policy for preparing the documents necessary for rulemaking.

- The Council could save one meeting cycle by basing its new analysis on the previous, final analysis and proceeding straight to final action; it would not schedule initial review, which is not a federal requirement). The analysis would add the most recent year of data and undergo a routine update.
- Assuming notification by ADF&G Sport Fish Division of an overage in October, the Council could take final action in December (it may have to forego its four-week advance release of the public review document and prior SSC review (or it could schedule SSC review at the same time as final action and assume that the analysis conforms with analytical methodology previously approved by the SSC)). It could adopt a preferred alternative under a fixed poundage allocation or could adopt a two-prong preferred alternative. A proposed rule would be published prior to IPHC action and solicit comments on both preferred alternatives or the proposed rule could be published after IPHC action and solicit comments on the remaining preferred alternative.
- Since an EA/RIR/IRFA is required for Secretarial action (and technically not required for Council action), the Council could take action on only a supplemental analysis (to its previous year's EA/RIR/IRFA) similar to the supplemental analysis (2-3 pages provided to the Council in October 2007 on its previously released EA/RIR/IRFA for Area 2C GHJL measures [[http://www.fakr.noaa.gov/npfmc/current\\_issues/halibut\\_issues/Area2CGHL\\_Sup1007.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/halibut_issues/Area2CGHL_Sup1007.pdf)]. A complete, revised EA/RIR/IRFA would be prepared by Council staff immediately after final action and submitted to the Secretary (timing of proposed rulemaking would occur depending on whether allocation was in pounds or percent (and therefore dependent on IPHC action).
- The Council could schedule final action sooner under a poundage charter sector allocation compared with a floating allocation because Council action would not be dependent on IPHC action to apply a Council CSP allocation split of a combined charter and commercial catch limit.

Interagency staff identified that a new type of accounting system should be developed for monitoring commercial halibut IFQs that would be leased to charter halibut operators to use in excess of the charter common pool allocation under Alternative 2. It would require in-season monitoring of halibut harvested using leased IFQs as distinct from those fished against the charter common pool allocation. Not requiring timely reporting of those halibut harvested under IFQs would result in further delay.

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<sup>3</sup> Preliminary design considerations for a harvest tag program and electronic reporting in an interagency staff report were provided to the Council in December 2007.

The Council may wish to comment on whether any of these policy scenarios for future analyses are acceptable.

### **Element 5 – Supplemental, individual use of Guided Angler Fish**

Element 5 would revise commercial halibut IFQ regulations to allow limited entry permit (LEP) holders to lease commercial IFQ from individual commercial IFQ holders to provide guided anglers with additional harvesting opportunities in excess of the annual charter allocation. The LEP holder would ask NMFS to convert the leased IFQ into Guided Angler Fish (GAF). The LEP could then use the GAF to provide guided anglers with additional harvesting opportunities with the provision that the individual guided angler's harvesting opportunities never exceed the daily bag and size limits in place for unguided anglers.

The most important implications under Element 5 include the following.

- Under Provision A-2 the analysis indicates that the proposed leasing levels should provide adequate GAF to preserve historic harvest opportunities and allow charter sector growth in the future;
- Under Provision A-2 there is little data to suggest what price LEP holders might pay for leasing GAF;
- Under Provision A-3 the data suggest that different leasing allowances would be needed to maintain the same level of access to historic harvest opportunities. The analysis found that under either 400-GAF or 600-GAF leasing allowance certain vessels in Area 3A could be deprived of their historical harvesting opportunities if the Area were subject to a one-fish daily bag limit for charter anglers. For example, at the 600-GAF limit 26.5% of the vessels in the larger endorsement class would be unable to offer their historic opportunities under certain conditions. While Area 3A does not exhibit the same GHIL overage as found in Area 2C and there are currently no differences in the harvest regulations for guided and unguided anglers, **the Council may wish to consider higher GAF-leasing limits in Area 3A to provide equivalent preservation of historic fishing opportunities;**
- Under Provision C the analysis and discussions with ADF&G staff indicate that:
  - The current system of calculating average harvest weights from the previous year would not be available for IFQ conversion until the end of the following season. For example, the final estimate of average weight for 2007 would not be available until September 2008;
  - If there is a change in the average weight from year to year, it would become apparent the following year that the charter operator paid either too much or too little for GAF. Since the conversion is a linear function of the average weight, the percentage error in the amount of IFQ converted would equal the percentage difference in the average weights from year to year. These differences would likely cancel out only for charter operators and IFQ holders who convert on a regular basis over an extended number of years;
  - The delay in estimation of average weight may also affect catch accounting. It is assumed that GAF harvest is tallied as commercial catch, since it is converted from IFQs. Because the conversion of IFQ to GAF would likely be based on preliminary estimates of average weight from the previous year, the accurate accounting of GAF removals could not be obtained until the final estimates of harvest are available the following year. The degree to which this accounting error becomes an issue depends on the magnitude of GAF

conversion. If the amount of IFQ converted to GAF is a small proportion of the commercial catch limit, the error may not be worth addressing;

- Perhaps a more important consideration is whether the average weight of the sport charter harvest (common pool) should be used to convert IFQ for GAF, or whether the average weight of GAF should be used. The average weight of GAF may be higher than the average weight of all charter halibut under certain conditions. In addition, the average weight of GAF would be dependent on the distribution of harvest among subareas of Area 2C or Area 3A. Average weight currently varies quite a bit from port to port. If a high proportion of GAF are harvested from areas with larger fish, that would result in a higher average weight;
- Under certain conditions that average weight of GAF may not exceed that of common pool fish. For example, if the charter fishery is restricted by a one-fish bag limit then common pool fish may have a higher average weight than GAF due to high-grading. Under a one-fish limit, some anglers would try to harvest the largest fish possible;
- Under Provision D an LEP holder could be prevented from leasing to another LEP holder if the first lease holder was unable to fish the GAF (e.g., unavoidable circumstances including long term illness, injury, boat loss). However, LEP holders may be quick to recognize this limitation and adapt their lease agreements to include a reversion clause in the case that the LEP holder is unable to fish the GAF.

#### **Requests for clarification**

Staff seeks Council clarification on the rationale for the following proposed limits.

Provision A-2. Commercial halibut QS holders may lease up to 1,500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.

Provision A-3. LEP holder per vessel may not lease more than 200-400 fish.

Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.

- **Under Provision E(2), the Council's motion on conversion of GAF back to the commercial sector lacked guidance on how and when those transfers would be allowed. RAM Division staff has suggested that transfers could be conducted automatically or only upon request. RAM staff recommends that a combination of both options with the same cut-off date could be implemented. That is, any unused GAFs that were not requested previously to be returned to the lessor by a date certain would be automatically returned by NMFS on a certain date. Three scenarios have been identified for these requests: 1) by the GAF holder; 2) by the IFQ holder; or 3) either. GAF holders may request the transfer back to the IFQ leaseholder at any time during the season (although they have limited incentive if the value of unused GAFs are not somehow rebated, unless they are (also) the original commercial IFQ holders and therefore eligible to fish them commercially) or *all* unused GAFs would automatically revert back to the IFQ holder (assumed without compensation to the GAF holder) on a date certain (proposed to be October 1 by staff). Scenarios under which an IFQ holder reclaimed unused GAFs before a GAF holder wished to relinquish them would be problematic. Staff discussions assumed that unused GAFs that return to the IFQ holder would not be rebated but this issue is primarily contractual; an unrebated return would diminish the incentive for GAF holders to request their return but would provide incentive to only lease what the LEP holder needs to meet client demand during the season. Staff seeks clarification on the details of how the Council intends these transfers to be conducted.**

Under any scenario, these two-way transfers require a real-time reporting system for the management of these GAFs for accurate in-season accounting of their balances.

- Under Provisions E(1) and E(2), the Council's intent for its motion regarding the prudence of obtaining size data from both the common pool and GAFs is unclear. Is this intended as a request for additional data gathering by ADF&G or NMFS or is it intended to be a regulatory requirement for determining the appropriate conversion factor for calculating GAFS and back to IFQ pounds? and

## **Element 6 – Catch Accounting System**

Element 6 encompasses the record keeping and reporting requirements to implement the Council's preferred alternative. At final action, the Council would identify its preference for a catch accounting system to be implemented to monitor IFQ leases that would be used in the charter sector (as proposed under Element 5). NMFS, in cooperation with ADF&G, would advise the Council in October 2008 of the data collection and monitoring requirements. During interagency staff meetings, agency staff noted that a more defined alternative is needed before the data collection program can be fully developed. Staff have identified that the charter sector would be required to provide real time data for GAF harvests for NMFS to adequately monitor the leases. A real time data collection program for GAFs may include some form of electronic reporting. While the Council offered three suggestions for NMFS to consider for implementing the proposed catch sharing plan, **additional guidance on Council intent for administration, implementation, and enforcement is needed for the agency to provide estimates of costs for implementation.**

**It is not clear what the proposed Council action would be as a result of its provision under Element 6 that "Given the uncertainty regarding differences in the size of GAF and common pool fish, it would be prudent to obtain size data from both groups of fish, especially in the early years of the program."** Is this a recommendation to NMFS or ADF&G to develop such data collection program?

## **Economic Impacts of the Alternatives**

The analysis assumes that the proposed charter sector allocation would be a common pool of fish that clients of charter LEP holders would be allowed to harvest. When the charter allocation limit is reached, charter clients would continue to be allowed to retain halibut for the remainder of the year. Exceeding the common pool allocation would result in more stringent management measures being implemented to reduce harvest in future years. The leasing of commercial IFQ may also be allowed under this amendment. Leasing of IFQ would allow individual charter operators that hold GAF, to use those fish to exceed charter harvest regulations when they are below the limits set for the unguided sport fishery.

This analysis does not provide quantitative estimates or confidence intervals for the magnitude of net national benefits under each option. Nor are those quantitative estimates provided for regional economic impacts of the alternatives considered in this analysis. Because those estimates cannot be provided given the information available, the analysis does not identify an optimal allocation. To provide these data, information on the contribution to national welfare of all commercial removals would be needed. That information is currently unavailable for the commercial sector and an analysis to estimate those impacts is outside the scope of what can be completed as part of this document.

Determining which allocation would maximize net national benefits would require detailed information on costs and expenditures in both the commercial and charter sectors. In addition to cost information, ex-vessel demand for charter trips and angler willingness-to-pay for trips would also be required. Collecting that information would be expensive and time consuming. Even if these data were available, changes in the halibut biomass will impact the optimal sustainable yield and the optimal allocation of halibut. Because of these ongoing changes to the resource, any allocation that is optimal when it is made would be suboptimal in the future. To maintain an optimal allocation, the allocation must be adjusted whenever

economic or biological conditions change (Criddle 2006). It is unreasonable to assume that overall net economic benefits could be sustained over time by a management agency altering the allocation.

### **Charter Sector**

The charter sector is comprised of business operators who are licensed by the State of Alaska to provide guided sport trips. It is not possible to provide estimates of the charter sector's net revenue. Additional information on both the revenues generated by the charter sector and the costs associated with providing those trips would be needed. There is not a complete set of data on the prices charged for a charter trip in Areas 2C and 3A. General information on trips prices is reported in the RIR, but those estimates are only intended to provide a small sample of trip prices derived from the business advertising. Those samples are not intended to represent the mean trip prices in a given area. Information is available from ADF&G saltwater logbooks on the number of trips taken in each area. However, because we do not have the prices associate with those trips, generating estimates of charter gross revenue is not possible.

Net revenues in the charter sector cannot be provided. Area-wide data are not available for either gross revenues or costs of operating the charter business. Both of these pieces of information are needed to estimate net revenues. The cost and time required to collect these data makes producing these estimates outside the scope of this analysis.

Criddle (2004, 2006) described four types of management combinations for a halibut fishery shared by a commercial and charter sector. One combination provided an example of when the commercial fishery was managed under an IFQ-based system and the charter sector was managed under a regulated open access sport fishery. Under the regulated open access system, it is assumed that the charter sector harvests are controlled by some combination of management measures. Criddle concluded that when a sportfishing charter fleet is comprised of small homogeneous charter businesses, an increase in demand for trips would result in an increase in trip prices, in the short-run. Long-run effects depend on the types of management measures used to constrain charter harvests. Size limits, bag limits, annual harvest limits, line limits, and prohibition on captain and crew harvests, if some of the fish went to the clients, could reduce the angler or operator surpluses generated from the trips. Seasonal closures, restrictions on where fish is allowed, or limits on the number of clients are examples of management measures that could increase the costs of providing trips. It is anticipated that all rents in the charter fleet would be dissipated under the limited entry program.

If management measures restrict charter harvests to their allocation over a five-year rolling average, increased demand for charter trips would be offset by more restrictive management measures. Therefore, increases in demand for charter trips are not expected to impact the commercial sector. The commercial sector would only be impacted if the charter sector is not constrained to its allocation by additional management measures or if the charter sector is able to convince the Council and the Secretary to increase its allocation.

The Council is also considering allowing charter LEP holders to lease GAF from the commercial sector. We can not predict the magnitude of halibut that would be transferred if leasing is allowed. However, commercial harvesters must agree to the transfer for it to occur. Charter businesses must pay a sufficient amount for the IFQs to offset the forgone value of commercial net revenues (Criddle 2006). Because the charter LEP holders do not benefit from consumer surplus and commercial harvesters do not benefit from postharvest surplus, they are not considered by the participants when determining whether to transfer IFQ.

Charter businesses that purchase GAF from the commercial sector would realize increased costs. Those costs would be passed on to charter clients through higher trip prices. The increased costs and prices are expected to allow charter businesses to earn normal profits in the long run.

## Commercial Halibut Fishery

Impacts of moderate fluctuations in stock abundance would lead to changes in the commercial quota under a fixed or percentage based charter allocation. Changes in the amount of halibut harvested by the commercial sector would impact exvessel prices, commercial net revenue, and post harvest surplus. Given research conducted by Herrmann et al. (1999) on the price flexibility of Alaska halibut, the changes in exvessel price that results from increasing or decreasing the amount of commercial harvest in Areas 2C and 3A as a result of this proposed amendment are expected to be very small. An allocation to the charter sector that decreases the commercial allocation is expected to result in a small increase in exvessel price, but an overall decline in the net revenue of commercial harvesters. Post harvest surplus is directly related to the quantity of halibut on the market, so a decrease in commercial harvests would lead to a decrease in post harvest surplus (Criddle 2006). If the allocation to the charter sector is set at a level that reduces its harvest during periods when the combined commercial and charter catch limit is steady, the commercial harvest would be increased and post harvest surplus would increase.

Stock fluctuations may impact the asset value of QS held by commercial harvesters. If the changes to halibut stocks in Areas 2C and 3A occur frequently and are relatively small, they are not expected to impact QS values. However, if the stock size is expected to increase or decrease for a longer period of time it would impact QS asset values. In that situation, a decrease in stock size would reduce QS values and an increase in stock size would increase QS values. Redistributing the amount of halibut that is assigned to the charter sector could have a similar impact on QS values.

Because the QS are expected to generate lower net revenues over the next six years (based on IPHC CEY projections), the asset value of Area 2C QS is also expected to decline. Persons that are forced to sell their QS and those that willingly sell their QS would be expected to receive less for their QS. Persons that are unable to weather the financial downturn would be bought out by persons that are in a better financial position that feel stock abundance would increase over the long-term and constraints on charter harvests would help preserve their portion of the combined commercial and charter catch limit. As a result, Area 2C QS holdings would be further concentrated.

The Area 2C commercial allocation is projected to always be less (during the years considered in this amendment) under the fixed poundage allocations relative to the percentage based allocations. This is because the CEY is smaller during those years relative to the base years used to determine the allocations.

Because the commercial allocations in Area 3A are projected to be at or above historic levels in the near future, the QS values are not expected to decline as a result of short near-term decline in net revenue. If the trend of higher than historic average allocations is anticipated, the QS values may increase.

Increased demand for charter trips does not affect participants in the commercial fishery when the charter sector is constrained (Criddle 2006). The proposed harvest limits are assumed to constrain the amount of halibut the charter sector can harvest over a five-year period (the charter sector harvest is required to be less than or equal to their allocation over a five-year rolling average), so the commercial allocation would not be reduced by increased charter harvests. It is also important to note that unless there are stock conservation concerns, charter overages would have a minor impact on future combined commercial and charter catch limits.

The commercial sector, however, would be directly impacted by a charter allocation that is larger than the charter sector would harvest under the status quo. That scenario would allow the charter sector to increase its harvest, as client demand increases, until they reach the allocation. From that point forward, the allocation would constrain the charter client harvests and the commercial sector would not be impacted by further increases in client demand.

If the amount of halibut projected to go unused at the beginning of the year is not reassigned to the commercial sector, any excess allocation to the charter sector would reduce the commercial allocation more than is necessary. Forgoing that harvest would reduce postharvest surplus.

Leasing of GAF would allow commercial QS holders to lease IFQ to the charter sector. They are only expected to lease IFQ to the charter sector if they receive sufficient compensation to offset the net revenue they would derive from harvesting the fish themselves. Because individual commercial harvesters generate different amounts of net revenue from their allocation, the commercial operations that generate the lowest marginal net revenue would be most likely to lease halibut. Charter operations that have the highest net revenue per fish are expected to be the most willing buyers, if their net revenue per fish is greater than or equal to the lease cost per fish.

### **Charter Clients**

Charter client trips would not be constrained by the amount of halibut available to its sector in-season under the status quo or the allocation options being considered. However, demand for charter trips could decline as more restrictive management measures are imposed (e.g., a one-fish bag limit in Area 2C) to keep the sector's harvest within its allocation. Because of the excess capacity that is expected to exist under the moratorium, at least in the short term, charter clients are expected to pay prices for trips that would allow the charter operators to earn normal profits (NPFMC 2006a).

Differential trip prices could result if clients wanted to use GAF to relax their harvest restrictions. For example, if a client wanted to harvest two fish in Area 2C, they may need to compensate the charter operator for the additional cost associated with the lease of the GAF. It is not possible to know how charter operators would develop price structures for various types of trips. However, the use of GAF would increase trip costs and those costs are expected to be passed on to the client.

Status quo regulations are expected to be more restrictive in Area 2C than in Area 3A. After 2007, we have assumed that a one-fish bag limit would be in place in Area 2C. Those management measures are expected to reduce both consumer demand and consumer surplus relative to regulations in place for Area 3A. In Area 3A the charter clients would remain under a 2-fish bag limit and a possession limit of 4-fish. The numbers of halibut that may be harvested by a client during the year are not further regulated. Because of the different management measures in place for the two areas, clients that have the opportunity may choose to take a trip in Area 3A instead of Area 2C. This behavior would shift demand from Area 2C to Area 3A. If non-residents increase the percentage of trips they take in Area 3A, it may increase overall consumer surplus relative to what it would be if participation patterns remained static.

We assume that the (pending) limited entry program would not be a constraint to persons booking a trip. Competition for clients is expected to keep trip prices at a level that allows charter operators to only earn normal profits. All else being equal, the price of trips should not increase as a result of the status quo management measures. Seasonal discounts may continue to be offered, especially in Area 3A, as charter operators attempt to attract clients during the non-peak seasons. Discounted trips have historically been available before mid-June and after mid-August.

### **Consumers of Commercial Halibut**

Decreases in the amount of halibut available to consumers would result in increases in halibut prices, all else being equal. As stated earlier, the ex-vessel price increases as a result of decreased supply are expected to be modest given the price-flexibility of halibut. Even though the price increases are expected to be relatively small, the combination of increased prices and reduced availability would decrease postharvest surplus (Criddle 2006). The decrease in postharvest surplus cannot be estimated for the various common pool allocation options and is outside the scope of this analysis. However, the options that generate the smallest charter allocation would result in the largest postharvest surplus.

Allowing the charter sector to lease commercial IFQ would decrease consumer surplus if transfers occur. The leases would reduce the amount of halibut available to halibut consumers. Because of the direct relationship between postharvest surplus and quantity supplied, benefits to consumers of commercial halibut would be reduced.



## **Communities**

Economic activity resulting from the charter and commercial halibut fisheries generates income for residents of the communities where the expenditures occur. Employment is also created in communities that provide goods and services to the fishing sectors.

The regional economic benefits under the status quo would likely differ from those under an allocation to the charter sector that imposes additional management measures in future years. However, changes in regional economic benefits generally do not cause changes in net national benefits.

Under the status quo, the amount of personal income and jobs generated by the charter sector is expected to increase in Area 3A in the long-run. In Area 2C the sector would experience declines in the short-term, as a result of stricter management measures imposed to keep the sector within its GH. If the CEY increases to higher levels in the future the charter sector would be expected to increase the amount of personal income and jobs they create above the 2008 levels.

No options are being considered that limit the harvest of the charter sector within a fishing season. However, the management measures that are expected to be imposed on the Area 2C charter fleet starting in 2008 are expected to reduce client demand for trips (e.g., a one-fish bag limit). When the number of trips taken is reduced by more restrictive management measures, the charter sector would need fewer supplies and it would reduce expenditures within the communities that supply those goods. When they purchase fewer goods and services within the community, it has a negative impact on their economy and employment, if the reductions are not offset by increased purchases by the commercial sector.

The allocations considered in this amendment would shift the amount of halibut available to the commercial sector and charter sectors, the overall near-term CEY reductions are likely to have a larger impact on the Area 2C regional economies than shifting the available halibut among sectors. However, shifts in the commercial/charter allocations would impact individuals within those communities are more than the regional economy, because spending by the two sectors would to some extent offset each other.

The total reduction in trips by community cannot be estimated. Information on the expenditures by charter operators by community is also unavailable. Collecting that information would be both expensive and time consuming, and is outside the scope of this amendment.

## **Self-guided anglers and subsistence harvesters**

Continuation of the status quo is not expected to impose costs or provide additional benefits to self-guided anglers or subsistence harvesters. Because halibut removals by those two groups are unrestricted and deducted from the CEY prior to determination of the proposed combined commercial and charter catch limit, the amount of halibut harvested by the commercial and charter sectors do not impact the halibut available to these groups.

Imposing a limit on the amount of halibut charter clients may harvest or reducing their bag limit could result in some individuals that have access to a private boat fishing for halibut without a guide, when they would have used a guide service all else being equal. Increasing effort in the non-guided sector is more likely to occur in Area 3A where the percentage of clients from Alaska is greater than in Area 2C. Public comments for this action and prior Council actions have included concerns about an increase in unguided or "bareboat" rentals. "Bareboat" rental companies provide tourists vessels without crew, but with other equipment required for a successful fishing trips such as maps, GPS locators, and fishing equipment. The public comments raised both safety and enforcement concerns about the effect of these businesses. The safety concerns focus on inexperienced boaters navigating in Alaska's challenging marine environment. Enforcement concerns have focused on the suggestion that some businesses would claim that a boat rental is unguided, but then provide a guide who would not identify himself as such if intercepted by enforcement staff.

**Element 6. Catch accounting system**

1. **The current Statewide Harvest Survey and/or logbook data would be used to determine the annual harvest.**
2. **A catch accounting system will need to be developed for the GAF landed in the charter industry.**
3. **As part of data collection, the collection of length measurements should occur when supplemental IFQs are leased for use and compared to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.**

The Council adopted the language (above) as part of its intent for catch accounting systems for the charter sector. There are two types of charter fish to monitor and enforce: common pool and GAFs. The Council has stated its intent to monitor the common pool using ADF&G data. **Staff requests clarification of whether any additional clarification on using the SHWS and/or logbook data is forthcoming as a result of an ADF&G analysis of the two data collection programs that will be reviewed by the SSC in April 2008, or whether the identification of a preferred data collection system for monitoring and enforcing the common pool allocation would be deferred to the agencies.** The Council added a third statement regarding its intent that length measurements of GAFs be collected for accurate accounting.

The Council also adopted the following language (see box) as its intent for the development of a catch accounting system for GAFs. It specifically did not adopt these three proposed options for analysis that were recommended by its Halibut Stakeholder Committee in December 2007. It adopted them for NMFS to consider in its development of an implementation plan for the Council's preferred alternative. **Staff requests that the Council clarify its intent for preferred features of a catch accounting system for monitoring and enforcing GAFs.** Such clarification will assist NMFS in its development of a discussion of potential alternate catch accounting systems; this discussion will be included in the next draft of this analysis. NMFS and ADF&G will be better able to estimate costs for data collection and monitoring requirements after the implementation options have been better identified by the Council. At final action, the Council may choose to select a preferred GAF catch accounting system or defer that decision to the agencies.

**Recordkeeping and Reporting** *One of the critical issues for successful implementation of a successful interim management regime for charter halibut operators is to shorten the feedback loop for collection of data regarding charter harvests. The Council has requested that staff include in their report a discussion of options for shortening the feedback loop.*

*It is also the intent of the Council in proposing these options that the real time collection of data should not be used for in-season management changes or in-season closures; rather it is the intent of the Council that these options be used to shorten the data collection feedback loop to facilitate the timely advance adoption of management tools designed to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit.*

*Option 1. Electronic Reporting. Each GSM permit holder would be assigned a unique reporting number and would use that number to electronically report the number of halibut caught by clients that day on a daily basis. The electronic reporting would be done either through an Internet website or a dial-in telephone system. As additional verification each client would sign the mandatory logbook next to the entry containing their name, license number, number and type of fish caught, and any other required information. Logbooks would continue to be submitted weekly.*

*Option 2. Harvest Tag. Uniquely numbered harvest tags would be distributed to each GSM permit holder at the beginning of the season and additional tags would be available throughout the season if needed. The number of harvest tags would be greater than the number of fish allocated to the charter sector for that year (i.e., the tags are not a management tool for restricting or closing charter fishing in-season). When a halibut is landed the harvest tag would be required to be inserted in the jaw and the harvest tag number recorded in the log book entry for the angler license number of the person who caught the fish. When the fish is processed the tag would be removed and mailed in using pre-addressed, stamped envelopes supplied for that purpose. GSM operators would pay a fee to cover the cost of the envelopes and tags. Harvest tags would preferably be bar coded to enable machine reading, with peel off bar code stickers for placement in the log book.*

*Option 3. Punch Cards. Each GSM permit holder would be issued a supply of uniquely numbered punch cards with punch outs equal to any daily bag limit for that year or six halibut (whichever is fewer). The cards would be issued at the beginning of the season and additional cards would be available as needed (i.e., the cards are not a management tool for restricting or closing charter fishing in-season). Each day every client angler would be assigned a punch card and that punch card number would be entered in the log book next to the license number. As each halibut is landed by a client their respective card would be punched, and at the end of the day the client would sign the punch card in the space provided. The punch card would then be sealed in a supplied stamped and addressed envelope, which would be mailed by the permit holder. GSM permit holders would pay a fee to cover the cost of the punch cards and mailing envelopes. Any log book entry for which a signed punch card is not received would be corrected to read the maximum number of fish printed on a punch card (i.e., the daily bag limit or six fish).*

The Council may wish to consider the following conclusions from the background section provided below.

1. better estimates of implementation costs will be generated if the Council refines its management objectives for catch accounting;
2. real time data likely will be required for managing individual GAF accounts;
3. a simpler system to collect real time data would be better (cost, effectiveness, acceptance) than a complicated system;
4. real time data may be collected under an electronic reporting system;
5. harvest tags are not necessary to monitor and enforce GAFs, but could meet another management goal of streamlining the delay between an overage and revising regulations;
6. costs associated with transferring IFQs to and from the charter sector would be borne by the commercial sector under the cost recovery program; and
7. transferring unused GAFs back to the commercial IFQ holder will accrue more costs than one-way transfers.

**Background** This following summary is provided to inform the reader of information that will be considered by the agencies in developing the monitoring and enforcement program to implement the Council's preferred alternative. It is provided to assist the Council in providing the requested clarifications on preferred features to implement the GAF program. It summarizes current management tools and previous reports on monitoring and enforcement aspects of previously proposed charter halibut management programs, as discussed by the Enforcement Committee and an interagency work group.

In February 2008 the Enforcement Committee discussed accounting of the use of commercial halibut IFQs in the charter fishery. Staff from the Office of Law Enforcement (OLE) provided the following observations on potential enforcement tools for an initial allocation and accounting commercial IFQs used in the charter halibut fishery. *These comments are presented for discussion purposes only; they are part of the decision making process for designing the implementation plan.*

- a. There are two opportunities to check for compliance; at-sea and dockside. There are limited benefits to tracking a sport caught halibut once it leaves the dock. If it enters the commercial stream, enforcement staff would pursue a violation of commercial regulations.
- b. Either dockside or at-sea, enforcement staff can count halibut on board and compare the count to the paper logbook. They can also verify catch limits.
- c. The use of tags may not be appropriate in the charter halibut fishery. Tags may create a new bureaucracy; they will be redundant to a logbook; and give the industry another regulation with which to comply.
- d. Application Period - Some people may falsify their applications. Applications for quota could potentially result in fraudulent claims.
  - i. Qualifying information
  - ii. Ownership information
  - iii. Historical catch
- e. Logbooks - A federal logbook, as designed by Wostmann and Associates, would be very helpful. A paper logbook that was originally proposed to implement a charter halibut IFQ program would have required the captain of the vessel to enter halibut into the log immediately after catch, and also require the sport fisherman who caught it to sign their name and sport fish license number. Logbooks would be mailed in at the end of the season. Logbooks could also be used as an audit tool to compare with electronic reports.
- f. Electronic reporting - Operators would be given the option to report via internet or using telephone interactive voice response (IVR) reporting (voice recognition or touch-tone keypad input).
- g. Charter vs Sport fishing - Changing the definition to one that identifies a charter vessel as one which is licensed as such with ADF&G, then that will assist enforcement greatly. This has been a problem in the past for enforcement to prove a vessel was "for hire" before applying charter regulations to a vessel.
- h. Halibut sold commercially - A problem with sport caught halibut from charter vessels being sold commercially will continue. It is unclear how or whether new regulations would affect that.

The Enforcement Committee discussed the above enforcement issues and made the following observations in its February 2008 minutes.

*"The summary included an overview of the different accounting tools available, which include electronic reporting, logbooks, harvest tags, and punch cards. It was noted during the discussion that the individuals working on the accounting of commercial halibut IFQs have not found any fatal flaws that would make enforcement and monitoring of the IFQs unachievable. It was also noted that the level of complexity with regards to enforcement of the commercial halibut IFQs increases as leasing flexibility for IFQs increases. In addition, having separate pools of halibut that would accommodate leased IFQ in the charter fishery or guided angler fish (GAF) and common pool charter halibut fish also increases the level of complexity in accounting of halibut harvest in the charter vessel fishery. The Committee agreed that in designing and analyzing the accounting of GAF, the enforcement cost associated with each of the different accounting tools should be very apparent since enforcement cost will likely influence what accounting tools will be used. Also, the complexity of the regulations will have some effect on compliance and enforceability (i.e. the simpler the regulations are to understand, the easier they will be understood by the industry and enforcement personnel). In summary, the Committee is optimistic that the agencies working on the accounting of GAF will provide an analysis of the enforcement issues in time for the April 2008 meeting. At that time, the Enforcement Committee would be in a better position to provide specific recommendations to the Council."*

Current management measures include GHLS for Area 2C and 3A that have been set to define a target for charter harvests. The GHL is not a binding (or "hard") cap and does not trigger any in-season restrictions on client harvests when it is reached. Other management measures intended to slow the charter harvest have also been implemented. Those management measures include a prohibition on skipper and crew harvests of halibut in Areas 2C and 3A and a maximum size limit of 32" on the one of the two halibut a person may retain as part of their daily bag limit in Area 2C; a one-fish bag limit may be proposed to correspond to the reduced GHL in Area 2C for 2008. Management measures may be considered for Area 3A in late 2008 if data indicate that the 2007 GHL was exceeded.

Management of the charter sector does not include a limit on the amount of halibut the charter sector may harvest, so it is not critical that timely and accurate in-season harvest estimates are generated. The halibut that remains after deducting the needs of all other sectors from the total available determines the commercial catch limit. The IPHC used the GHLS in Area 2C and Area 3A in its determination of the commercial fishery CEY for the first time in 2007, after it was assured that the Council and NMFS would implement management measures to keep the charter fisheries to those limits. Even under Alternative 2, the allocation to the charter sector is not a hard cap. Instead current data collection programs focus on providing annual post-season charter harvest estimates

Measures that restrict the size of halibut retained or the persons that may harvest halibut are difficult to design to constrain total harvests over time. For example, limiting skipper and crew halibut harvests is expected to reduce the amount of halibut being harvested, but increased client demand will result in continued growth in charter harvests by anglers. So, while implementing a limit on skipper and crew harvests reduces the total amount of halibut harvested by the sector, it is not expected to constrain client harvest as client demand increases. Because of the problems associated with determining potential harvests that are associated with specific proposed restrictions, it will be difficult to craft a suite of measures that are precise enough to limit the charter sector harvest to a desired level without placing undue burdens on the sector (i.e., being more restrictive than might have been necessary). The Council has acknowledged that more restrictive measures may be implemented to assure that the charter sector does not exceed its allocation.

The proposed action, which along with a Council recommendation for separate accountability by each sector, is anticipated to better limit charter harvests. The commercial IFQ program holds each QS holder accountable for his/her individual allocation at the end of each year (with overage and underage allowances). The entire charter fleet (soon expected to be limited to a known pool of businesses that hold charter halibut limited entry permits) would be held accountable for overages of the sector allocation over multiple years. The Council's policy for the proposed action states, **"Therefore, the Council intends to adjust its management measures as needed to ensure that the sport charter sector is held at or below its allocation on average over a rolling five-year period."** *But it is unclear from the Council's record how it wishes to have this proposed recommendation for a rolling five-year average implemented. Staff requests that the Council identify its intent. The Council may mean that it would not respond to individual seasonal overages but only when a seasonal overage exceeds the average of five year's harvests in relation to the initial allocation, as harvests in some years may be below the allocations and could be used to balance out an overage from another year within the rolling five year period.* Additional issues such as whether this policy would be applied only five years after the allocations are implemented since there is no history to roll into an average prior to its implementation are discussed in more detail under Element 1 of the RIR. **Staff seeks clarification on how to apply the rolling five-year period.**

The Council has identified its intent to regulate the charter sector post-season. Consideration of future management action(s) would be automatically triggered and scheduled for action after any charter sector allocation overage (except as clarified by the Council's policy of applying a rolling five-year average). Any new regulations would be implemented two to three years after an allocation has been exceeded (or more than five depending on the requested clarification by the Council). The Council has also identified the possibility that overly constraining measures could be implemented so as to avoid future allocation overages.

A data collection program to implement the proposed alternative must be able to account for charter halibut harvests against the common pool allocations and to monitor (in-season) commercial IFQs that are leased by charter limited entry permit holders for use in the charter sector. *Note that two data collection programs are needed; only one to monitor the use of commercial halibut IFQs in the charter sector would be a new program.*

**Current Data Collection Program** The Alaska Department of Fish and Game Sport Fish Division (ADF&G-SF) is the only management agency that currently collects comprehensive harvest information from the halibut charter operators. ADF&G-Sport Fish Division began requiring charter operators to submit saltwater logbook reports to their agency that specifically reports halibut harvests on a weekly basis starting in 2006. Those logbooks provide halibut specific information, unlike logbooks in previous years that only collected data for "bottom fish." The April 10, 2006 statewide news release from ADF&G-SF describes the reporting requirements and states the following.

*"Saltwater sport fish charter businesses are required by law to maintain a logbook for each vessel that carries clients. Logbooks must be filled out on a daily basis for each charter trip. Logbook sheets must be returned to ADF&G on a weekly basis, while there is activity. Weeks of no activity do not have to be returned..."*

*...It is the responsibility of the licensed sport fish charter business owner to ensure that all data for fishing activities in 2006 is submitted to ADF&G in the manner described in the logbook. It is the responsibility of the guide to ensure that daily trip activity is accurately recorded as described in the logbook."*

A sample page from the 2008 ADF&G-SF logbook is shown below. One logbook report must be completed and returned for each trip fished. If the trip covers multiple days the logbook identifies which day of the trip that logbook page covers. The business and vessel section of the logbook identifies the guide business owner, the guide, and the vessel used to carry clients. The trip information section requires that the date of offload, the port of offload, the number of clients on the trip, the area fished, the number of rods fished, and the number of hours spent fishing be reported. Catch and harvest information is collected for each individual angler. Their sport fish license number is used to identify anglers in the logbook. The number of each species harvested or released is also recorded in the logbook. The angler's license information was first required in 2007. Before a trip begins, the guide must record 1) the 2008 sport fishing license number, permanent identification number (PID) or disabled veteran (DAV) license number for anyone that will fish during any part of the trip, including paying and non-paying (comped) anglers and crew; 2) the first and last name of each angler in the space provided below their license number; the birth date and first and last name and of each youth angler under the age of 16; 3) for each angler, the number of halibut kept year-to-date YTD in IPHC Area 2C in the "YTD in 2C" box from the back side of the angler's fish license or 2008 Harvest Record card. At the end of a fishing trip, the guide that leads the trip must sign and complete the logbook page at the end of each day of fishing or at the end of each trip within a day (for multiple trips within a day).



**COMPLETE THIS SECTION FOR EVERY TRIP**

2008 FISH & GAME BUSINESS OWNER LICENSE: 1234  
(License is assigned to you by ADF&G)

2008 FISH & GAME GUIDE LICENSE: 5678

**TRIP INFORMATION**

DATE FISHED: MO: 7 DAY: 12 2008

PORT OR COMMUNITY WHERE FISHING TRIP BEGAN: Juneau  
(Port or Community where charter was chartered and the logbook)

PORT OR COMMUNITY OF OFF-LADING: Juneau  
(Port or Community where fish or salmon were off-loaded from vessel)

TOTAL NO. PAYING CLIENTS ON TRIP: 5  
(Total number of clients, not crew, on the trip. Must include all clients on board in all IFPHC areas during the trip.)

PRIMARY STAT AREA & BOAT HOURS:

Targeted Species	Primary Stat. Area where most fish were caught (3-digit Code)	No. of Boat Hours Fished this Trip
Salmon	112120	3
Rockfish	112120	4

**COMPLETE THE FOLLOWING FOR ALL TRIPS**

Circle the IFPHC Area Fished if HALIBUT were kept during this trip:  3A  3B  4  
(Circle Only One)

If HALIBUT were kept in more than one IFPHC area during this trip, a separate logbook data sheet must be used for each IFPHC area fished.

PAGE NO. 1 OF 1 (Total No. of Pages for this Trip)

**CERTIFICATION:** I declare that the information contained in this document is true and correct to the best of my knowledge.

**INSTRUCTIONS: Complete one row below for each angler who fished on this trip.**

**INDIVIDUAL ANGLER AND CATCH INFORMATION**

Angler Name	License No.	Resident	Number of Trip Dates			Number of Other Dates			Number of Halibut	Number of Lingcod	Number of Haddock (over 100 lbs)	Number of Yelloweye Rockfish	Number of Herring	Number of Other Species	Total Number of Fish
			1st	2nd	3rd	1st	2nd	3rd							
1. 8012345 Larry Lura								1	1						2
2. 260148 - P Robby Narow															2
3. 8023336 Doug Drift								0	1						1
4. 0872898 Bryan Baiter								2	1						3
5. 8054321 Mary Bils															1
6. 8012346 Jerry Jig								2							2

**Annotations:**

- Circle that fishing took place. This date may appear more than once if multiple trips were taken in a single day.
- Next to each fishing license number: Circle  if angler is a Crew member. Circle  if angler is "Comped". All other anglers, Circle  for Non-resident or  for Resident. DO NOT mark the residency for crew or "comped". Circle  or  only.
- Note that two anglers had kept halibut on previous charters in 2C. The number of Halibut previously kept on another charter in 2C is to be recorded prior to beginning sport fishing.
- Note that there were 6 anglers on board but only 5 were paying clients. 1 was a "comped" angler. Of the 5 paying clients 1 angler fished by proxy (260148 - P).
- Note that one fish not a ready specified on this page was kept. This column is optional; you do not need to fill it out.
- Both salmon and rockfish were targeted. This was a 7 hour trip. 3 hours were spent targeting salmon, 4 hours were spent targeting rockfish.
- The guide must sign the bottom of every logsheet for each trip he/she was in charge of.
- Continue on another page if more than 8 clients, or if 3 different IFPHC areas were fished where halibut were kept.

CONTINUE ON NEXT PAGE IF MORE THAN 8 ANGLERS. CHECK IF THIS INFORMATION IS CONTINUED ON NEXT PAGE.

Figure 1 Alaska Department of Fish and Game Saltwater Sport Fishing Charter Trip Logbook

Issues that need to be considered when determining whether the data reported in the logbooks are sufficient to manage the charter sector harvest allocation include data timeliness, accuracy, and precision. If any of these components of the logbook data collection program is deemed to be insufficient to manage a charter allocation, an additional data collection program may be necessary.

Saltwater logbook pages must be submitted to ADF&G-SF each week. Because the logbooks are submitted on paper, the data must be entered into a database before it can be used. More than 2,000 trips were taken during the peak fishing weeks in both Areas 2C and 3A during 2006. Since each trip must be reported separately on a logbook, during the peak season over 2,000 logbook pages would need to be entered into the database. Note that the remote nature of charter operations may affect any type of electronic reporting.

It is critical that logbook data be accurate to provide a correct measurement of total removals. Individual angler information along with the harvest data are linked in the logbook to verify that accurate data are being collected in the logbooks. ADF&G-SF staff will verify logbook data reported by the guide by surveying anglers that are identified in the logbook about their trip. A report on this comparison is scheduled for review by the Council's Science and Statistical Committee in April 2008.

**Recordkeeping and reporting** The Council has acknowledged the need to develop timely, accurate, and independently verifiable charter halibut harvest records, but has left the design of that data collection system to the agencies. Originally recommended by its stakeholder committee, the Council identified its intent in proposing the following options that the real time collection of data should not be used for in-season management changes or in-season closures. Rather the Council intends that one or more of the three proposed options be used to shorten the data collection feedback loop to facilitate the timely advance adoption of management tools designed to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit.

Because NMFS will not be able to provide cost estimates for a fully developed reporting system in this analysis, the Council may be precluded from selecting a specific timeline for its preferred regulatory cycle under Element 4. Therefore, Element 4 (timeline) is descriptive and not a decision point. In fact, priorities outside of Council (and often NMFS) control will determine the speed with which any regulatory actions are implemented.

Before reviewing *potential* reporting mechanisms, it is critical to understand that **two separate databases** will be needed to track charter halibut harvests under the proposed alternative. A core database is needed to monitor harvests to account for the charter halibut allocation, or what stakeholders have come to call the "**common pool**." The Statewide Harvest Survey (SWHS) (or mail survey) self reports charter halibut harvests by anglers. The SWHS is the basis for determining total charter halibut harvests and setting the Guideline Harvest Levels for Area 2C and Area 3A. It is the basis for determining the charter halibut allocation in this analysis. A second database is the logbook survey, which collects self-reported harvests by charter operators. The logbook survey was the basis for determining eligibility under the limited entry program (and the withdrawn charter IFQ program). A comparison of self reported charter halibut harvests by ADF&G Sport Fish Division is scheduled for Council review in April 2008.

A second (and likely more complex) accounting system is needed to monitor and enforce those charter halibut that will be counted against commercial halibut IFQs that are transferred for use in the charter sector, also referred to as **Guided Angler Fish** or GAF. A GAF would put an angler on par with regulations for an unguided angler, that is, he/she would be exempt from any regulations specific to reducing charter halibut harvests.

Management of GAF will require distinguishing a charter halibut that was harvested using leased IFQs from those fished against the charter common pool allocation. Allowing unused leased IFQs to the charter sector to revert back to the commercial sector will result in some implementation difficulties (e.g., underage/overage accounting) that will need to be addressed in the new accounting system. Agency staff identified that GAF would be managed as whole fish (i.e., no partial GAFs). Some additional (minor) harvest savings could accrue due to accounting of a whole average sized fish from the common pool or from GAFs. The size of a second halibut in Area 2C in 2007 was artificially constrained by current regulations. Note that the revised GHL reporting/accounting program may use a more specific time and area average weight.

Wostmann (2003b) provided a conceptual design of a landing reporting system of the withdrawn charter IFQ program, but many comments regarding record keeping and reporting also apply to the narrower application of commercial IFQs transferred for use in the charter sector. It identified the importance of developing a new system that would be compatible with the existing commercial halibut IFQ program. It must support the management of quota shares and the transfer of shares within and between the charter and commercial sectors. Enforcement of regulations for charter operations is more difficult than for commercial operations because landing activity is not concentrated at processors, is widely dispersed, and includes many remote locations. An objective of the data collection program is to make compliance and accurate reporting as easy and convenient as possible to minimize the incidence of improper reporting caused by confusion over requirements. Additionally, the system will need to provide features to make enforcement efforts efficient and effective.

For managing a **combined charter and commercial fishery CEY**, staff noted the following issues as they relate to the Council's proposed policy to set a sector allocation and request that the IPHC apply the splits in its annual process to set catch limits.

- a. The IPHC only adopts catch limits; it does not formerly adopt Total CEY or Fishery CEY;
- b. Lack of IPHC adoption of CEYs is problematic as basis for any allocation formula; and
- c. If a floating allocation is selected, it should be set and measured against the same CEY basis (this is not the case in current regulations)



In October 2007 the Council requested that interagency staff<sup>1</sup> review Stakeholder Committee recommendations for development of a catch accounting system for GAFs using 1) electronic reporting; 2) harvest tags; and punch cards. Staff recommended against setting an allocation using one type of harvest record and managing the allocation with another. Staff also identified the dynamic tension between over-reporting (creating catch history) if records are used as the basis for the allocation and under-reporting (after implementation) if the perception of enforcement of the allocation is low. While the use of harvest tags to account for common pool halibut harvests may not be necessary, it could be done to achieve savings of one year between the fishery and accounting for that year's fishery. The Council had tasked staff with providing recommendations for how to reduce the time lag between an overage and implementation of measures to eliminate the overage. Staff comments follow.

*1. Electronic Reporting. Each limited entry permit holder could be assigned a unique reporting number and could use that number to electronically report the number of halibut caught by clients that day on a daily basis. The electronic reporting could be done either through an Internet website or a dial-in telephone system. As additional verification each client could be required to sign the mandatory logbook next to the entry containing their name, license number, number and type of fish caught, and any other required information. Logbooks could continue to be submitted weekly.*

At an interagency meeting, staff reviewed electronic reporting as a means for effectively monitoring and enforcing a charter halibut allocation. It identified that electronic reporting (ER) could supplement or substitute for a harvest tag system (described below). It identified that ER may result in enforcement difficulties at-sea because reporting would not occur until the end of the fishing day, theoretically and NMFS needs an enforcement tool for at-sea boardings. Staff identified potential requirements, such as reporting or signing the harvest tag "immediately upon landing. . ." NMFS staff plans to examine the commercial E-landings system to determine where it is not (always) required because internet is sporadic in some locations. However, E-landings still requires senders to email data. Participants could use satellite phones for reporting. But electronic reporting is still self-reported, and is not independently verifiable.

*2. Harvest Tag. Uniquely numbered harvest tags could be distributed to each limited entry permit holder at the beginning of the season and additional tags could be available throughout the season if needed. The number of harvest tags could be greater than the number of fish allocated to the charter sector for that year (i.e., the tags are not a management tool for restricting or closing charter fishing in-season). When a halibut is landed the harvest tag could be required to be inserted into the fish and the harvest tag number recorded in the log book entry for the angler license number of the person who caught the fish. When the fish is processed the tag could be removed and mailed in using pre-addressed, stamped envelopes supplied for that purpose. Limited entry permit holders could pay a fee to cover the cost of the envelopes and tags. Harvest tags could preferably be bar coded to enable machine reading, with peel off bar code stickers for placement in the log book.*

Interagency staff identified that harvest tags addressed numerous record keeping and enforcement requirements for a number of implementation issues including shortening the regulatory timeline by one year, which is of paramount interest to the Council in the design of this program. A key point to the use of halibut harvest tags is whether they are issued through charter operators (which results in them taking on characteristics of a share-based fishery) or directly to the angler (similar to how ADF&G sport licenses are issued). Discussion of the general design of a harvest tag program includes the following features:

- a. Tags issued by NMFS, since the State of Alaska is not authorized to directly manage halibut;
- b. Linked to ADF&G sport fish license number;
- c. Harvest tag = one fish;
- d. Would be redundant to SWHS and/or logbook program (independent verification with logbook);
- e. Could be used to manage *both* the common pool halibut and GAF halibut;

<sup>1</sup> Staff of NOAA, ADF&G, IPHC, and Council convened twice to provide guidance to the Council on draft alternatives for analysis. Reports were distributed to the Council and public at the December 2007 Council meeting. Since these meetings, opinions and recommendations may have evolved due to further internal discussions.

- f. Common pool halibut harvest tags could be issued equal to the number of fish in the allocation or increased by a correction factor for unused, lost, etc. tags;
- g. Would not require tag returns; once issued they are counted as fished. Unique number associated with each tag, entered in logbook for individual harvest record; Basic assumption that all tickets are used (so allocation is taken) or the number of tickets can be calculated to include the average number of halibut taken (one ticket – 0.8 fish);
- h. Some portion could be issued pre-season (earlier if fixed pound allocation not tied to IPHC decisions);
- i. Halibut harvest tags reduce the reliance on self-reporting and increase reliance on independent third party corroboration;
- j. Could have two types of distinguishable halibut harvest tags;
- k. Common pool halibut harvest tags would be held by individual anglers after obtaining a ADF&G sport fishing license; and
- l. GAF halibut harvest tags would be held by charter operator who leased commercial IFQs;
- m. Both types could have a two-part ticket with one part to be signed by angler; other half to be attached or copied into the charter operator's logbook and turned in with logbook – verifiable paper trail for enforcement;
- n. Use caps could allow flexibility to individuals but not allow larger operators to corner the market;
- o. Could work best if charter operators can book a client and know that tickets are available and can lease fish;
- p. Some portion of total tags could be sold pre-season for advance bookings;
- q. Could put time limit on tags to spread them out over the season;
- r. Might be able to charge an administrative fee;
- s. Could result in secondary resale markets for tags;
- t. Harvest tags could have greater value in years of low abundance;
- u. Harvest tags could result in overestimates of harvest (because we assume it is used fully once issued), but it is unlikely to under report (if used legally);
- v. Instead of annual toolbox regulations, fewer harvest tags could be issued to reduce harvest; and
- w. Economic analysis would have to factor in limited entry aspect of halibut harvest tags.

In its discussions, the staff emphasized timeliness and accuracy of data (faster (only) is not better) as a critical feature of any management program. Shortening the time period in which charter halibut data can be finalized for use in management is the main mechanism that has been identified to shorten the delayed feedback between an overage and implementation of restrictive management measure(s). Staff previously identified some additional time savings that could be achieved by the Council in changes to its analysis and review process.

*3. Punch Cards. Each limited entry permit holder could be issued a supply of uniquely numbered punch cards with punch outs equal to any daily or annual limit for that year. The cards could be issued at the beginning of the season and additional cards could be available as needed (i.e., the cards are not a management tool for restricting or closing charter fishing in-season). Each day every client angler could be assigned a punch card and that punch card number could be entered in the log book next to the license number. As each halibut is landed by a client their respective card could be punched, and at the end of the day the client could sign the punch card in the space provided. The punch card could then be sealed in a supplied stamped and addressed envelope, which could be mailed by the permit holder. Limited entry permit holders could pay a fee to cover the cost of the punch cards and mailing envelopes. Any log book entry for which a signed punch card is not received could be corrected to read the maximum number of fish printed on a punch card (i.e., the daily bag limit or six fish).*

Interagency staff did not discuss the use of a punch card to monitor charter halibut removals.

A fourth option for an interactive voice response system (IVRS) is described by Wostmann (2005) in a report to NMFS. The primary benefit of an IVRS is to provide an alternative to the web for data reporting when Internet access is unavailable for data reporting. It could allow charter operators to report from locations that

are off the Internet "grid" but where cellular or satellite phone service is available. An IVRS could come at additional cost to NMFS and possibly charter operators.

Interagency staff did not discuss the use of IVRS to monitor charter halibut removals.

Previous studies of potential data collection programs In a statement of work developed for a 2003 contract for development of a now defunct data collection and monitoring program for individually held charter IFQs, NMFS staff identified the necessity to collect the data required to adequately implement a proposed program for the charter halibut fleet. At a minimum, this data collection system would need to collect data on individual charter vessel operator and/or sportfish client harvests, fleetwide harvests, and the location of harvests. The data collection system would need to provide data on a timely basis, and provide measures to ensure adequate monitoring and enforcement of catch data. Typically, this means that data would be independently verifiable and not based simply on a self-reporting system. A contractor to NMFS provided three reports to guide the agency in the development of data collection systems to implement a (since withdrawn) recommendation by the Council for a charter IFQ program. Many of the conclusions and recommendations are germane to the current analysis.

Wostmann (2003a) surveyed charter data collection programs in other jurisdictions and the data reporting capabilities and experiences of the charter halibut fleet in Alaska at that time. The report concluded that data collection should be integrated into the ADF&G logbook (which has since been achieved), electronic logbooks are feasible although US mail was preferred (although only halibut reporting may mitigate some concerns), tagging the fish was acceptable to industry but reported to be of questionable value for enforcement and administration of the program.

On *data requirements*, Wostmann (2003a) reported that neither recording an angler's ADF&G sportfish license number (first required by ADF&G in 2007) nor recording lengths of retained fish was problematic; however, ADF&G has concerns with this approach. The report recommended that rules for measuring and recording fish lengths must be easily understandable and unambiguous. Appropriate statistical areas must be identified for reporting (likely to be ADF&G statistical areas); these could be correlated with the corresponding IPHC area in electronic reporting. It reports that requiring operators to return to the dock before processing or mutilating the fish in a manner that prevents measuring lengths would pose problems to some operators who lack the storage capacity for whole fish and would inconvenience operators who process fish before returning to the dock, but these requirements are currently in place for determining the minimum size or the number of fish caught while on board the vessel. Operators reported that requirements for data entry before fishing and before docking or unloading at the end of a trip would not be excessively burdensome.

On *internet and phone reporting*, Wostmann (2003a) reported that electronic reporting forms are likely to be used to allow both agency staffs and the charter operators to view activity and account balances of commercial IFQ transferred for use to the charter sector and to transfer commercial IFQs between commercial and charter users. It reported that remote operations generally have telephones, and many had Internet access. It is expected that phone (cellular and satellite) and Internet access has improved in some locations since 2003.

On *tagging fish*, Wostmann (2003a) reported that most surveyed operators reported that tags would be ineffective at remote lodges and other locations with a single operator and where enforcement is rare when tags were considered for monitoring charter IFQ halibut. Operators reported that they could self-regulate those who fished out of ports with significant charter activity through peer pressure and tips to the agencies.

## References

Wostmann & Associates. 2003a. Halibut Guided Charter Data Collection Study of Guided Charter Industry Perspectives on Data Collection Methods. 40 p. Avail. From NMFS Sustainable Fisheries, Juneau, Alaska.

Wostmann & Associates. 2003b. Halibut Guided Charter Data Collection Conceptual Design. 51 p. Avail. From NMFS Sustainable Fisheries, Juneau, Alaska.

Wostmann & Associates. 2005. Interactive Voice Response System for Halibut Guided Charter Data Collection Feasibility Study. 39 p. Avail. From NMFS Sustainable Fisheries, Juneau, Alaska.

## **REQUESTS FOR CLARIFICATION FOR HALIBUT CATCH SHARING PLAN**

**Selection of a preliminary preferred alternative (at least for Elements 5 and 6) would enhance the agencies' abilities to implement the Catch Sharing Plan as the Council intends, and to specifically estimate implementation costs for the record keeping and reporting section of the analysis.**

### **ELEMENT 1**

- What is the Council intent for implementing the proposed rolling five-year average? The Council may mean that it would not respond to individual seasonal overages; it would initiate an analysis only when a seasonal overage exceeds the average of five year's harvests in relation to the initial allocation, as harvests in some years may be below the allocations and could be used to balance out an overage from another year within the rolling five year period. Would this policy be applied only five years after the allocations are implemented since there is no allocation history to roll into an average prior to its implementation? Perhaps the Council intends to use the respective GHGs or estimated annual harvests be used as a proxy during the first five years of the rolling average.

### **ELEMENTS 2, 3, AND 4**

- The Council may wish to comment on whether one or more of the following policy scenarios for future analyses are preferred. Staff identified alternate methods for streamlining the preparation of a final rule in response to a charter halibut allocation overage.
  1. Assuming notification by ADF&G Sport Fish Division of an overage in October, the Council could take final action in December. The Council would elect to forego a) initial review, which is a Council policy and not a federal requirement, and b) its four-week advance release of the public review document and prior SSC review (SSC review would be scheduled for the same meeting as final action; this presumes that the analysis conforms with analytical methodology previously approved by the SSC). The analysis would add the most recent year of data and undergo a routine update.
  2. Since an EA/RIR/IRFA is required for Secretarial action (and technically not required for Council action), the Council could take action on only a supplemental analysis (to its previous year's EA/RIR/IRFA) similar to the supplemental analysis (2-3 pages provided to the Council in October 2007 on its previously released EA/RIR/IRFA for Area 2C GHG measures [[http://www.fakr.noaa.gov/npfmc/current\\_issues/halibut\\_issues/Area2CGHL\\_Sup1007.pdf](http://www.fakr.noaa.gov/npfmc/current_issues/halibut_issues/Area2CGHL_Sup1007.pdf)]). A complete, revised EA/RIR/IRFA would be prepared by Council staff immediately after final action and submitted to the Secretary (timing of proposed rulemaking would occur depending on whether allocation was in pounds or percent (and therefore dependent on IPHC action). Only a regional review would occur, as this is a routine update of an analysis previously approved by the SSC.
  3. The type of allocation (floating, fixed, hybrid) affects the timing of implementation of future regulatory amendments. Regulations could be implemented sooner under a fixed poundage charter sector allocation compared with a floating (or hybrid) allocation because Council action would be independent of the IPHC. Assuming Council action in December (at the earliest), a proposed rule could not be published prior to the IPHC's annual meeting in mid-January.

### **ELEMENT 5**

- The GAF-leasing limits proposed for Area 3A are constraining; the Council may wish to expand the range of options to provide equivalent preservation of historic fishing opportunities as is provided for Area 2C.
- The analysis and proposed rule must provide the rationale for the following specific proposed limits:

1. Provision A-2. Commercial halibut QS holders may lease up to 1,500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.
  2. Provision A-3. LEP holder per vessel may not lease more than 200-400 fish.
  3. Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.
- Council intent is unclear Under Provision E(2) on conversion of GAF back to the commercial sector. Staff suggests that transfers back to the commercial IFQ holder occur automatically on October 1. GAF holders may request the transfer back to the IFQ leaseholder at any time during the season. Unused GAFs that return to the IFQ holder would not be rebated but this issue is primarily contractual and not an agency concern; an unrebated return would diminish the incentive for GAF holders to request their return but would provide incentive to only lease what the LEP holder needs to meet client demand during the season. *These two-way transfers require a real-time reporting system for the management of these GAFs for accurate in-season accounting of their balances.*
  - Council intent is unclear under Provisions E(1) and E(2) regarding the prudence of obtaining size data from both the common pool and GAFs. Is this intended as a request for additional data gathering by ADF&G or NMFS or is it intended to be a regulatory requirement for charter operators to report the size of their harvests for determining the appropriate conversion factor for calculating GAFs and back to IFQ pounds? Staff suggests that agency data collection is preferable to self reporting.

#### **ELEMENT 6**

- Additional guidance on Council intent for administration, implementation, and enforcement of guided angler fish is needed for the agency to provide estimates of costs for implementation;
- It is not clear what the proposed Council action would be as a result of its provision under Element 6 Provision c (above). Is this a recommendation to NMFS or ADF&G to develop such a data collection program?
- Is there any additional clarification on using the SHWS and/or logbook data as a result of an ADF&G analysis of the logbook program that will be reviewed by the SSC in April 2008, or whether the identification of a preferred data collection system for (electronic?) monitoring and enforcing the common pool allocation would be deferred to the agencies.
- The Council's motion adopted three potential approaches for the agencies to consider in the development of a catch accounting system for GAFs. It specifically did **not** adopt them as options for analysis. However, NMFS requests that the Council clarify its intent for preferred features of a catch accounting system for monitoring and enforcing GAFs. Based on Council recommendations, NMFS will provide a discussion paper on implementation costs during Summer 2008. This information will be incorporated into the record keeping and enforcement section of the RIR in the public review draft of the analysis, which is tentatively scheduled to be released by September 1, 2008.

## Evaluation of the 2006 ADF&G Charter Logbook

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### Background

The ADF&G Division of Sport Fish initiated a mandatory charter boat logbook program in 1998. The Board of Fisheries adopted regulations requiring annual registration of sport fishing guides and businesses, and logbook reporting. The logbook and registration program was intended to provide information on actual participation and harvest by individual vessels and businesses. Information on the amounts and locations of charter activity were needed by the Board of Fisheries for allocation and management of Chinook salmon, rockfish, and lingcod, and by the North Pacific Fisheries Management Council for allocation of halibut.

Since 1998, the logbook design has undergone annual revisions, driven primarily by changes or improvements in the collection of halibut and rockfish data. Halibut data were collected each year during the period 1998-2001, but dropped during the period 2002-2005.

The department was concerned about the quality of self-reported information, especially halibut data collected during a time in which the North Pacific Fishery Management Council was considering incorporating the charter fishery into the existing individual fishery quota (IFQ) management system for the commercial fleet. The department conducted an initial evaluation of the 1998-2000 logbook data in September 2001. This evaluation compared estimates of halibut, Chinook salmon, coho salmon, rockfish, and lingcod from the Statewide Harvest Survey (SWHS) with reported harvests from the logbook, and compared logbook data to interview data from on-site sampling in Southeast and Southcentral Alaska. Halibut harvests reported in the logbook were generally higher than those estimated by the SWHS in both IPHC areas 2C and 3A. Results of comparisons between logbook data and SWHS harvest estimates for other species were variable. Reported logbook harvests of chinook and coho salmon were higher than the SWHS estimates in Area 2C but comparable in Area 3A. Reported logbook harvests of rockfish and lingcod were usually comparable to the SWHS estimates, but sometimes higher and sometimes lower. Comparisons with onsite interviews indicated that halibut harvest reported in the logbook generally agreed with numbers reported in interviews. For Southeast Alaska, the halibut harvests reported in logbooks and interviews were within one fish for 90-91% of the trips. For Southcentral Alaska, only 58-74% of the trips were within one halibut, but the percentage increased each year.

ADF&G dropped the halibut reporting requirement beginning in 2002 following passage of a motion by the NPFMC to include the charter fleet into the existing IFQ system. The reporting requirement was dropped because the NPFMC had determined that initial allocation of quota share would be based on 1998-1999 logbook data, and that the ADF&G logbook could not be used to track IFQ harvest. Federal halibut agencies indicated clearly that they would develop a separate, possibly electronic, reporting system. The department did not favor continued collection of questionable data for a fishery for which it had no management authority. No halibut information was collected in the logbook from 2002 through 2005.

The NPFMC rescinded the IFQ motion in December 2005. At the time, the ADF&G Commissioner pledged to resume the halibut reporting requirement, and do it in a manner that improved the quality of the data collected. Measures implemented to improve the quality of logbook data collected in 2006 included:

1. Charter operators were required to report the fishing license number and residency of each licensed angler, as well as the numbers of fish kept and released on a per-client basis.

2. A weekly submission requirement was re-established. Logbooks have always been required to be completed at the end of a trip, but the deadline for submission in 2005 was October 15 for trips made before September 30 and January 15, 2006 for trips made after September.
3. The logbook data entry staff dramatically increased outreach efforts. The department placed 3,011 phone calls to charter operators to correct logbook data that was recorded improperly, or to request missing data. These calls were intended to improve the data quality and reinforce the idea that the logbook data were important and were being closely scrutinized. In addition, numerous calls were made by charter operators to request clarification of procedures for recording logbook data.
4. Area fishery managers and creel survey and port sampling staff were directed to conduct courtesy logbook inspections, particularly during the early part of the 2006 season, to answer questions and help ensure that the new logbook format was being filled out correctly.
5. Whenever possible, creel survey staff in Southeast Alaska and port samplers in Southcentral Alaska began directly counting numbers of halibut and other species harvested when conducting charter boat interviews. These counts were made only when all harvested fish of a particular species were available to be counted, i.e., none of the fish had been cleaned at sea or previously offloaded). Interviews for which the numbers of harvested fish were counted were designated as verified, while interviews in which the number of fish kept was verbally reported by the charter skipper were designated as unverified. Verification counts were done to improve the comparisons between logbook and interview data by reducing uncertainty regarding the number of fish actually harvested.
6. An additional technician was added in Southcentral Alaska to conduct interviews and count (verify) halibut harvest only in the Homer, Anchor Point, Deep Creek, and Seward fisheries. Referred to as the "roving tech," this position was added in 2006 only to increase the percentage of charter trips with verified halibut harvest. This technician also conducted courtesy logbook inspections early in the season.
7. An end-of-season mail survey was sent to a random sample of 16,000 charter clients whose license numbers were listed in the 2006 charter logbook. The primary purpose of the post card questionnaire was to establish whether information collected from vessels that were observed by creel survey technicians was similar to information from unobserved vessels. Anglers were asked whether they fished on a charter boat in 2006, and if so, were asked to provide the numbers of halibut, king salmon, rockfish, and other fish kept and released. Surveyed anglers were asked to report only those fish they personally kept and released.

Many of the measures that were implemented in 2006 were continued in 2007 and will be implemented in 2008 with the goal of ensuring integrity in the logbook data. The number of courtesy logbook inspections by creel survey and management staff was much lower in 2007 because the logbook design was so similar to the 2006 logbook. In addition, the roving tech position was deleted from the Southcentral Alaska program after 2006 because the data were not substantially different from data obtained by other port samplers.

### **Objectives**

Following completion of 2006 logbook data entry, the department began an evaluation of the quality and reliability of the logbook data. This report summarizes the major facets of that evaluation. The goal of the evaluation was to utilize a number of data analyses and comparisons in order to make a recommendation concerning the use of logbooks as a reporting mechanism for the charter fishery.

The analyses and comparisons undertaken in this evaluation were as follows:



1. Examination of overall data quantity and quality as indicated by the frequency of late, missing, and misreported data.
2. Comparisons of participation and harvest reported in logbooks for individual anglers with mail questionnaires sent post-season to a random sample of charter clients on observed and unobserved vessels (end-of-season survey).
3. Comparison of reported logbook harvests to harvest estimates from the SWHS for Pacific halibut, Chinook salmon, coho salmon, rockfish (all species combined), and lingcod.
4. Comparisons of reported logbook effort and harvest by boat trip to verified and unverified counts of anglers and harvested fish from on-site interviews obtained through creel surveys in Southeast Alaska and port sampling in Southcentral Alaska. This included comparisons with "roving tech" data.
5. Comparisons of reported logbook harvest to creel survey estimates for Ketchikan, Juneau, and Sitka, 2006.

Comparisons of logbook data with SWHS estimates (number 3 above) also raised questions regarding the SWHS study design and methods of data handling. One question that loomed following previous comparison of logbook data and SWHS estimates was whether the procedure used to estimate charter harvest was biased (and that the overall harvest estimate was accurate). The SWHS estimates are obtained using approximately equal numbers of two different survey questionnaires, a standard questionnaire and a "supplemental" questionnaire. The standard survey only requests that catch and participation information be separated into charter and non-charter categories in Area P, or Cook Inlet. The supplemental survey questionnaire requests this breakdown in all areas of the state. All charter responses are combined to estimate the charter harvest in Area P. In all other areas of the state, the charter proportion of harvest is estimated from the supplemental survey, and this proportion is applied to all survey responses. To examine the potential bias in this estimation procedure, charter harvest for Area P was re-estimated for the past three years (2004-2006) using the method used in all other areas, and these were compared to the final estimates already produced.

Another possible concern was that editing of SWHS responses to conform to existing bag limits might bias the harvest estimates. Specifically, responses that include reported harvest that exceeds the daily bag limit are routinely edited to the bag limit, if the difference is small. If the difference is large, the decision of whether to edit is done in consultation with area management staff. All 2006 harvest estimates from the SWHS were re-computed using the raw responses to explore the effect of the bag limit edits.

ADF&G will continue monitoring of logbooks for timely submission, completeness, and accuracy in the coming years. We will also continue to compare logbooks, the SWHS, end-of-season surveys, and onsite creel surveys to investigate the consistency of differences in estimates and evaluate the utility of logbooks to estimate removals by the charter fleet. We are also scrutinizing certain aspects of the SWHS to look for potential sources of bias in estimation of charter harvest.

Throughout this report, data will be summarized either by IPHC Regulatory Area (Figure 1), or by SWHS reporting areas (Figure 2).

## **Results**

### **Overall Data Quantity and Quality**

Over 2,600 logbooks were issued, each containing 50 pages upon which to record charter trip data. Of these, 2,122 logbooks were actually used (at least one page submitted). Logbooks were submitted for 65,575 charter trips in Areas 2C and 3A in 2006; 38,289 trips were logged in Area 2C and 27,286 trips were logged in Area 3A (Table 1). These trips encompassed 150,991 angler-days of fishing effort in Area 2C and 178,857 angler-days in Area 3A. Reported charter halibut harvests were 111,054 fish in Area 2C and 265,533 fish in Area 3A.

A number of common reporting issues or errors were examined. Some of these checks were implemented for the first time in 2006, and by 2007 were incorporated into checking of data at the time of data entry. The most frequent issue was logbooks received after the due date. For trips made between April 1 and October 1, 2006, the due date was at least 8 days after the last day fished each week. Due dates were printed inside the front cover of each logbook. In Area 2C, 3,593 of 38,289 logbook pages (9%) were received after the due date (Table 2). In Area 3A, 6,475 of 27,286 logbook pages (24%) were received after the due date. The delinquency rate varied considerably by SWHS area, from a low of 4% in the Petersburg/Wrangell area to a high of 29% in the North Gulf Coast area (Seward).

Because the logbook submission requirement was changed from a seasonal to weekly requirement, we also examined the degree of lateness for logbook pages returned after the deadline. Fifty-seven percent of late logbooks were received or postmarked within 7 days of the deadline, and an additional 16% were received or postmarked within 14 days (Table 3). Ninety percent of late logbooks were submitted within 35 days of the published deadline. At the extreme, four logbook pages were submitted 203 days after the deadline. The department encouraged timely submission but recognized circumstances sometimes warranted late logbook submission. Staff contacted operators that submitted logbooks more than three weeks late, and repeat offenders were subject to review by Alaska Wildlife Troopers. Logbook data submitted after the January 15 deadline were automatically forwarded to the Alaska Wildlife Troopers unless the operator provided an acceptable justification.

Eighty-eight logbook pages were received for which the reported date fished was after the date the logbook was received by ADF&G (Table 2). These were likely date recording errors by the operators or date stamp errors by ADF&G.

The most common omissions or errors included failure to record the angler type, various types of missing effort or location information, recording of invalid stat areas, recording invalid guide license numbers, and recording lingcod harvest during the closed season (Table 2). While the numbers of records with reporting omissions or errors may seem high, the percentages of affected records are relatively low. Much higher rates of reporting errors were documented in Area 3A logbook data for the years 1998-2004 (internal ADF&G memo). The lower rates of reporting errors in 2006 were probably a result of the courtesy logbook checks in the field and increased telephone outreach by the logbook data entry staff.

There were no missing ports in the 2006 data. In contrast, an average of 4.5% of Area 3A records was missing the port of landing during the years 1998-2004. Charter operators sometimes failed to designate angler type (whether anglers were residents, nonresidents, or crew). Recording angler type may have been a point of confusion among some operators because the residency and crew designations were not mutually exclusive. Angler type was still undetermined, after editing using license file data, for 1,912 anglers in Area 2C (1.3%) and 1,096 anglers in Area 3A (0.6%). This particular error was not only infrequent, but also did not affect reported harvest of any species.

The most common error in effort reporting was failure to record any hours fished for either salmon or bottomfish. Hours of fishing effort were missing for 442 trips in Area 2C (1.1%) and 401 trips in Area 3A (1.5%). In comparison, hours of effort were missing for an average of 6.8% of the Area 3A records in the 1998-2004 logbooks. The number of rods used were missing for only 115 trips in Area 2C (0.3%) and 236 trips in Area 3A (0.9%), compared with an average 3.6% of the 1998-2004 Area 3A records. The 274 records with lingcod reported harvested during closed seasons represented a potential illegal harvest of 326 fish, but other possible explanations include released fish being recorded in the "kept" column of the logbook, other species (such as Pacific cod) being recorded in the lingcod column, or misreporting of the date. The frequencies of other errors were all quite low, ranging from virtually zero to less than 1% each.

We attempted to detect falsification of angler-days by examining the frequency with which client angler license numbers were reported. The premise for this analysis was that most people do not typically hire a charter boat more than a few times per year. We examined the frequency of reported license numbers, excluding crew, but did not find any conclusive evidence of widespread fabrication of fishing license

numbers (angler trips). A total of 176,427 unique license numbers was reported in logbooks. Over 99.1% of fishing license numbers were listed on five or fewer trips and only 84 license numbers (0.05%) reportedly fished in excess of 10 days (Table 4). The maximum number of times a fishing license was listed was 49. One plausible explanation for frequent listing of some license numbers is that the anglers were actually crew members but not listed as such.

### Comparison to End-of-Season Survey

A random sample of 16,000 anglers whose license numbers were recorded in charter logbooks were sent post-card questionnaires inquiring about charter fishing activity between June 1 and July 31, 2006 (Figure 3). If they made more than one charter trip during this period, they were asked to report only on the last trip in that period. Information collected included name of the charter boat or business, and the numbers of halibut, king salmon, rockfish, and other fish kept and released. All charter boats in the survey were classified as "observed" or "unobserved." An observed charter boat was any boat that was interviewed or had its catch sampled at least once during the 2006 season as part of an ADF&G creel survey or port sampling project. The working hypothesis was that correspondence between survey responses and logbook data might be lower for vessels in remote ports. Of the 16,000 surveys, 12,164 (76%) were mailed to clients of observed charter boats.

Following the original mailing, 11,129 more post cards were sent as a reminder mailing to non-respondents. A total of 7,148 post cards were returned, 628 of which were designated undeliverable. That resulted in a total of 6,512 valid returned post card surveys. Of these, 443 respondents (6.8%) said they did not fish on a charter boat between June 1 and July 31, 2006. The percentage of respondents that said they did not fish on a charter boat was slightly higher for unobserved vessels (7.9%) than for observed vessels (6.5%). This difference was marginally not significant ( $\chi^2 = 3.53$ ,  $df = 1$ ,  $P = 0.06$ ).

This left 6,068 responses that could be directly compared to logbook data, 6,059 of which were from Areas 2C or 3A. Emphasis was placed on comparing reported harvest, rather than numbers of fish released, because recall bias was expected to be more of an issue for released fish. Anglers often reported numbers of fish harvested in excess of daily bag limits. Although they were asked to provide information for only themselves and for only their last trip, in many cases anglers reported numbers of fish kept by the entire party or numbers kept for all days of fishing between June 1 and July 31. In the latter case, logbook harvest by these anglers was summed over this period and included in the comparisons to post card responses.

Comparisons were also done separately for observed and unobserved vessels. Sixty-four percent of Area 2C trips (1,386) and 85% of Area 3A trips (3,316) were on observed vessels (Table 5). The percents of agreement in reported halibut harvests were 12-21% lower for unobserved vessel-trips than for observed vessel-trips in Area 2C, Area 3A, and all areas combined (all P values < 0.001). Differences were less pronounced for Chinook salmon and rockfish among areas, ranging from only 3-10%. Reasons for the discrepancies are not yet understood, as we have not yet examined the magnitude or direction of the differences.

To summarize, the primary purpose of the post card survey was to evaluate whether anglers whose license numbers were reported in logbooks actually fished on those boats. Only 6.8% of survey respondents indicated they did not fish on a charter boat, and the rate was not markedly different between observed and unobserved vessels. License numbers recorded in logbooks were either seven digits or six alphanumeric characters. Much of the 6.8% of "non-trips" could be explained by illegible or transposed digits, or errors in data entry. Agreement in numbers of fish reported harvested were generally lower for unobserved vessel trips than observed vessel-trips, but the reason isn't clear. Discrepancies in the reported harvest could have been due to recall bias on the part of surveyed anglers, surveyed anglers reporting harvest for more than one day, or surveyed anglers reporting harvest by the entire fishing party, rather than just themselves. About one-sixth of angler responses exceeded the two-fish bag limit. Party fishing is reportedly still common statewide, so some discrepancies may have been due to charter operators

reporting two halibut kept per angler when the harvest was unevenly distributed among the clients. The fact that there are differences in angler-specific reported harvest is not necessarily an indictment of the logbook data – there may be angler-specific discrepancies even though the total harvest for the vessel-trip was reported accurately.

### **Comparisons to Statewide Harvest Survey Estimates**

Logbook harvest data were summarized by IPHC area and by SWHS reporting area and compared to harvest estimates from the SWHS. The Area 2C logbook reported harvests of Chinook salmon, coho salmon, halibut, and rockfish were all substantially higher than the final charter estimates from the SWHS (Figure 4). Logbooks were 39% higher for Chinook salmon, 40% higher for coho salmon, 23% higher for halibut, and 41% higher for rockfish in Area 2C, in numbers of fish (Table 6). The reported logbook harvest of lingcod was 5% below the SWHS, and within the confidence interval. The Area 3A logbook reported harvest of coho salmon, halibut, and rockfish all exceeded the SWHS estimate, but the differences for coho salmon and rockfish were relatively smaller than in Area 2C. Although the logbook reported halibut harvest was 30% higher than the SWHS estimate, the Chinook salmon harvest was 21% lower and the lingcod harvest was 14% lower.

Comparisons by SWHS area reveal that the differences in halibut harvest between logbooks and the SWHS are driven by the Prince of Wales area fishery in Area 2C and by the Cook Inlet fishery in Area 3A (Figure 5). Discrepancies in reported harvest vary by area among species. For example, logbook harvest is higher than the SWHS estimates for all species except lingcod in the Prince of Wales area fishery. In the Sitka area fishery, however, the logbook harvest is higher for Chinook salmon, coho salmon, and rockfish, but nearly the same for halibut and lingcod. And in the Cook Inlet area, logbook harvests exceed SWHS estimates for halibut, are lower than the logbook estimate for Chinook salmon, and essentially no different for coho salmon, rockfish, and lingcod. As a general observation, the logbook harvests are higher than SWHS estimates in most areas for coho salmon, halibut, and rockfish, and lower for lingcod. Chinook salmon comparisons are mixed.

Possible explanations for the discrepancies include errors in reporting logbook data as well as errors in the completion of SWHS questionnaires. One partial explanation is that charter operators may have reported harvest in the logbook that was not considered by anglers to be charter, including trips that were offered without compensation. Some charter operators reported to ADF&G staff that they logged all trips, even when some or all of the anglers were fishing for free, primarily to be safe from prosecution for failing to submit a logbook report. Another partial explanation is that charter skippers or crew that responded to the SWHS may have considered their harvest to non-charter under the rationale that they can't guide themselves.

Re-computation of SWHS halibut harvest estimates without bag limit edits increased the estimates for areas 2C and 3A by about 7%. This moderated the differences between logbook harvests a little, but did not change the general outcome of the comparisons.

As described in the objectives section above, there was concern that somehow the use of supplemental survey questionnaire data to estimate the charter proportion could bias the estimates. Since the Cook Inlet harvest estimates are derived from standard and supplemental survey data, they were re-estimated for 2004-2006 using only supplemental survey data as is done in all other areas of the state. Cook Inlet halibut harvest computed using this alternate method was slightly higher for nonresident anglers, lower for resident anglers, and about the same overall (Figure 6). The guided percentage of harvest was generally higher for nonresidents and lower for residents, although there were exceptions to these patterns in some years for some species. In any case, the 2006 guided halibut harvest estimates were virtually unchanged using this alternate method, so it does not appear to cause systematic underestimation of the charter harvest by the SWHS.

## Comparisons to On-Site Interview Data

### Southeast Alaska

Creel survey crews throughout Southeast Alaska conducted 4,689 charter vessel-trip interviews in 2006. This included interviews conducted at Yakutat, which is located in Area 3A. The ADF&G logbook number was recorded during each interview. Using logbook numbers and dates, 3,929 interviews were matched to a logbook record. These matching interviews represent 10.1% of the 39,089 charter trips taken in Southeast Alaska in 2006. Sitka accounted for the largest number of matching interviews, followed by Gustavus, Yakutat, Elfin Cove, and Craig (Table 7). Of the 760 records that could not be matched, 544 had no matching logbook number on the date of the interview, and 216 were the result of interview data recording errors that were resolved after these comparisons were made.

ADF&G creel survey staff verified the numbers of fish harvested by counting whenever possible, but the numbers of anglers reported fishing and numbers of fish reported released could not be verified. Creel survey personnel were able to verify the harvest for 85-96% of the interviews, depending on the species. The 3,344 interviews for which the halibut harvest was verified (observed and counted by creel survey technicians) represented 8.6% of all Southeast Alaska charter trips.

Counts of anglers and fish reported in the interviews were compared to data reported in the matching logbook records by examining the frequency distribution of the differences, where the differences were calculated relative to the interview data (difference = logbook – interview). Differences were calculated for the numbers of reported anglers (angler-days), as well as large king (Chinook) salmon, coho salmon, halibut, pelagic rockfish, yelloweye rockfish, other rockfish, and lingcod kept.

In all cases, the distributions of differences all had strong modes at zero and differences were usually distributed somewhat evenly on either side (Table 8, Figure 7). Large differences were noted in the reported harvest of some species. For halibut, the differences ranged from -19 to +7 for unverified interviews and from -10 to +10 for verified interviews. Differences equal to or greater than  $\pm 5$  were lumped in the figures. There appeared to be slightly more records with differences in the harvest of pelagic and other rockfish among the unverified interviews. This suggests there is some benefit to counting fish during interviews, rather than simply relying on verbal accounts.

Despite the wide range of differences in reported harvest for each species, the average differences were close to zero. The average difference for halibut, for example, was -0.19 fish per boat-trip for unverified interviews and 0.00 per boat-trip for verified interviews (Table 8). When summed over all matching interviews, the effort and harvests recorded in the interview and those reported in the charter logbook agreed very closely (Figure 8).

Comparisons of the distributions of differences in numbers of released fish showed similar patterns to the harvest comparisons. All species had strong modes at zero, and the differences were fairly balanced around zero and essentially negligible (Figure 9). For halibut, the differences in the reported numbers of released fish ranged from -25 to +37, but 94.5% of the interviews were within  $\pm 4$  fish, and the average difference was only 0.23 fish per boat trip (Table 8).

### Southcentral Alaska

Port sampling staff in Southcentral Alaska obtained 1,423 charter interviews in 2006. The roving tech conducted an additional 644 interviews for halibut data only. Using logbook numbers and dates, 1,261 port sampling interviews and an additional 599 roving tech interviews were matched to a logbook record. These 1,860 matching interviews represent 7.0% of the 26,404 charter trips taken in Southcentral Alaska in 2006. The ports of Homer and Deep Creek accounted for the largest number of matching interviews, followed by Seward and Kodiak (Table 9). No interviews were conducted at Pasagshak Bay or Anton Larsen Bay (Kodiak Island), so these boats were probably intercepted at a Kodiak Harbor. Of the 207 records that could not be matched to a logbook trip, 190 interviews had no matching logbook record and

17 could not be matched for other various reasons. Difficulties in matching were probably due to operators recording a different date on the logbook record, or ADF&G technicians recording an incorrect logbook number with the interview. In some cases, vessels made more than one trip per day and it was not possible to determine which trip the interview corresponded with.

Port samplers were not able to verify as large a percentage of interviews as in Southeast Alaska. Only one technician is assigned to each port, so during peak times of activity they often did not have time to count fish. Sometimes a portion of the catch had been cleaned at sea or offloaded before the technician arrived at the vessel to conduct the interview. In addition, technicians were instructed to verify the catch only when fish were harvested, so none of the trips with zero fish harvested were verified. Nevertheless, the port samplers and roving tech together verified the halibut harvest for 899 of the 1,860 matching charter interviews. The 899 interviews for which the halibut harvest was verified (observed and counted by creel survey technicians) represented only 3.4% of all Southcentral Alaska charter trips.

Differences between the numbers of anglers and fish caught were again calculated relative to the interview data (difference = logbook - interview). Differences were examined for the numbers of reported anglers, as well as the harvest and release of halibut, pelagic rockfish, non-pelagic rockfish (yelloweye + other rockfish), and lingcod kept. No salmon data were collected in the Southcentral region interviews.

The distributions of differences in the number of anglers and reported harvest again had strong modes at zero and differences were usually distributed evenly on either side (Table 10, Figure 10). Differences ranged from -12 to +10 halibut kept for verified roving tech interviews and from -35 to +5 halibut kept for verified port sampling interviews. The average differences, however, were only -0.13 halibut per boat-trip for the roving tech interviews and -0.37 halibut per trip for verified port sampling interviews (Table 10). When comparing pelagic rockfish, non-pelagic rockfish, and lingcod, there were marked differences in the distributions of reporting errors between verified and unverified interviews. For each of these species, nonzero differences were more frequent in the verified interviews. This suggests that when charter operators were interviewed, they tended to record the same numbers in the logbook as they verbally provided the technicians (or vice versa), but these numbers were not necessarily accurate. Some of the smaller differences could also have been due to miscounts by the technicians. Despite these differences, the average differences were still close to zero: -1.06 pelagic rockfish, -0.69 non-pelagic rockfish, and -0.10 lingcod per boat trip. The effort and harvests reported in interviews and recorded in logbooks were nearly equal when summed over all matching interviews (Figure 11).

As was the case in Southeast Alaska, there was also good agreement on average for reported numbers of released fish. All species had strong modes at zero, and the differences were fairly balanced around zero (Figure 12). Of all species, halibut had the highest number of discrepancies. Differences ranged from -50 to +75 fish, but the average difference was only +0.76 halibut per boat trip (Table 11).

### **Comparison to Southeast Creel Survey Estimates**

Logbook data was subsetted by date, location, and vessel before comparing to creel survey estimates. Only those records corresponding to the period April 24-September 24, for ports of landing that were sampled by creel survey personnel, and for vessels that were encountered at least once by creel survey personnel at those locations were included in the calculations of the comparable logbook harvest

The logbook data compared favorably to creel survey estimates for Juneau and Sitka. Logbook harvests for Sitka were consistently higher than the creel survey estimates across all species, but were either within the confidence interval on the creel survey estimate or close to it. Logbook harvests for Ketchikan were substantially higher than the creel survey estimates for halibut and coho salmon, but within the confidence intervals of the large king salmon and rockfish estimates. It was expected that matching of logbook data and creel survey estimates would be difficult due to incomplete coverage of the creel survey and variability in reporting of ports of landings by operators. The poor correspondence of estimates for Ketchikan is not fully understood. One possible explanation is that the sampling intensity is too low so

that harvest at sampled ports and times is not representative. Charter harvest was not evenly distributed among sampling sites. This may have led to interviews being missed due to a mismatch between the sampling schedule and actual return of boats. Another possible explanation is mismatches between the logbook and creel survey coverage, i.e., the actual port of landing was not exactly as reported. For example, some operators that landed at private lodges or other unsampled access points in the Ketchikan area may have reported the port of landing more generally as "Ketchikan."

### **Summary and Conclusions with Emphasis on Halibut Reporting**

1. The logbook data contained significantly fewer errors than were observed in prior years. Shortening the submission period and boosting the outreach program (courtesy logbook inspections, phone calls from data entry staff) seemed to be effective in reducing the number of logbook reporting errors. A significant percentage of logbook pages were returned late in 2006 (20% more than 20 days late), but this may have been due in part to the change from 2005 in the submission deadline.
2. We were unable to definitively detect falsification of angler trips using frequencies of reported fishing license numbers. There were too many possible explanations, including people on extended fishing trips for a variety of species, anglers fishing for free recorded as clients, or crew recorded as residents or nonresidents rather than crew.
3. About 6.8% of surveyed anglers whose license numbers were recorded in charter logbooks said they did not take a charter trip. There was not a large enough difference between observed and unobserved boats in the percentage of anglers reporting they did not take a charter trip to conclude that operators of unobserved boats were falsifying angler trips. The most likely explanation for the majority of these discrepancies is that they were caused by illegible or transposed digits in the reported license numbers, or keypunch errors by data entry staff. Differences in the harvest reported by clients in the end-of-season survey and harvest reported in logbooks were not necessarily an indictment of the logbook data. Discrepancies could have been due to recall bias on the part of clients, misunderstanding about how to complete the post card questionnaire, and errors in logbook reporting due to party fishing. Angler-specific differences in reported harvest are not crucial if the reported harvest for the boat-trip is reported correctly.
4. The logbook harvest of halibut was 23% higher in numbers of fish in Area 2C and 30% higher in Area 3A than harvest estimated by the SWHS. No clear explanation has yet emerged for these differences, but they are consistent with comparisons made for 1998-2001 logbook data. The discrepancies between logbook and SWHS estimates varied by species, but in general, discrepancies appeared roughly proportion to the magnitude of harvest. Discrepancies are likely due to a number of factors acting in aggregate, rather than a single factor that explains the entire difference. Possible factors include falsification of angler trips in the logbook, reporting of non-charter angler trips as charter in the logbook, skippers and crew reporting their harvest as unguided in the SWHS, charter clients reporting their harvest as non-charter in the SWHS, errors in the application of bag limit edits, and bias in the estimation of the charter harvest in the SWHS.
5. Although there were sometimes large discrepancies between logbook reported harvests and harvests reported or observed in creel surveys, the vast majority of charter trips had no difference and the differences appeared random and close to zero on average. This suggests that even though harvest reported for any one boat-trip may be in error, the total reported charter harvest is not different from what creel survey personnel verified by counting fish. Conclusions regarding logbook accuracy from this comparison are limited by the fact that only about 10% of charter trips in Area 2C and 7% of charter trips in Area 3A were matched to interviews, and that charter operators would be expected to report similar numbers in their logbook when interviewed. The only true onsite evaluation of a logbook would be a logbook inspection made after the logbook was completed, but while fish were still available to be counted.

6. There was good correspondence between halibut harvest reported in logbooks and creel survey estimates for Juneau and Sitka, but not Ketchikan. The comparison for Ketchikan was probably compromised by problems with non-representative sampling or a mismatch in coverage between the creel survey and logbook data.

### **Discussion and Recommendations**

To the extent possible, this evaluation of logbook data incorporated comparisons to independent sources of information, including annual and post-season surveys of charter clients, ADF&G creel surveys in selected ports, and direct onsite creel survey observations including counts of harvested fish at the major ports of harvest throughout areas 2C and 3A. Although there were discrepancies in reported harvest at the individual angler level, there was agreement on average in reported harvest at the boat-trip level. In short, there was no apparent systematic strategic bias in the reported logbook harvest of halibut.

This analysis included limited evaluation of the SWHS estimates. We have so far been unable to identify any definite sources of bias in the SWHS, but that evaluation is continuing. It is possible that the SWHS estimate of overall halibut harvest (charter + non-charter) is accurate, and that there is bias in the procedures used to estimate the charter proportion. At this point, we don't recommend that the non-charter harvest be obtained by subtracting the logbook harvest from the total harvest from the SWHS. This would result in estimates of unguided harvest that are too low, based on charter/non-charter ratios seen in onsite surveys.

Using the logbook estimates of charter harvest for management offers some clear advantages. Logbook data are presumably a complete census of halibut harvest, subject only to reporting errors. More importantly, logbook harvest data can potentially be tabulated as the season progresses. Harvest, or at least a very accurate projection of harvest, could be made available by October, in time for stock assessment and discussion of management alternatives for implementation the following season. Based on this evaluation, we conclude that logbooks could be used to manage the charter removals of halibut.

Adoption of logbooks as the preferred charter harvest monitoring tool by the North Pacific Fishery Management Council will present a problem with respect to management of annual harvest. Specifically, the Council will have to address the mismatch between the reported harvest and the allocation options that were all calculated using past SHWS estimates of charter harvest. Logbook harvests were consistently higher than SHWS estimates for all years in which halibut were reported in the logbook. Options to address this mismatch include revision of allocation options, either through recalculation using recent logbook harvest, or through negotiation.

Applying average weights by SWHS area to logbook numbers results in 2006 charter harvest estimates of 2.094 M lb in Area 2C and 4.691 M lb in Area 3A. These harvest estimates are 16% and 28% higher than the respective harvest estimates based on the SWHS. The discrepancy in weight between the Area 2C logbook and SWHS estimates (16%) was smaller than the discrepancy in numbers of fish (23%), due to differences in the distribution of harvest among ports. The largest difference in numbers was in the Prince of Wales area (13,298 more fish in the logbook), which had an average weight of only 9.7 lb, well below the 18.9 lb average for Area 2C.

We recommend continued application of measures to maintain logbook data quality and accuracy, including logbook outreach (phone calls and inspections of charter logbooks), surveys of charter clients, and verification of charter harvest by direct observation and counting of harvested fish. ADF&G will continue to monitor logbooks for timely submission, completeness, and accuracy in the near term. Additional years of comparison between logbooks, SWHS, end-of-season surveys of charter clients, and onsite creel surveys will be conducted to investigate the consistency of differences in estimates and evaluate the utility of logbooks to estimate removals by the charter fleet.



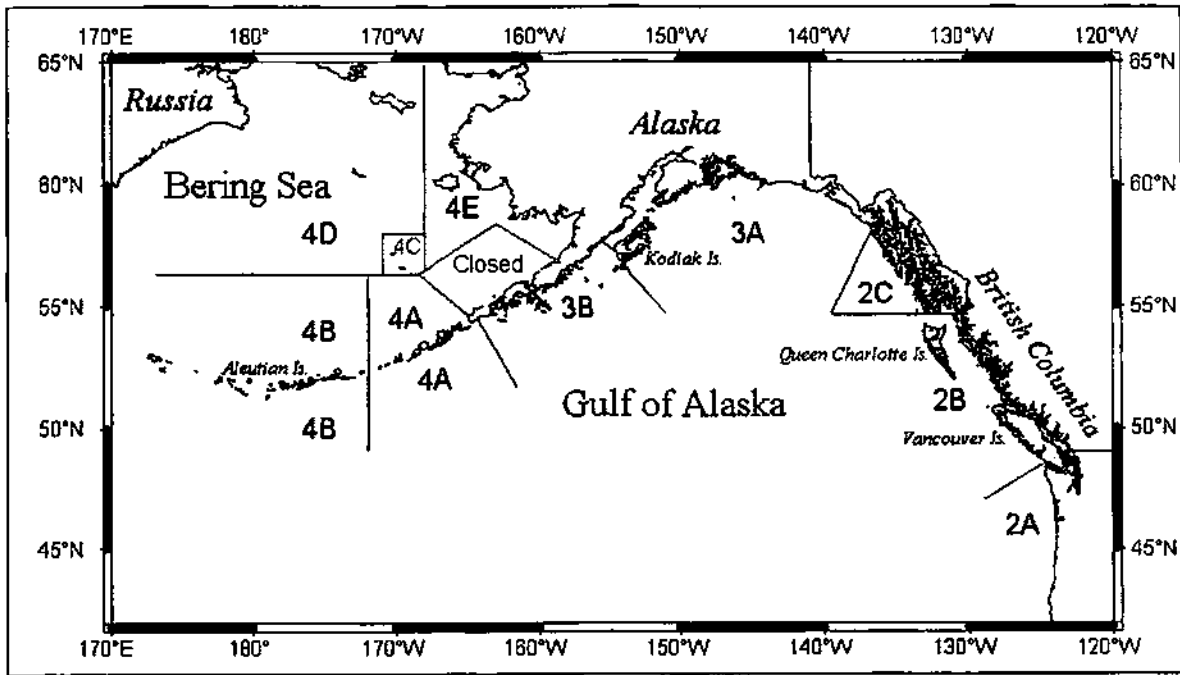


Figure 1. International Pacific Halibut Commission regulatory area boundaries.

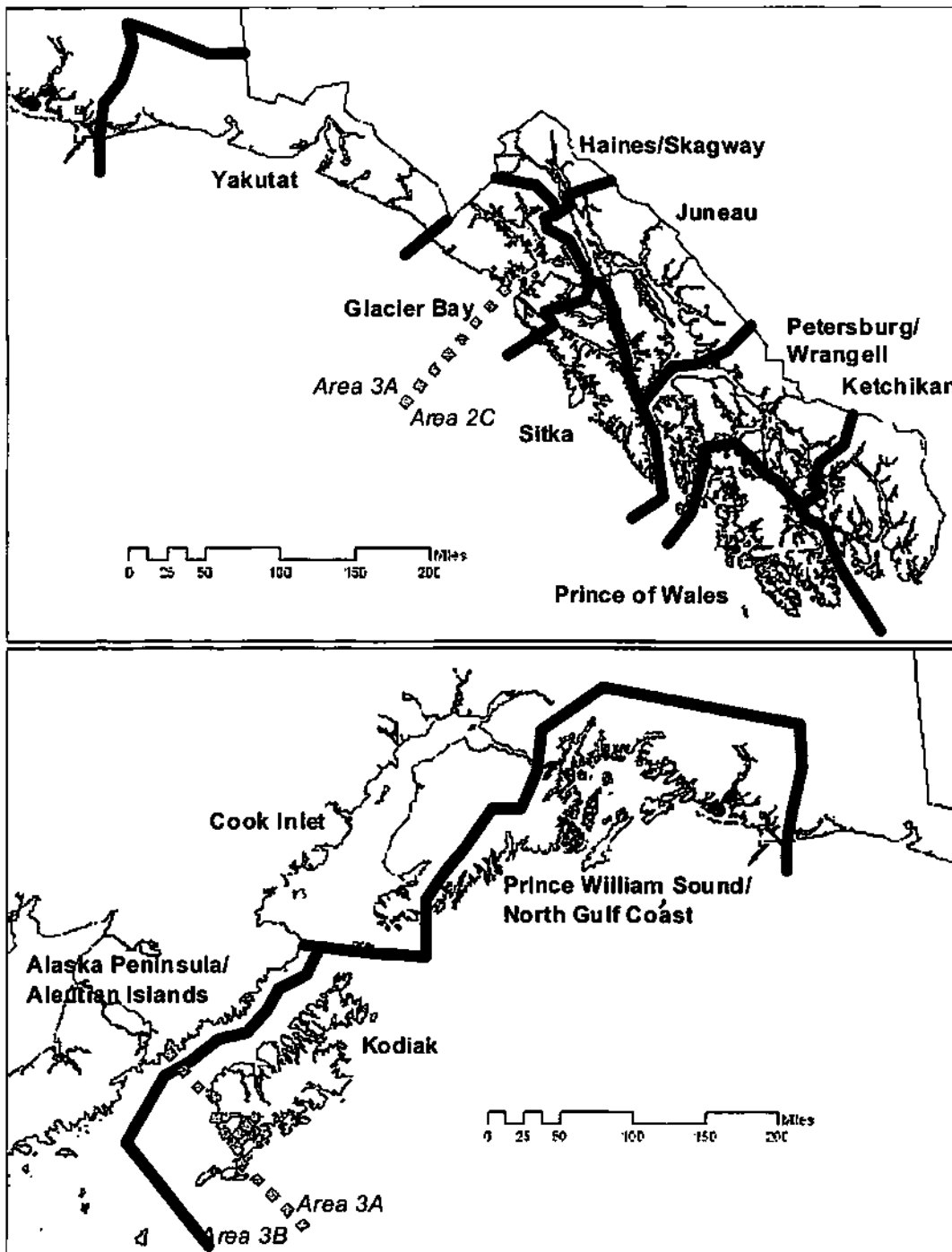


Figure 2. Statewide Harvest Survey areas in Southeast Alaska (upper panel) and Southcentral Alaska (lower panel).



2006 License #: 6454791

**2006 SALTWATER CHARTERED SPORT FISHING SURVEY**  
ALASKA DEPT. OF FISH AND GAME, SPORT FISH DIVISION, 333 RASPEERY RD, ANCHORAGE, ALASKA 99518

Did you hire a sport fish charter service to conduct saltwater sport fishing in Alaska between June 1, 2006 and July 31, 2006? YES  NO

Did you go on more than one charter trip during this time period? YES  NO

Date of last trip within this period: \_\_\_\_\_  
Date

Name of company you chartered with OR the name of the vessel you fished on:

\_\_\_\_\_ OR \_\_\_\_\_  
Charter Company Name Vessel Name

PLEASE WRITE IN THE NUMBER OF FISH KEPT AND THE NUMBER RELEASED FOR THE ABOVE DATE FISHED. RECORD ONLY THOSE FISH YOU PERSONALLY KEPT AND RELEASED.

HALIBUT		KING SALMON		ROCKFISH		OTHER FISH	
KEPT	RELEASED	KEPT	RELEASED	KEPT	RELEASED	KEPT	RELEASED

(Please return by February 7, 2007)

**Dear Alaska Angler,**

The Alaska Department of Fish and Game is interested in knowing about saltwater chartered fishing trips that occurred between June 1 and July 31, 2006. Even though you may have fished more than once on a chartered fishing trip, we are interested in your most recent trip within that time frame. Many households will receive more than one survey, please complete and return all surveys.

This survey is not intended to be used as an enforcement tool but rather to determine the value and accuracy of the statewide saltwater logbook program designed for the sport fish charter industry. Due to the timing of this survey, we realize that accurate recall may be difficult, so please provide us with your best recollection of what you "personally" caught and kept. Do not include those fish "provided" to you by the captain or other anglers.

The Alaska Department of Fish and Game, Division of Sport Fish appreciates the time that you'll take to fill out this short survey. Please return your survey by February 7, 2007. Your response will remain confidential. Feel free to contact us if you have any questions:

[sfguides@fishgame.state.ak.us](mailto:sfguides@fishgame.state.ak.us)

- The number of fish KEPT is the number of fish that were landed and retained.
- The number of fish RELEASED is defined as the number of fish that were legally hooked and deliberately let go.



Figure 3. End-of-season post card survey (and instructions) sent to a random sample of 16,000 charter clients listed in 2006 logbooks.

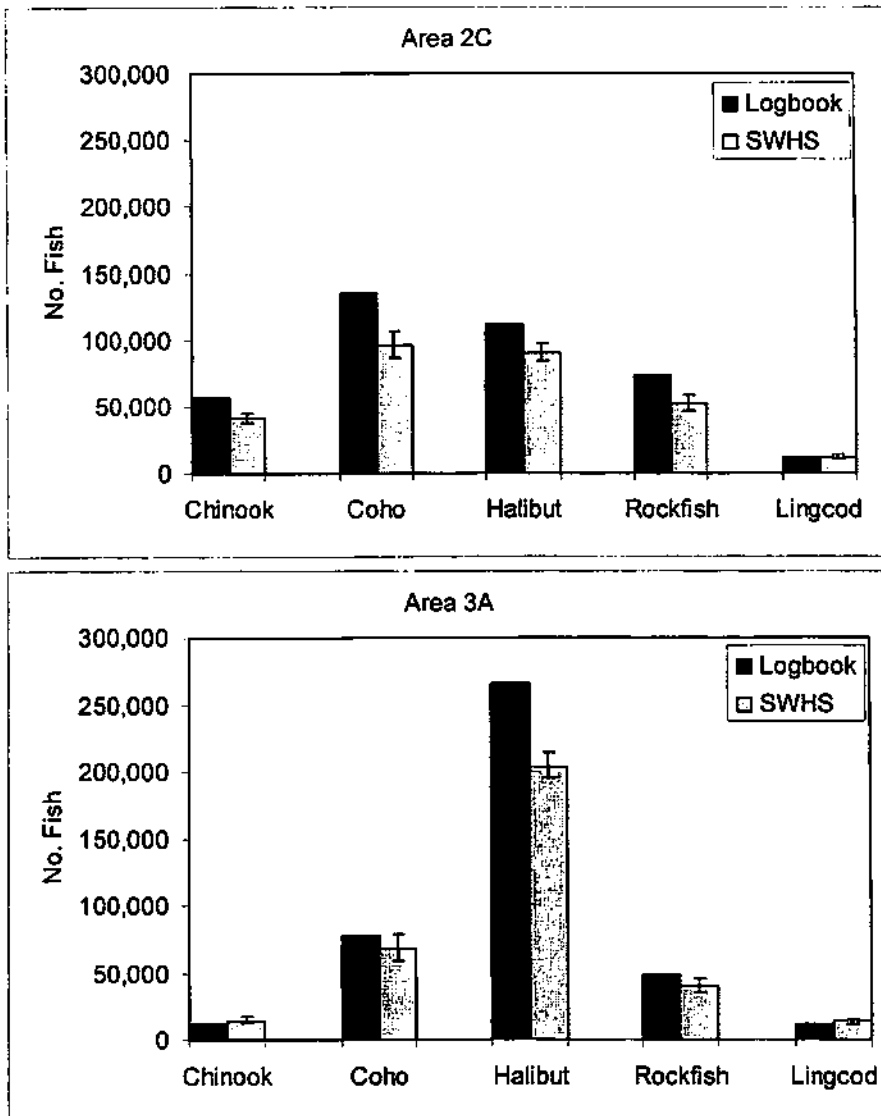


Figure 4. Comparison of logbook reported harvests of chinook salmon, coho salmon, halibut, rockfish, and lingcod to charter harvest estimates from the ADF&G statewide harvest survey for IPHC Areas 2C and 3A, 2006. Vertical error bars represent 95% confidence intervals for the SWHS estimates.

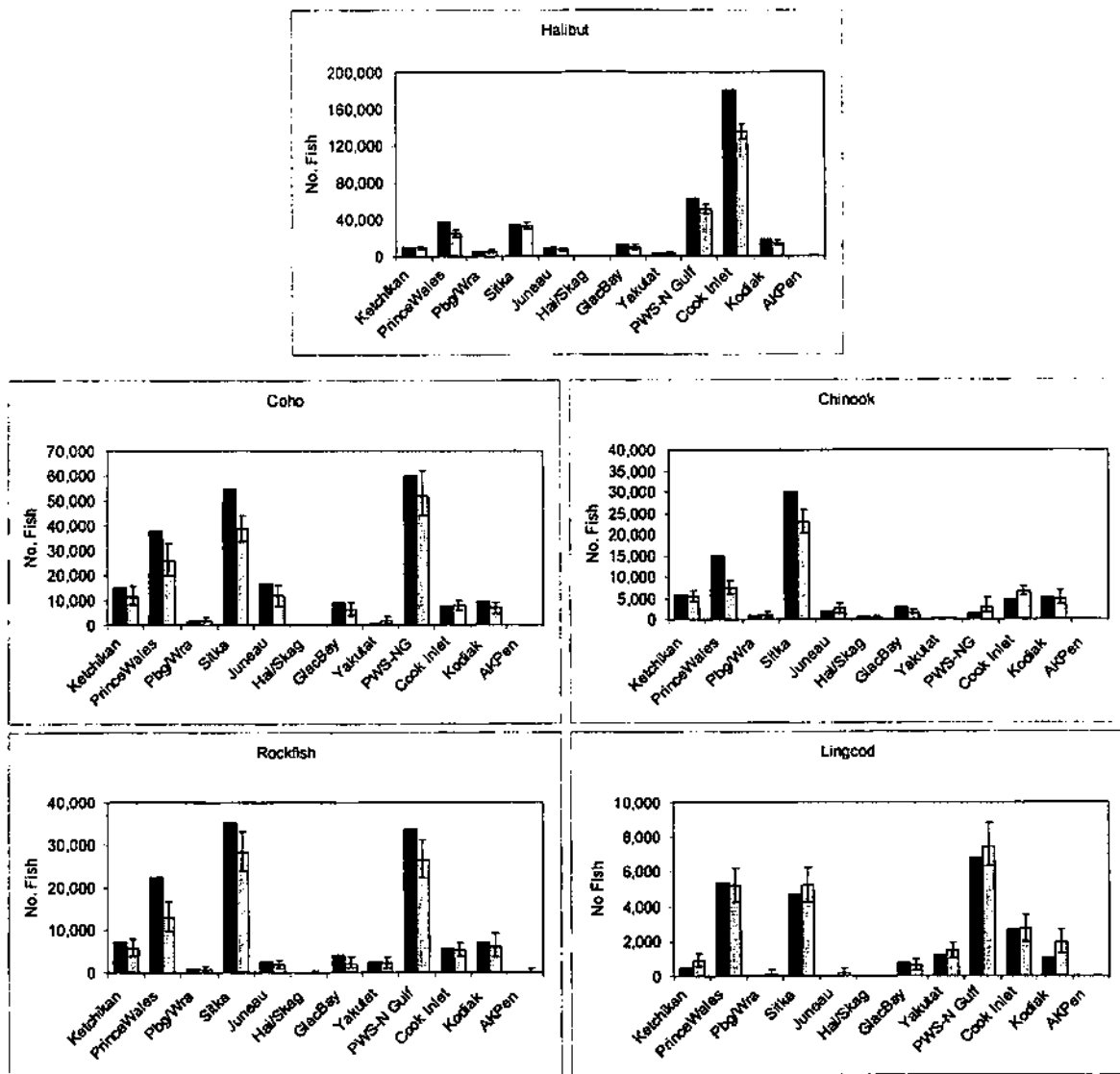


Figure 5. Comparisons of logbook reported harvest and harvest estimates from the statewide harvest survey (SWHS) by reporting area, 2006. Vertical error bars represent 95% confidence intervals for the SWHS estimates.

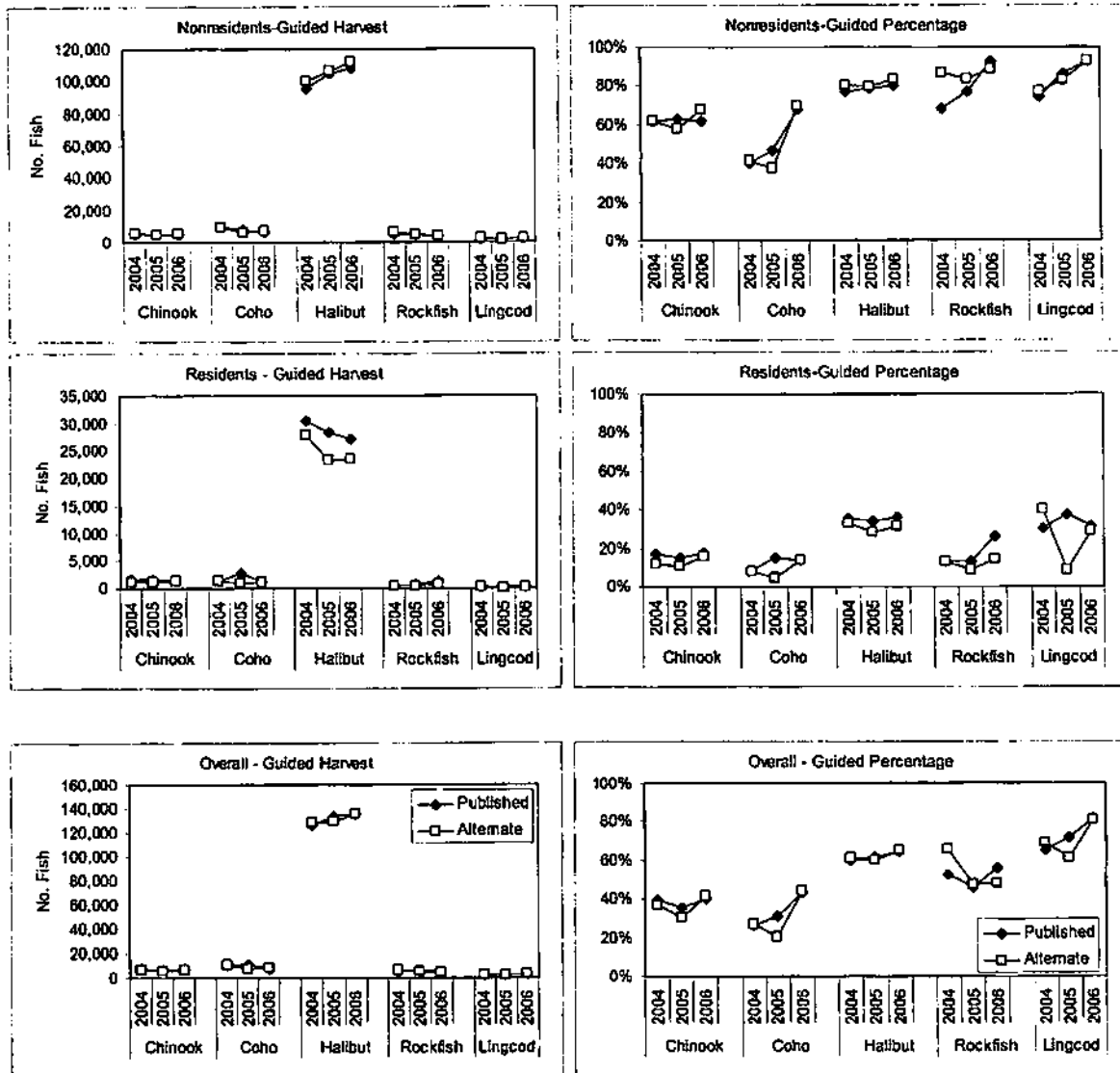


Figure 6. Comparisons of published Cook Inlet area charter harvest estimates (solid diamonds) with alternate estimates (open squares) computed using the charter proportions estimated from only supplemental surveys, as is done in all other areas of the state. Panels on the left show differences in the guided harvest estimates, and panels on the right show differences in the guided percentage of harvest by nonresidents, residents, and the overall fishery.

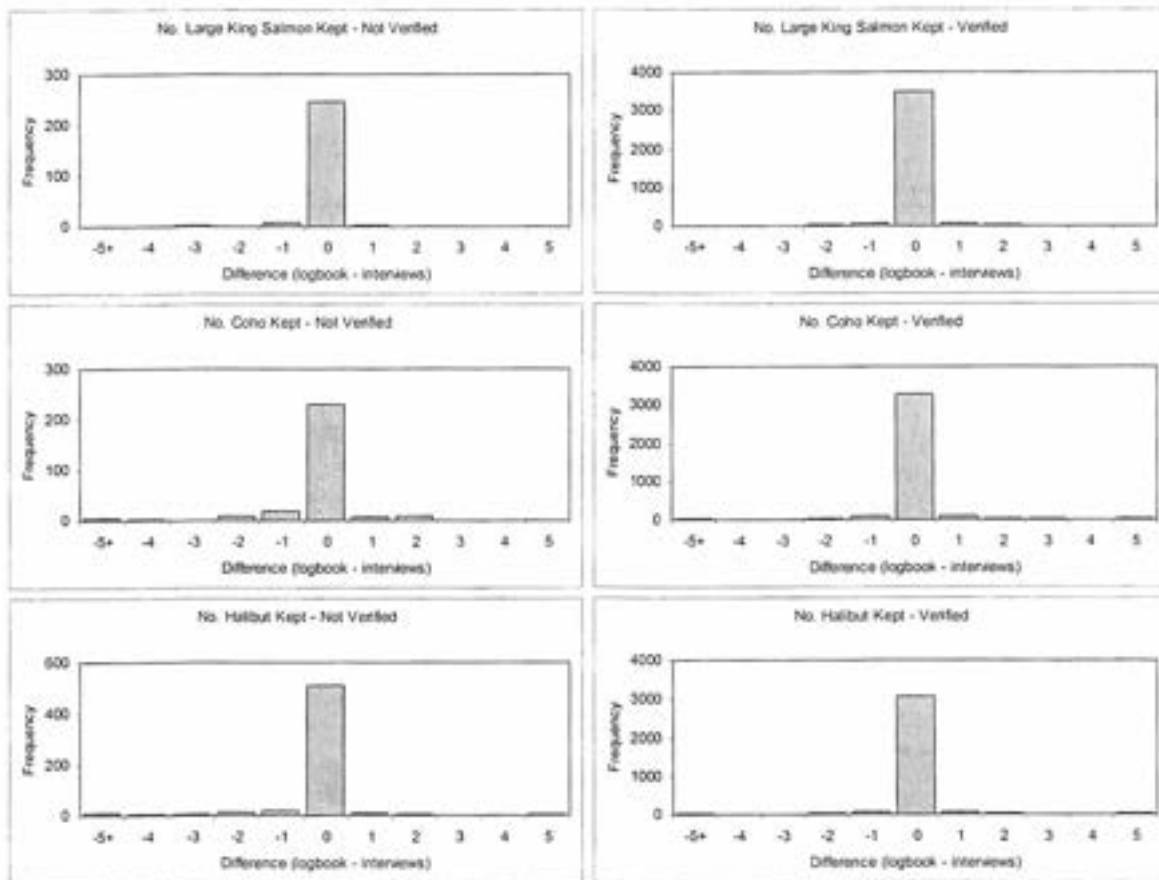
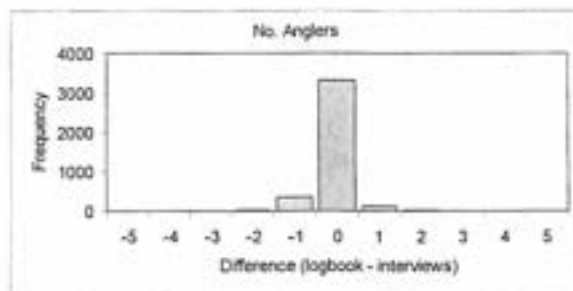


Figure 7 (page 1 of 2). Frequency distributions of the differences in effort and harvest between verified and unverified creel survey interviews in Southeast Alaska, 2006.

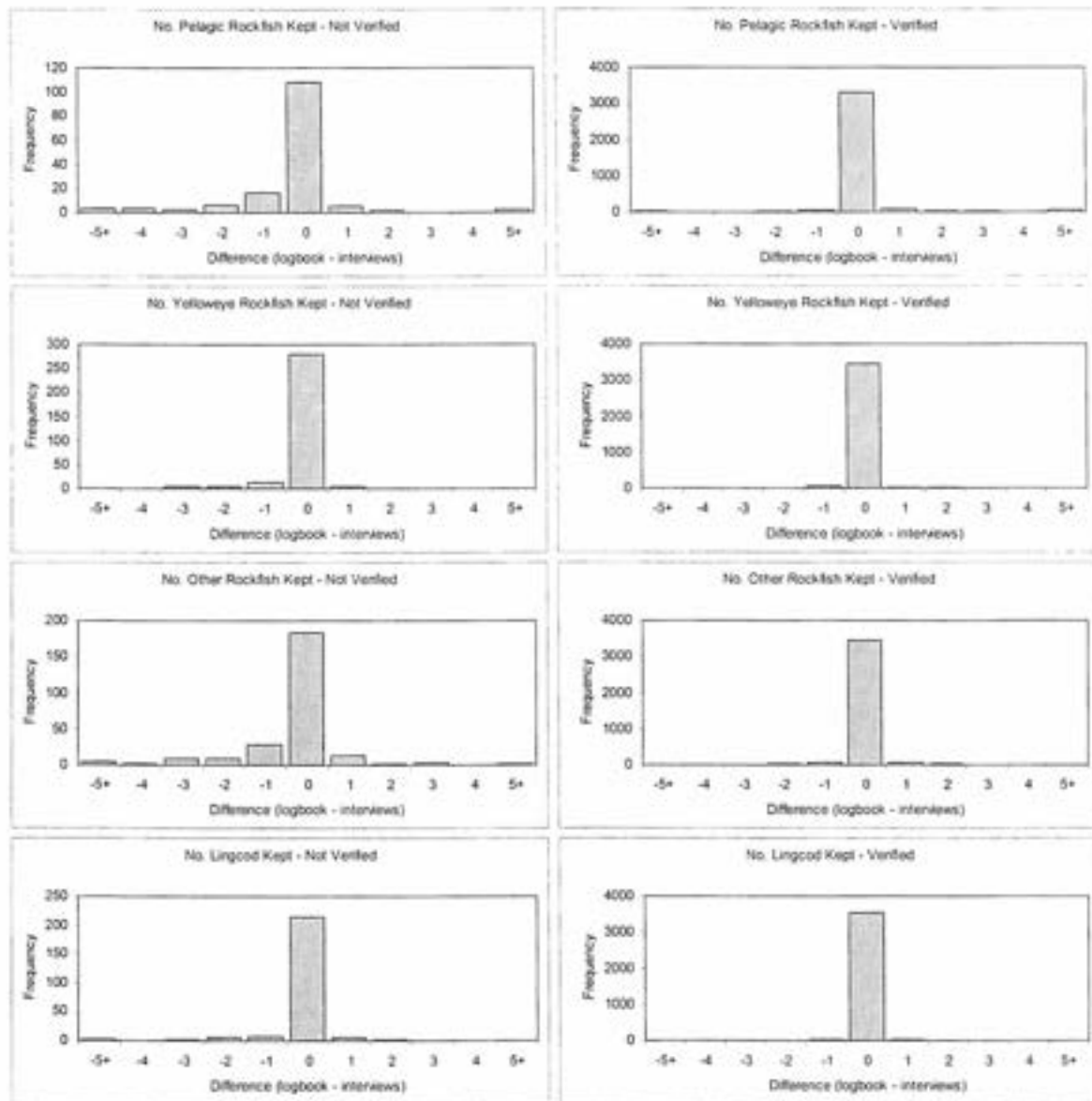


Figure 7 (page 2 of 2).



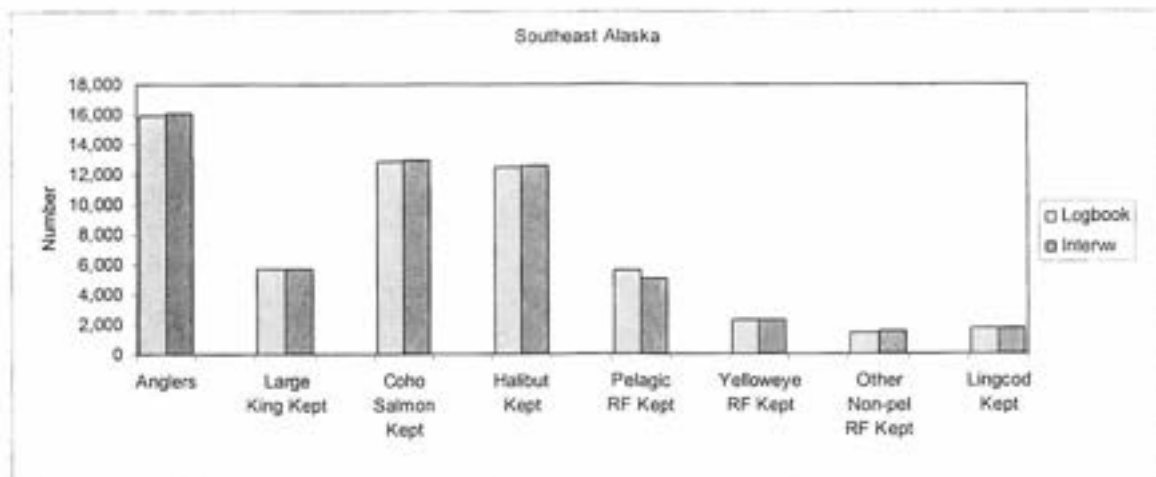


Figure 8. Comparison of total effort (anglers) and harvest reported in charter logbooks (light bars) and recorded during 3,929 matching creel survey interviews in Southeast Alaska, 2006.

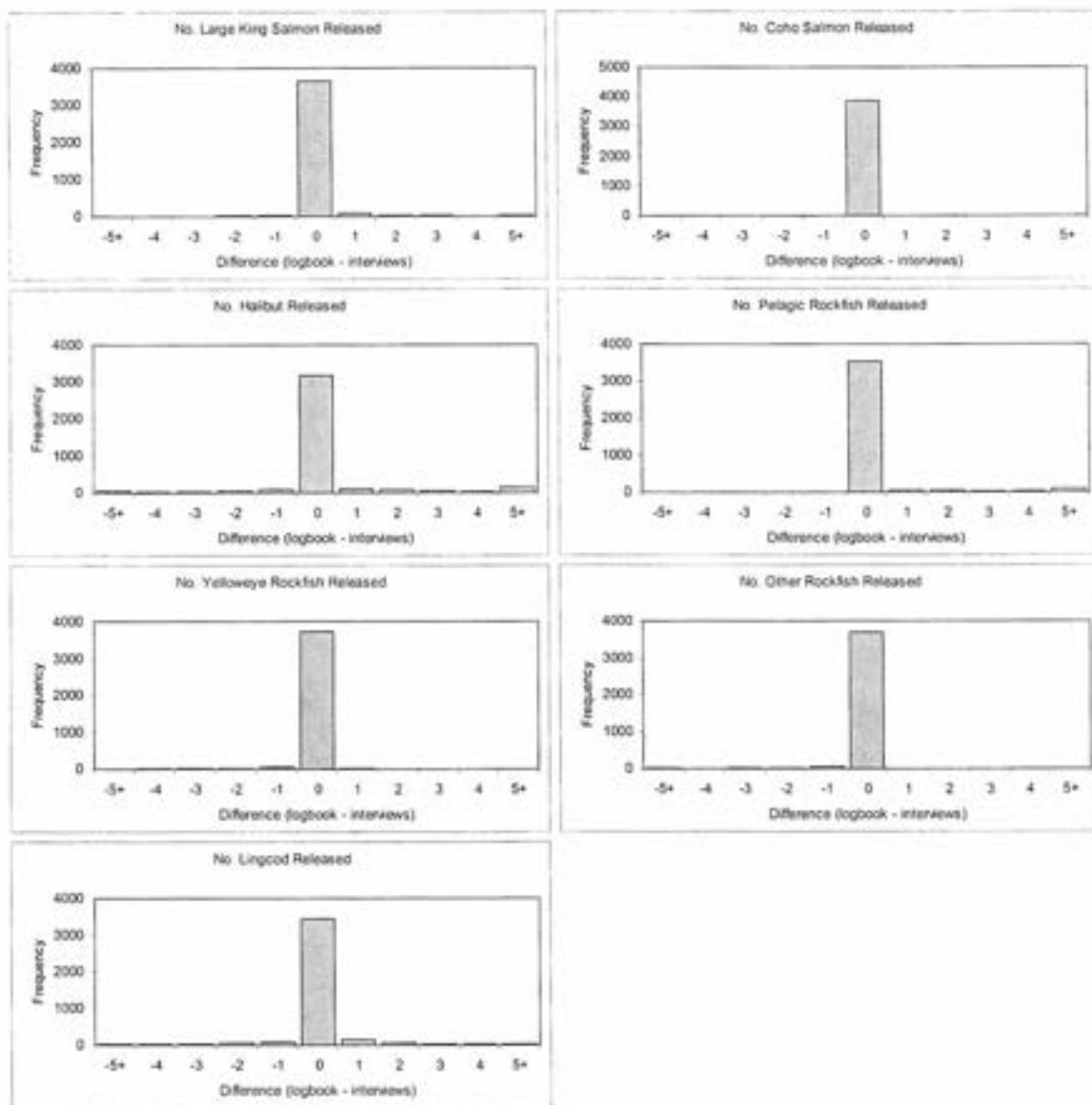


Figure 9. Frequency distributions of the differences in numbers of fish reported caught and released in interviews and logbooks, by species, in Southeast Alaska in 2006.

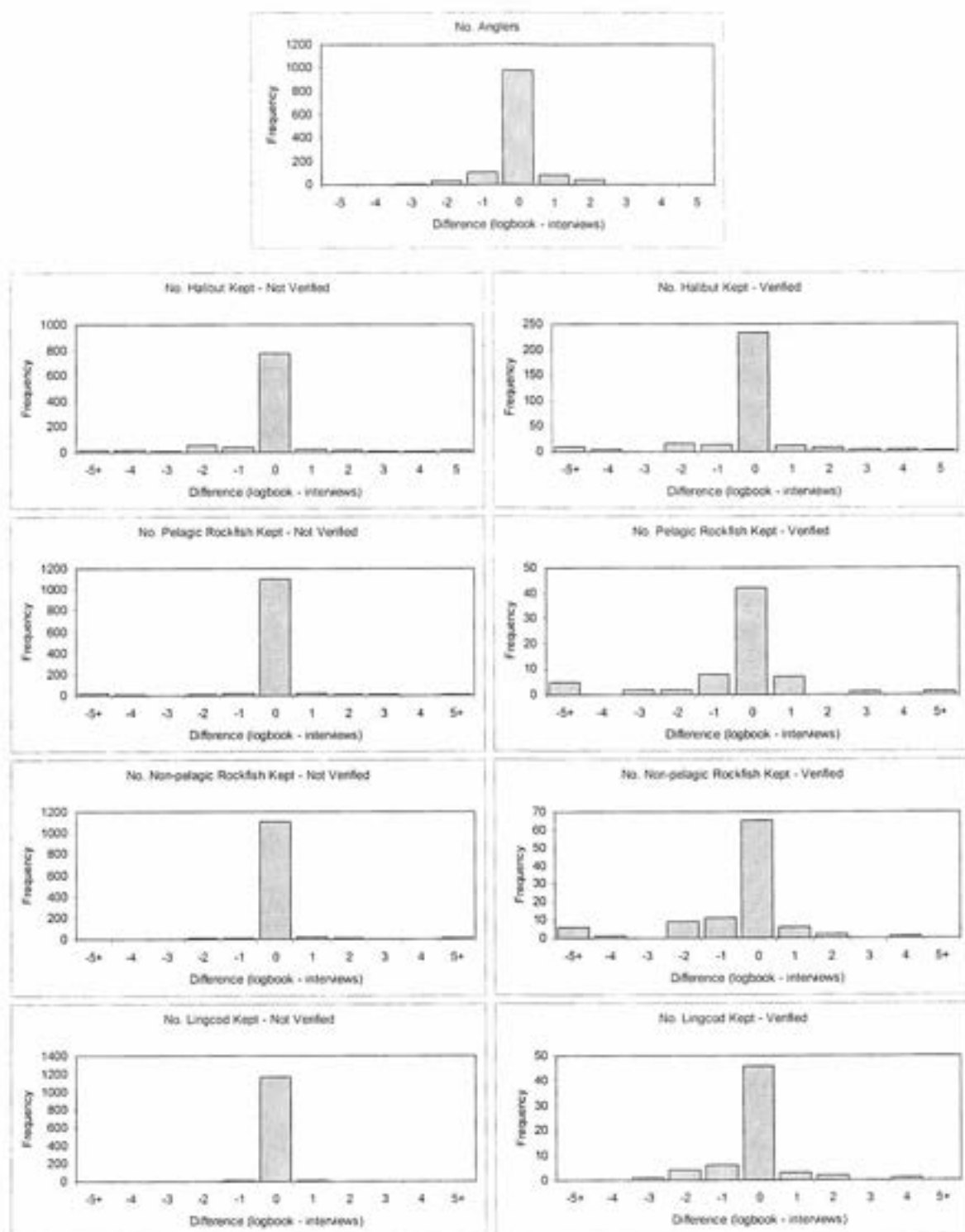


Figure 10. Frequency distributions of the differences in effort and harvest between verified and unverified port sampling interviews in Southcentral Alaska, 2006.

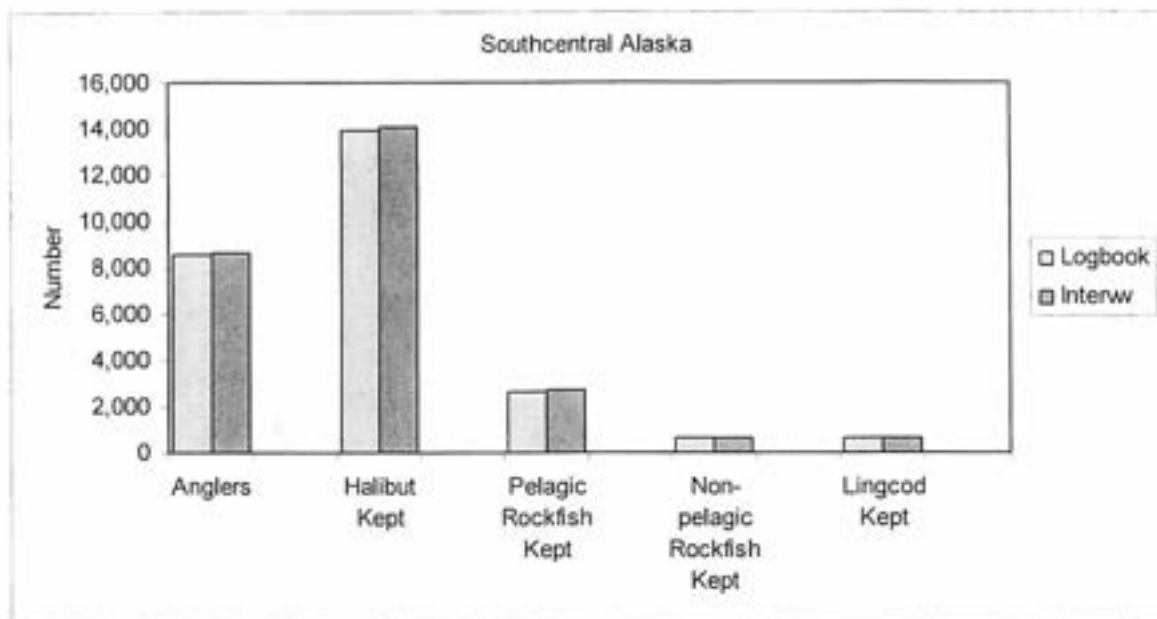


Figure 11. Comparison of total effort (anglers) and harvest reported in charter logbooks (light bars) and recorded during 3,929 matching creel survey interviews in Southcentral Alaska, 2006.

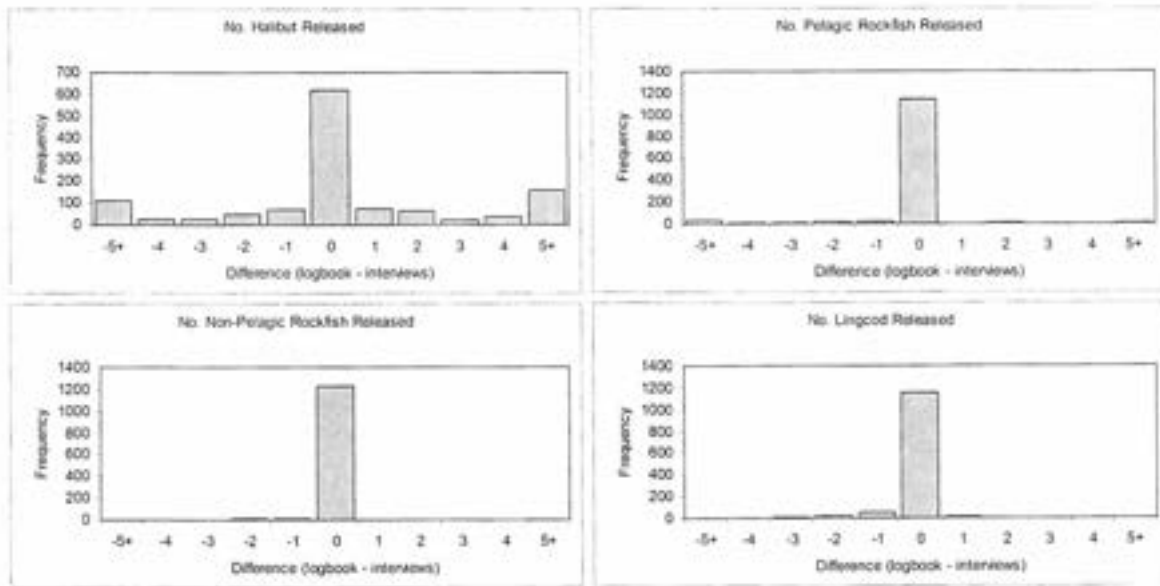


Figure 12. Frequency distributions of the differences in numbers of fish reported caught and released in logbooks and interviews, by species, in Southcentral Alaska in 2006.

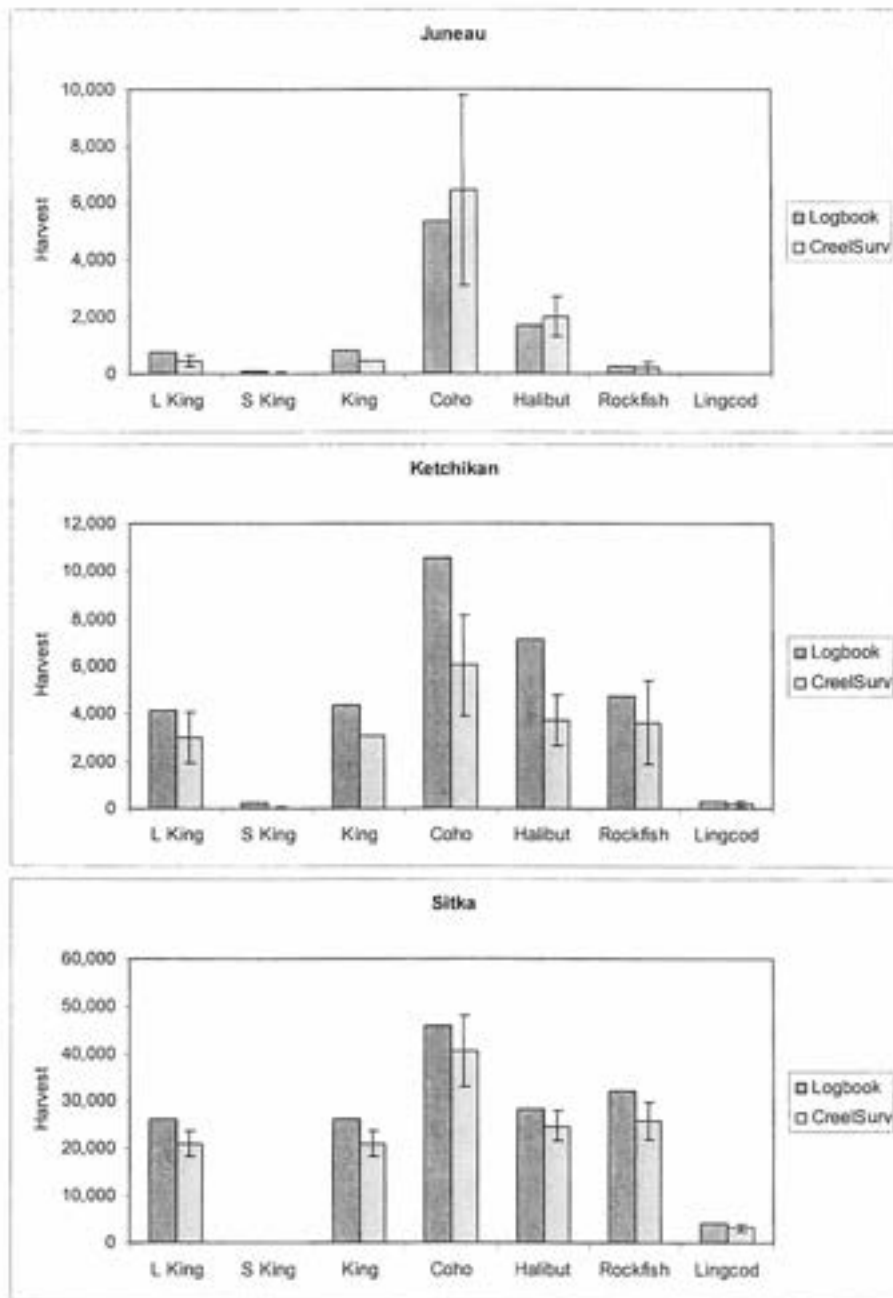


Figure 13. Comparisons of logbook harvests and creel survey harvest estimates for Juneau, Ketchikan, and Sitka, 2006.

Table 1. Summary of effort and harvest data for the 2006 charter logbook.

SWHS or IPHC Area	Records (= trips)	Harvest by Species					
		Angler-Days	Halibut	King Salmon	Coho Salmon	Rockfish	Lingcod
Ketchikan	7,404	29,553	10,940	5,803	15,051	7,182	505
POW	8,335	30,900	38,079	15,162	38,055	22,512	5,409
Pburg/Wra	1,401	5,469	5,514	960	1,647	1,045	74
Sitka	12,140	48,415	34,454	30,029	54,490	35,438	4,701
Juneau	4,476	18,700	9,392	1,880	16,985	2,594	74
Hai/Skag	510	1,842	97	639	10	29	0
Glac. Bay	4,023	16,112	12,578	2,864	8,935	4,245	812
Yakutat	800	3,558	3,368	273	657	2,448	1,186
PWS-NGC	8,408	58,721	62,848	1,338	60,276	33,771	6,746
Cook Inlet	14,695	101,582	180,999	4,710	7,676	5,640	2,654
Kodiak	3,306	14,751	18,318	5,049	9,354	6,932	1,008
Alaska Pen.	175	636	779	2	65	92	1
Area 2C	38,289	150,991	111,054	57,337	135,173	73,045	11,575
Area 3A	27,286	178,857	265,817	11,370	78,010	48,807	11,595

Table 2. Summary of major reporting issues and errors in the 2006 charter logbook.

Reporting Issue or Error	Area 2C								Area 3A						AP
	Ketch	POW	Pbrg	Sitka	Jun	H/Ska	GlaBy	2C Tot	Yak	PWS	NGulf	Cinlet	Kod	3A Tot	
No. records (=trips)	7,404	8,335	1,401	12,140	4,476	510	4,023	36,289	800	2,769	5,639	14,694	3,306	27,285	176
Records received after printed due date	833	737	60	870	528	62	503	3,593	49	417	1,629	3,683	697	6,475	86
Date fished after date received	5	3	2	6	2	1	4	23	0	9	20	35	0	64	1
Invalid port	0	0	22	0	0	0	0	22	0	0	0	0	0	0	0
Invalid guide license number	0	0	0	1	0	0	0	1	0	0	1	2	0	3	0
Unknown angler type (res, nonres, crew)	381	564	28	575	138	20	208	1,912	68	159	285	456	119	1,096	19
Salmon stat area reported but salmon rods missing	29	6	2	16	8	4	5	70	1	4	18	5	2	30	0
Salmon stat area reported but salmon hours missing	68	20	10	74	48	5	17	242	1	38	74	15	10	138	0
Salmon effort reported but no stat area provided	1	0	0	1	1	0	0	3	1	2	3	4	0	10	0
Invalid salmon stat area recorded	1	0	0	1	1	0	0	3	0	0	5	0	0	5	4
Bottomfish stat area reported but bottomfish rods missing	5	4	9	2	5	0	8	33	3	14	3	79	8	109	2
Bottomfish stat area reported but bottomfish hours missing	14	19	23	9	20	0	32	116	13	53	22	253	33	376	4
Bottomfish effort reported but stat area missing	1	2	0	5	0	0	2	10	0	0	4	1	0	5	0
Invalid bottomfish stat area recorded	5	0	0	5	0	0	1	11	0	0	15	15	7	37	0
Both salmon and bottomfish rods missing	22	30	4	48	5	0	6	115	1	4	43	90	98	236	1
Both salmon and bottomfish hours missing	50	146	8	178	26	0	34	442	3	10	105	153	130	401	2
Records with lingcod harvest reported out of season	3	4	2	141	14	0	44	186	0	29	11	24	2	78	0

<sup>a</sup> - Legend to Areas:

Ketch=Ketchikan, POW=Prince of Wales Island, Pbrg=Petersburg/Wrangell, Jun=Juneau, H/Ska=Haines/Skagway, GlaBy=GlacierBay, Yak=Yakutat, PWS=Prince William Sound, NGulf=North Gulf Coast, Cinlet=Cook Inlet, Kod=Kodiak, AP=Alaska Peninsula and Aleutian Islands.



Table 3. Frequency of logbook pages submitted late (postmarked or received after the published deadline).

Number of Days Late	Number of Logbook Pages	Percent	Cumulative Percent
1-7	5,817	57%	57%
8-14	1,632	16%	73%
15-21	777	8%	81%
22-28	651	6%	87%
29-35	288	3%	90%
36-42	177	2%	92%
43-49	122	1%	93%
50-56	102	1%	94%
57-203	588	6%	100%
	10,154		

Table 4. Frequency of reported angler-trips by license number, 2006 charter logbook.

No. of Trips Reported	Frequency of License Numbers	Percent	Cumulative Percent
1	119,649	67.82%	67.82%
2	23,833	13.51%	81.33%
3	18,018	10.21%	91.54%
4	9,305	5.27%	96.81%
5	4,077	2.31%	99.12%
6	966	0.55%	99.67%
7	289	0.16%	99.84%
8	119	0.07%	99.90%
9	41	0.02%	99.93%
10	46	0.03%	99.95%
11	22	0.01%	99.96%
12	11	0.01%	99.97%
13	21	0.01%	99.98%
14	5	0.00%	99.99%
15	6	0.00%	99.99%
16	4	0.00%	99.99%
17	2	0.00%	99.99%
18	2	0.00%	99.99%
19	1	0.00%	99.99%
20	2	0.00%	100.00%
21	0	0.00%	100.00%
22	2	0.00%	100.00%
23	1	0.00%	100.00%
24	0	0.00%	100.00%
25	0	0.00%	100.00%
26	0	0.00%	100.00%
27	2	0.00%	100.00%
28	0	0.00%	100.00%
29	0	0.00%	100.00%
30+	3	0.00%	100.00%
	<u>176,427</u>		

Table 5. Percent agreement in reported harvest between end-of-season post card survey responses and logbook data for observed and unobserved vessels. Observed vessels were defined as those that were either interviewed or had harvest sampled at least once during the 2006 season as part of ADF&G creel survey or catch sampling programs.

Area	Observed/Unobserved	Number of Trips Compared	Percent Agreement		
			Halibut	Chinook Salmon	Rockfish
Area 2C	Observed	1,386	72%	70%	74%
	Unobserved	784	51%	67%	67%
Area 3A	Observed	3,316	78%	92%	87%
	Unobserved	573	66%	89%	84%
All Areas (2C, 3A, 3B, 4A)	Observed	4,702	76%	86%	83%
	Unobserved	1,366	57%	76%	74%

Table 6. Comparisons, by IPHC regulatory area, of 2006 logbook-reported harvest of Chinook salmon, coho salmon, Pacific halibut, rockfish (all species combined), and lingcod to charter harvest estimates from the ADF&G statewide harvest survey (SHS).

IPHC Area	Species	Logbook	SHS	Percent Difference Relative to SHS
Area 2C	Chinook	57,337	41,107	39%
	Coho	135,173	96,273	40%
	Halibut	111,054	90,471	23%
	Rockfish	73,045	51,847	41%
	Lingcod	11,575	12,237	-5%
Area 3A	Chinook	11,370	14,442	-21%
	Coho	78,010	68,360	14%
	Halibut	265,817	204,115	30%
	Rockfish	48,807	40,306	21%
	Lingcod	11,595	13,542	-14%

Table 7. Numbers of matching interview and logbook records by port and month for Southeast Alaska, 2006. Port names are as reported in the charter logbook.

Port	Month					Total
	May	Jun	Jul	Aug	Sep	
AUKE BAY	20	47	61	36	12	176
BAR HARBOR	0	0	1	0	0	1
BARTLETT COVE	39	0	0	0	57	96
CEDARS LODGE	0	1	0	0	0	1
CLOVER PASS	0	9	10	13	5	37
CRAIG	5	51	75	53	2	186
CRESCENT HARBOR	0	6	1	6	0	13
ELFIN COVE	44	122	119	93	16	394
FISHERMANS BEND	1	1	0	1	0	3
GUSTAVUS	0	163	190	140	9	502
JUNEAU	0	4	2	6	0	12
KETCHIKAN	8	43	32	53	31	167
KLAWOCK	1	32	59	29	6	127
KNUDSON COVE	12	51	17	24	14	118
LOG CABIN RESORT	0	0	1	0	0	1
PETERSBURG	4	21	25	49	1	100
SALMON LANDING	7	10	13	17	9	56
SEA OTTER SOUND	0	1	0	0	0	1
SEALING COVE	0	7	4	0	0	11
SHELTER ISLAND	0	1	0	1	0	2
SITKA	118	424	399	422	53	1,416
SPRUCE MILL NEW FLT	4	4	6	5	7	26
STATTER HARBOR	2	8	4	1	0	15
THOMAS BASIN	4	4	5	7	3	23
WHALE PASS (POW)	0	1	0	0	0	1
WRANGELL	5	11	14	12	0	42
YAKUTAT	17	101	82	110	92	402
Total	291	1,123	1,120	1,078	317	3,929

Table 8. Frequency distributions of differences between logbooks and matching Southeast Alaska creel survey interviews in the reported numbers of anglers and fish released and harvested in 2006. The upper table shows frequencies of differences in reported numbers of anglers and fish released, and the lower table shows the distributions of differences in harvest for unverified (N) and verified (Y) interviews.

Difference	Anglers	Released Fish						
		Large King	Coho	Halibut	Pelagic RF	Yelloweye	Other RF	Lingcod
-5+	1	4	2	73	0	8	23	23
-4	5	3	1	29	0	30	14	15
-3	6	6	0	37	0	33	17	23
-2	41	17	3	62	0	37	41	57
-1	362	37	7	91	0	63	69	100
0	3,334	3,647	3,861	3,183	3,535	3,726	3,712	3,431
1	107	101	18	131	54	16	11	135
2	33	34	6	93	47	2	9	59
3	3	21	8	52	28	2	9	26
4	1	13	2	29	34	1	4	22
5+	2	38	13	141	95	3	12	30
Total	3,895	3,921	3,921	3,921	3,793	3,921	3,921	3,921
Min	-5	-16	-20	-25	0	-6	-13	-16
Max	5	14	34	37	20	8	12	32
Average	-0.07	0.11	0.03	0.23	0.3	-0.09	-0.06	0.04

Difference	Harvested Fish													
	Large King salmon		Coho salmon		Halibut		Pelagic rockfish		Yelloweye rockfish		Other rockfish		Lingcod	
	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y	N	Y
-5+	1	7	5	32	9	33	4	27	0	1	5	9	1	2
-4	0	4	2	10	6	13	4	13	1	6	2	6	0	3
-3	3	5	1	11	4	14	3	14	4	14	9	6	1	9
-2	1	21	8	32	12	26	6	17	5	6	9	18	5	6
-1	6	50	18	101	20	58	16	58	13	49	28	68	7	33
0	246	3,481	229	3,284	508	3,059	108	3,300	279	3,454	184	3,453	215	3,560
1	3	51	7	88	7	61	5	85	5	41	13	60	5	43
2	1	24	9	30	3	23	2	36	0	16	1	19	2	14
3	0	12	1	19	2	12	0	28	1	14	3	10	0	8
4	0	5	0	13	2	14	0	13	0	8	0	6	0	6
5+	0	0	1	20	4	31	3	51	0	4	1	11	0	1
Total	261	3,660	281	3,640	577	3,344	151	3,642	308	3,613	255	3,666	236	3,685
Min	-5	-6	-16	-19	-19	-10	-12	-25	-4	-9	-10	-9	-1	-7
Max	2	4	9	20	7	10	16	25	3	5	15	12	2	5
Average	-0.07	0.00	-0.17	0.01	-0.19	0.00	0.31	0.10	-0.10	0.01	-0.32	0.01	-0.07	0.01

Table 9. Numbers of matching interview and logbook records by port and month for Southcentral Alaska, 2006. Port names are as reported in the charter logbook. The upper table shows matches for the standard port sampling interviews, and the lower table shows matches for the "roving tech" interviews.

Port	Month					Total
	May	Jun	Jul	Aug	Sep	
<b>Regular Port Sampling Interviews:</b>						
ANCHOR POINT	13	22	23	15	0	73
ANCHOR RIVER	0	2	0	0	0	2
ANTON LARSEN BAY	0	0	3	0	0	3
DEEP CREEK	4	130	90	54	0	278
HOMER	38	89	76	70	1	274
KODIAK	0	27	79	95	18	219
NINILCHIK	0	11	12	4	0	27
PASAGSHAK BAY	0	0	0	1	0	1
SEWARD	0	84	94	77	9	264
VALDEZ	0	36	37	14	0	87
WHITTIER	5	16	9	3	0	33
Total	60	417	423	333	28	1,261
<b>"Roving Tech" Interviews:</b>						
ANCHOR POINT	-	6	39	26	-	71
DEEP CREEK	-	56	77	43	-	176
HOMER	-	38	101	55	-	194
NINILCHIK	-	4	10	7	-	21
SEWARD	-	41	53	43	-	137
Total	-	145	280	174	-	599

Table 10. Frequency distributions of differences between logbooks and matching Southcentral Alaska creel survey interviews in the reported numbers of anglers and fish released and harvested in 2006. The upper table shows frequencies of differences in reported numbers of anglers and fish released, and the lower table shows the distributions of differences in harvest for unverified (N) and verified (Y) interviews.

Difference	Port Samp	RovTech	Released Fish			
	Anglers	Anglers	Halibut	Pelagic RF	Nonpel RF	Lingcod
-5+	2	1	110	36	2	5
-4	4	0	27	6	1	4
-3	8	4	29	12	1	10
-2	30	7	50	16	6	17
-1	106	43	69	23	14	49
0	982	505	623	1,143	1,231	1,151
1	85	24	74	4	3	14
2	37	11	62	7	1	5
3	3	4	23	4	0	1
4	2	0	36	0	0	0
5+	1	0	158	10	2	5
Total	1,260	599	1,261	1,261	1,261	1,261
Min	-7	-5	-50	-40	-10	-23
Max	5	3	75	20	6	22
Average	-0.03	-0.03	0.76	-0.30	-0.02	-0.07

Difference	Harvested Fish								
	Roving Tech	Port Sampling		Pelagic rockfish		Nonpelagic rockfish		Lingcod	
	Halibut	N	Y	N	Y	N	Y	N	Y
-5+	5	14	9	15	5	3	6	1	0
-4	6	16	3	6	0	1	1	0	0
-3	2	4	0	4	2	3	0	0	1
-2	26	50	15	9	2	5	9	1	4
-1	28	34	13	17	8	11	11	11	6
0	486	778	234	1,100	42	1,110	65	1,170	46
1	31	25	11	15	7	14	6	6	3
2	5	13	8	7	0	5	2	4	2
3	6	7	3	5	1	1	0	0	0
4	3	5	3	2	0	2	1	0	1
5+	1	15	1	13	1	5	0	5	0
Total	599	961	300	1,193	68	1,160	101	1,198	63
Min	-12	-14	-35	-27	-50	-6	-13	-6	-3
Max	10	12	5	30	10	27	4	10	4
Average	-0.13	-0.12	-0.37	-0.04	-1.06	0.05	-0.69	0.03	-0.10



COMMISSIONERS:

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# INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

AGENDA C-6  
Supplemental  
BRU APRIL 2008

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

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(206) 632-2983

March 28, 2008

Mr. Eric Olsen, Chair  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501

Dear Eric:

The staff of the International Pacific Halibut Commission (IPHC) notes that the Council will be considering approving the draft analysis of a Catch Sharing Plan for the Halibut Charter and Commercial Longline Sectors at its April meeting. We offer the following comments.

The projected catch limits shown in Table ES-2, and perhaps elsewhere in the EA, were generated in response to a request to illustrate the Slow Up-Fast Down (SUFD) procedure, and used the Total CEY projections we showed at the February Council meeting. We've talked internally about the numbers in the table and find that there are several problems. The first is that the example doesn't incorporate the fact that projected annual removals, which drive the following year's biomass, will differ from 20% because of SUFD. The CEY projections just used 20% removals with no adjustment. If the SUFD adjustment is used, it affects all future numbers. If removals are greater than 20% then the projections are less positive and, of course, the reverse would also be true. Additional caveats are that (1) these projections only result in what the IPHC staff would recommend for catch limits, as final decisions on catch limits are made by the Commission and may be different than staff recommendations; and (2) apportionment would also be dynamic over this time period and would be sensitive to SUFD as well as the ultimate realized exploitation rate.

In light of these comments, we would offer to provide Council staff with a revised set of biomass, CEY and combined commercial/charter catch limit projections which staff could incorporate into the analysis.

We note consideration of Option 2 for a fixed-poundage allocation to the charter sector. While it is the purview of the Council to set the allocation formula, we would like to bring two considerations to your attention in this regard. The first consideration is that a fixed-poundage allocation would mean that any costs of decreases or benefits of increases in stock biomass would be experienced only by the commercial sector. The second consideration is that while the Commission would apply its SUFD methodology to a combined commercial-charter catch limit, the effect of the SUFD procedure would be experienced only by the commercial sector. A percentage allocation formula would create a uniform effect of changes in stock biomass and application of the SUFD procedure by the Commission. We believe these longer-term effects merit consideration in your decision and suggest that either the stair-step suboptions or the

percentage allocation can address these concerns. However, we also note that the stair-step suboptions should specify that any comparisons of stock biomass changes should use contemporary methodology to estimate both current and past biomass levels. Such a specification will avoid the problem created when stock assessment methodology changes over time.

The conversion of commercial IFQ to charter GAF is proposed to be based on ADF&G average weights in the previous year. The Commission staff would further propose that the methodology and data collection programs upon which these average weights are based be approved by the Commission staff.

Last, the analysis contains two options for timelines, a three-year and a four-year timeline. The IPHC staff would urge the Council to adopt the three-year timeline because it provides a more responsive link between charter catches and necessary conservation measures. The four-year time line has a much higher potential for persistent overruns of IPHC management targets.

Gregg Williams of the IPHC staff will be attending the meeting, and can answer questions you may have on this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce".

Bruce M. Leaman  
Executive Director

cc: Commissioners

Ms. Stephanie Madsen  
Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Street Suite 306  
Anchorage, AK 99501

RECEIVED  
FEB 8 2008  
NPFMC

Dear Chair Madsen,

I am writing to urge the Council to take immediate and effective action to control the charter halibut fishery and initiate analysis of the crossover proposal.

Please adopt the moratorium using the December 2005 control date and ensure that the moratorium is restrictive enough to be meaningful. A lenient moratorium will not reduce the GHL overage or protect personal use and subsistence fishermen from localized depletion of halibut.

The charter industry needs a hard allocation with separate accountability based on the existing GHL. The current GHL allowed substantial growth in the charter harvest. The fact that the charter industry continually exceeds its GHL because of poor management is not reason to increase the GHL. The commercial fleet would welcome the opportunity to take more halibut but accepts limits as part of responsible resource management. The charter industry should be held to the same standard.

In order to manage to the GHL, the Council must implement effective harvest control measures that will be in place for 2008. Clearly the measures should be coupled with the crossover proposal, allowing a limited leasing of

2/24/2008

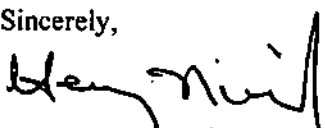
commercial quota to the charter industry. There is no other method that will protect the resource and the investments of the commercial quota holders while allowing increased harvest by the charter sector. If charter owners are unwilling to pay \$2 a pound to lease quota then the demand for more quota must be overstated.

Commercial fishermen are currently investing \$18-\$25/pound to purchase commercial quota. I have worked hard to become a commercial halibut quota holder and accept conservation burdens and regulatory controls in exchange for a well-managed, sustainable fishery. Uncompensated reallocation to the charter sector is indefensible.

The NPFMC has a reputation of being a leader in sustainable fisheries management. Please live up to the reputation by establishing a responsible management plan for the charter fishery. That plan must include a meaningful moratorium, effective harvest control measures, and a mechanism for limited compensated reallocation, such as the crossover proposal.

Thank you for your time and attention.

Sincerely,

  
Name/Date Henry Niemi Jr.  
Vessel name KATZ  
Address P.O. Box 1506  
Kenai AK 99611

-----Original Message-----

RECEIVED

MAR 1 2008

Dear NPFMC,

3-09-08

N.P.F.M.C.

I am writing concerning the charter fleet possible reallocation. Giving them what they want is not fair. I have a 38 foot gillnetter and fish False pass/port moller during salmon season. I fish halibut IFQs in 3A and 3B that I have and am paying dearly for. It helps off-set the low price we get paid for salmon.

I have a state loan on the almost 10,000 lbs of halibut. I never got awarded such halibut because I missed some of the qualifying years. The other 20 yrs I fished didn't count.

The charter fleet should share in the changes of the biomass and share in the conservation of the resource when needed. They should play by the ~~same~~ same rules as commercial guys do. They are just as commercial as we are.

"There is nothing FREE in water world" Thanks,

Kevin Koster, John Lusk

RECEIVED 2-08  
MAR 1 2008

Dear Sir:

N.P.F.M.C.

The letters written over the yrs.  
seem endless — a long painful process  
Trying to retain fairness in resource  
management.

The 2 C halibut reduction has  
been painful — I own A-shares,  
a son and daughter also own 2 C  
quota — so we already know the  
pain of recent reductions. I especially  
feel for crew members and/or young  
fishermen who are caught paying for  
pounds that no longer exist.

all I would ask (or implore) is that  
all share in conservation i.e. the  
Charter GHL should follow the abundance  
model other wise I can imagine in  
the future a re-allocation of the halibut  
fishery to the Charter fleet.

I only hope you will consider this.

423 VERSTOVIA  
SITKA AK 99835

Sincerely  
Amy Johnson

RECEIVED

MAR 10 2008

Dear Sirs;

I live in Craig Alaska and my entire income is based on commercial fishing. I have seen the State of Alaska, slowly but surely, sacrifice my king salmon quota to support this unlimited charter fishery. On a federal level my IFQ share has also been decreased because of this same hungry charter fishery. I have written several letters opposing the reallocation of the fisheries resource from the commercial fisheries to this unlimited charter fishery. It has always been unethical for the state or federal government to take this resource from these commercial fishermen, and just give it to the charter fishery. Ignoring the fact, that the commercial fisherman is still using it.

I have never seen such a group of selfish people as this charter fleet. Spouting off about the resource being a public resource and demand to harvest those fish. It would be interesting if instead of, a commercial fishery, using this resource, there was an old style charter business using the resource. I wonder if this public resource argument would still rage if it was between an old charter operation and a new one. Commercial fisherman have been portrayed as not being part of the public. Public resource. They are correct about it being a public resource but it has been allocated already, and the public depends on it. Public people called Commercial Fishermen. It is **unethical** for you or the charter operator to disregard me as part of the public and take this resource, already allocated to me, and just give it to the charter industry, without serious financial compensation. But, this charter fishery isn't interested in paying for anything. It's a public resource, free for exploitation to them. They aren't interested in conservation if it means any sacrifice on their part. ME, ME, ME is all they say. It's ok for the commercial fleet to take a 47% cut in their take of halibut but don't dare touch the charter daily limit of the same halibut. It will mean hardship, devastation and total financial ruin to them even though there isn't a fact to back up these claims. I can prove fairly close the exact dollar amount I have lost due to these cuts. Yet the charter fabrications of financial ruin are all based on speculation. They're like a bunch of little kids. Giving them a fixed allocation, or increasing the GHL, without compensating the commercial sector, will be treating them like little spoiled kids. To maturely deal with this charter fleet, they need to be put on a percentage GHL that fluctuates with abundance and they need the opportunity to buy or lease quota shares from commercial fisherman. That is the long term and ethical way to deal with this issue.

My halibut IFQ was always my ace in the hole because if I failed in the salmon fishery there was my halibut to bring me through. Originally, I was awarded 5400#s, after last years 20% cut and this years 27%, it is down to 3800#s. Still, I have accepted that in order to protect this resource there will be times requiring conservation. I will just have to deal with the lost revenue and do the best I can. What I cannot accept is me, the Commercial fisherman, being the only one required to take conservation measures. It is time for all members participating in this game, legitimately or not, to grow up and be treated accordingly.

Sincerely, Steve Merritt  
Box 332  
Craig, Alaska 99921

*Steve Merritt 2/28/08*

RECEIVED

MAR 1 2008

To: NPFMC

From: Robert and Alice Schell

N.P.F.S.C.

Subject: Charter Allocations


Date: March 07, 2008

The council needs to provide a GHL percentage that coincides with the quota as set by IPHC. The quota shares that we purchased have been halved since we purchased them. For us, this is about a \$200,000 cut in what we planned on for our eventual retirement. At the present state of the halibut and troll fisheries we will be fishing until we move into the Pioneer Home! Our investments were made at the time the salmon fisheries were in the doldrums and an investment in the halibut fishery appeared to be the only way to keep our business solvent. Since that investment, the charter fleet has grown unimpeded and unencumbered by IFQ taxes or catch limits while the long line fleet has adhered to strict quotas and supported the management of the resource.. Just where is the equity for all commercial user groups? We can certainly comprehend the ups and downs of the resource but also certainly feel discriminated against by the ever expansion of another commercial group with no governmental controls.

ALL user groups need to be on the same playing field. The charter segment of the commercial fishery must be involved in the conservation of the resource. If there needs to be an adjustment to allow them to lease quota share from the long line segment, pass the regs to allow it. We have sacrificed to build a viable business. No one should have a free pass. Regulation of the charter group is long past due.

Sincerely;

  
Robert Schell

  
Alice Schell  
F/V Alice Faye  
Box 1367  
Sitka, AK 99835

NPFMC

RECEIVED  
MAR 11 2008

N.P.F.M.C.

Again I write to you asking for your support in the rational plan for implementing a 2C GHL for the charter boat industry.

Since 2007 I have gone from a quota of 21,000 lb of Halibut that I purchased down to 13,000 lbs. Pretty unlucky number, and word has it that we will take another 20% reduction in 2009 leaving me with only 10,400 lbs of halibut to harvest, and service a 17,500.00 loan payment.

This 10,400 lbs is not what I based my loan on when I purchased my quota. My livelihood will have taken more than a 50% reduction and basic ends may be hard to meet. At this number the reality will be no payment to the bank on the 130,000.00 loan I owe. Reallocation without compensation to the charter industry is not an option for many of us QS holders I believe that if the 2C GHL is not implemented for the charter boat industry the financed 2C quota will go the way of the subprime housing debacle.

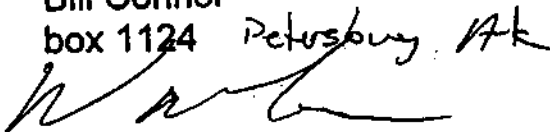
Back in 1996 I testified before the council that we need to cap the charter industry then. The charter industry at that time claimed that they were regulated by vessel moorage, accessibility, availability of hotel rooms etc. this simply has not been the case and the charter industry has ran rampant and continues to exceed there GHL with no consequence. Just for conservation reasons they need a limit.

All sectors that harvest Halibut need to be on a percentage adjusted basis, just for conservation measure.

I urge your support in changing the current GHL to a percentage that fluctuates with abundance. And in doing this so as not to disadvantage any group you should also support the leasing of quota shares to the charter industry from the commercial sector. This will allow them the chance to harvest as much fish as their cliental need.

Thanks for your support

Bill Connor  
box 1124 Petersburg, Ak





RECEIVED

MAR 1 2008

MAY 5 '08

Chairman:

NPMC:

Sir:

N.P.F.S.C.

Where does one begin to address the kind of social and economic imperialism implicit in the allocation business before this council? The last time I testified before this council I gave the chair, Stephanie Madgen, some Tibetan prayer flags, made in Nepal. She failed to grasp the irony, perceiving the insult to be some form of flattery. That was what? Four years ago?

is - So, how does an honest man confront so clearly a dishonest system? Should I immolate myself in flames before this council, after the fashion of a Buddhist monk? Run over the charter vessels so brazenly anchored on the July chinook drags? Should we declare and make open war on lodges and their customers? Insult them with offensive bumper stickers, and graffiti? Attack their property? Or, engage in acts of terror against their transportation?

I am not suggesting these acts. I am asking, what does it take to get this corrupt administration to recognize the rights of existing economics, and ~~cultures~~ <sup>societies</sup>?

How does one address a political culture so steeped in corruption it only ~~is~~ now, fifteen years into the

conflict, is asking whether it will even address the conservation and allocation issues tearing our communities and villages apart.

One has to wonder at the Dept. of Commerce, and the NMFS, working to systematically dismantle the fisheries and societies they are sworn to protect and perpetuate. One has to wonder at their motives and finances. I want to direct the Council to a recent piece on "The Hill.com", a Washington DC. political blog, entitled: "Catch a Fish & Netting Ear-marks, up in Alaska." [Attached here to] It deals with a 4 1/2 million dollar earmark from Sen Ted Stevens to the Kenai River sportfish assoc. Is this how former council member Bob Feynacy finances the corruption of federal agencies?

Tensions are high in my community. I expect the worst from this Council and the crooks running the Dept. of Commerce and NMFS. I expect the inability of managers to implement responsible conservation measures, will only signal new levels of acrimony between traditional local economies, and the imperialist powers that seek to extinguish us.

Put the screws to the guides, and do it now!

  
Sigurd D. Rutter  
Sikivik  
AK

Att: allocation testimony

Chairman

NPMC  
605 W 4th Ave Ste 306  
Anchorage AK  
99501

----- Original Message -----

**Subject:**Re: The Hill article on Stevens and Penney

**Date:**Thu, 06 Sep 2007 17:12:14 -0800



**From:**Joe Childers <jmchilders@gmail.com>


**To:**Ed & Kathy Hansen <seafa@gci.net>, Linda Behnken <alfafish@ptialaska.net>, Megan & Walter Pasternak <mwpstnk@ptialaska.net>

Wunderbar!

On 9/6/2007 4:24 PM, "Kathy Hansen" <seafa@gci.net> wrote:

Leading The News <<http://thehill.com/leading-the-news/>> "Catching fish, netting earmarks up in Alaska

Leading The News  <[http://thehill.com/index2.php?option=com\\_content&do\\_pdf=1&id=68246](http://thehill.com/index2.php?option=com_content&do_pdf=1&id=68246)>    
<[http://thehill.com/index2.php?option=com\\_content&task=view&id=68246&pop=1&page=0&it](http://thehill.com/index2.php?option=com_content&task=view&id=68246&pop=1&page=0&it)

 <[http://thehill.com/index2.php?option=com\\_content&task=emailform&id=68246&itemid=70](http://thehill.com/index2.php?option=com_content&task=emailform&id=68246&itemid=70)>   
Catching fish, netting earmarks up in Alaska

By Manu Raju  
September 06, 2007

Sen. Ted Stevens has quietly steered millions of federal dollars to a sportfishing industry group founded by Penney, a longtime friend who helped the Alaska Republican profit from a lucrative land deal, according to records and officials from the state.

Critics say those earmarked federal dollars could be the first example of how Stevens rewarded Penney for a deal in Utah that reportedly earned the senator more than \$125,000. Penney's group, for its part, rewarded Stevens with several expensive gifts at the time it was receiving the earmarked dollars.



<http://ad.thehill.com/adclick.php?n=a5f6dd33> Stevens and his aides would comment this week, but supporters of the earmarks strongly defend the nature of the funding and dispute accusations that the money was used to reward Penney's group. Supporters say the funding is desperately to help preserve and protect the salmon population along the pristine and popular Kenai River.

Penney, who earlier this year testified before a grand jury as part of a federal investigation into political corruption in Alaska, did not return telephone calls, and his Alaska-based attorney, Bruce Gagnon, declined to comment.

An ongoing federal corruption probe has implicated Stevens, whose house was raided by the FBI and IRS. There is no evidence that the earmarks to Penney's group are part of that investigation, though one source was aware that the FBI had been contacted about the matter.

It remains unclear whether the earmarks violate any laws prohibiting official business in exchange for financial transactions, but at the very least, it creates an "appearance" problem, critics say.

"That certainly shows an appearance of Stevens using his official position to financially benefit a group or individual who had cut him in on an investment which was paying spectacular returns," said Ken Boehm, chairman of the National Legal and Policy Center, a watchdog group.

Penney told the Anchorage Daily News in 2004 that he invited Stevens in on the Utah land deal in "appreciation for all he's done for Alaska and the country." Stevens invested \$15,000 initially in 1998, but sold his share of the property for \$150,000 in 2004, according to press reports and his financial disclosure records.

That occurred around the same time that Stevens, as a senior member on the powerful Appropriations Committee, helped the Kenai River Sportfishing Association through the federal treasury. The group, which was founded by Penney, who now sits on the board of directors, secured more than \$4.5 million between fiscal 2004 and 2006 to conduct and oversee research efforts on salmon populations in the Kenai River and a major tributary.

The spending laws do not specifically say the money was targeted for the group, but the funds were given after Stevens's office instructed the Alaska Department of Fish and Game to do so, according to officials there.

Penney's group works to promote tour-guided salmon fishing for sport, an economic engine that creates jobs and drives up tourism and property value in the Cook Inlet area of Alaska. Penney himself has seen the price of properties along the Kenai rise, including a 1.3-acre parcel of land that he sold to Lisa Murkowski, the state's junior Republican senator, for \$179,400. Murkowski this year backed away from the deal after it was revealed she bought the land significantly under the assessed value of \$214,900, and denies any wrongdoing despite a complaint by the National Legal and Policy Center that is pending against her.

Penney has long fought for sport fishermen to get increased access to the Kenai, much to the chagrin of commercial fishing industry groups, which are fierce competitors with sport fishermen over salmon allocations. Officials from the commercial fishing industry say that the group shut them out of determining how to spend the earmarked dollars, alleging the sporting group is using the funding to lay the groundwork to help them at the commercial sector's expense.

"This is probably the largest research grant that has come to the Kenai River and it basically has been laid out by the state agency," said Ken Tarbox, who works on behalf of commercial fisherman and private anglers in the Cook Inlet. "It was a terrible public process and Stevens should be ashamed of his behavior."

Ricky Gease, executive director of the sportfishing group, denies those accusations, saying commercial groups are "trying to impede the advancement of information to manage these fisheries better."

Gease also downplayed Penney's influence within the group, pointing to the fact that he is just one of 13 people who sit on the board of directors. He said his group worked with leading scientists to determine where to spend the earmarked dollars to ensure money heads to researchers to review ways to preserve salmon populations. Gease argued that none of the money has been used for administrative and management costs instead has been targeted for projects aimed at restoring, preserving and protecting salmon populations.

"Senator Stevens wanted to make sure the money was given to reputable groups, and that's what we did," said.

Penney, a well-known real estate developer and political donor in the Cook-Inlet area, has long-standing ties to Stevens and other politicians in the state. Between 2001 and 2003, Stevens stayed free of charge at a Bristol Bay resort known as the Golden Horn Lodge, which was co-owned by Penney. But Stevens paid those bills after it was disclosed that he stayed for free at the expensive resort.

Stevens and Penney, along with the former head of the Veco energy company, Bill Allen, also co-owned a horse farm before Allen pleaded guilty earlier this year to bribing state lawmakers.

Penney has personally contributed more than \$78,000 over the last decade, mostly to Republican politicians, including over \$3,000 to Stevens and his political action committee, according to Federal Election Commission records.

Stevens has long been a strong booster of the Kenai River Sportfishing Association, helping it become a major player in Alaska over highly contentious fish-allocation issues, which dominate local politics. Stevens holds a popular fundraiser known as the Kenai River Classic every summer, raising about \$1 million annually for the group as members of Congress and corporate officials descend on the river to fish for salmon.

According to his most recent financial disclosures, the group has rewarded Stevens with several gifts over the years, including the years it received earmarked dollars: a \$1,400 rifle in 2003; a pistol worth \$1,800 in 2004; a \$800 revolver in 2005; and an \$850 Marlin Guide gun in 2002.

Watchdog groups have long questioned Stevens's relationship with Penney. Keith Ashdown, vice president of the watchdog group Taxpayers for Common Sense, said the earmarks could be the "the first example that shows Stevens gave back to Penney in exchange for lucrative business dealings."

Current and former Alaska agency officials deny that allegation, saying the money was used for a nonprofit organization with substantial expertise on one of the most crucial sectors of the fishing industry in Alaska.

McKie Campbell, who ran the Alaska Department of Fish and Game from April 2005 to January, said the earmarked money was used for habitat protection and the development of salmon. "To that end, those belong to the groups," he said.

Susan Aspelund, special assistant to the commissioner at the Alaska Department of Fish and Game, argues that the funding has come under scrutiny because of the intense battles between the commercial and sportfishing sectors over allocations in the river.

She said Penney's connection with Stevens shouldn't conflict with what is enormously important federal funding aimed at helping with fish habitat.

"My take is that Alaska is so small that nobody would receive anything if simply having relationships with was a factor — especially in the fish world," Aspelund said.

<http://www.adn.com/news/alaska/newsreader/story/9281700p-9196376c.html>

## Unsustainable Resource

Dear Editor: Am I the only one hearing stories about the outspoken proprietor of a local charter lodge who allegedly ordered four new aluminum vessels from a local shop for a million dollars?

That makes it clear to me why the main street crowd, the bankers and Chamber of Commerce types, support continuing over-capitalization in our bloated charter fleet. Once it becomes apparent how far out of sync the speculative bubble of charter capitalization is, with the downward cycle of fishery resources, those kinds of loans certainly begin to lose their luster.

It becomes apparent how silly the hype is that the sky is the limit in exploiting our natural resources, and attacking traditional fisheries.

As a commercial fisherman, I have witnessed epic cycles of abundance, and decline. In the 1980s there were so many halibut it was difficult to troll for salmon. It was physically demanding to shake so many halibut. I suspect we worked on mostly one- or two-year classes of halibut, essentially one humungous school of fish, for a decade and a half. Today you can troll all summer and scarcely catch a halibut.

All the political lobbyists, all the bribery and political chicanery in the world isn't going to bring back those fish. I suppose someday they may be back, but probably not in our lifetime. Halibut stocks are better in the central gulf. But, as long as they are heavily exploited there, it's less likely that major migrations will shift the biomass in this direction.

The biologically insupportable bubble of speculation, in the charter fishery, will have to face a correction in the market. They will try to mitigate their halibut losses by mounting renewed attacks on chinook allocations, red snapper, and other species. But, ultimately, political manipulation will prove to be no panacea for unsustainable rates of exploitation in an over-capitalized, economically and socially untenable fishery.

There is no evidence to support claims that imposition of conservation measures on charter boats will have any negative effects on their profitability, whatsoever. Regulation of charter fishing should have commenced 15 years ago. A couple of letters from Dove Island staff do little to stem the negative tide of local public opinion. Two-hundred residents signed the petition opposing Dove Island Lodge expansion.

Sigurd D. Rutter, Sitka

## Dove Island

Dear Editor: In my 45-plus years of Southeast Alaska residency, I'm ashamed and in disbelief of the recent decisions in regards to Dove Island. This is truly a case of buyer beware, as these owners peddle as fast as they can to keep up with rule changes as they try to conduct their business within compliance. And continue to live and raise their family here.

Sitka is the only Southeast community I can think of that would say no to what is the Panhandle's largest industry. Gone are the days where logging mills and, yes, even commercial fishing would be able to solely support our communities.

I'm trying to grasp what the problem with the floatplane is. My home is up in the bay. I don't find the plane any more annoying than anchor drops and deck calls from the tour ships during the summer season. We all get a tad annoyed by the tourists in one way or another. Yet tourism is our number one industry. Do we really want to stifle tourism, that brings revenue and jobs to our community? Not to mention all the staid, the charter fishing business, endure from so-called friends and neighbors.

Ketchikan, Wrangell, Petersburg and even Juneau have floatplanes in residential areas.

We even have one downtown, but we can't have one in the bay. Don't get me wrong, I know Sitka was proud of it.

If we are looking ahead to less ferry stops, less tour ships, can we really afford to lose a lodge that promotes eco-friendly adventures over the number of fishboxes? That's what the floatplane does with flightseeing and catch-and-release guided stream fishing.

So where is the problem with the floatplane? This is Southeast Alaska. Fish first.

Deanna Morisky, Sitka

## Halibut Resource

Dear Editor: The halibut resource has declined, no doubt. But I'm having a hard time swallowing that charter fishing is the only reason. Somehow we're supposed to believe that the commercial IFQ fishery, according to Sig, is a perfect system. I think it's got some serious issues like: high-grading; shaking dead legal flea-bitten and small halibuts, looking for the largest most valuable fish.

In the derby days if it was legal, flea-bitten, we kept it. There wasn't the luxury of 260 days of pick-and-choose longlining. Are all these fish left hanging on the hooks for hours, sometimes days, surviving? I doubt the rockfish and flea-bitten fish aren't. The little halibuts that get shocked severely stressed, drift lethargically to the bottom.

I longlined for 20 years, charter fished for nine years, and I've seen the differences. Sport caught fish don't hang on hooks for longer than takes to hook, fight and bring to the boat. Limits of halibut, we're trying to get on a daily basis, it is not a quota. We cannot catch yesterday's limits.

If I had a choice between using fishing poles with four to six hooks in the water for two to four hours or setting a longline, I'd choose the latter. It's much more effective. A million baited hooks will be in the water months before the charter fishing starts and for months after it ends. Oh did I mention the 30-hook subsistence longlines or the huge amount of IFQ being consolidated in Sitka and being fished locally? I think we've all played a hand in this diminishing halibut resource.

As for Dove Island Lodge, managing fisheries by limiting lodge permits is setting a bias and bad precedence for the city, better left to the state and/or federal managers.

Eric Morisky, Sitka

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As for Dove Island Lodge, managing fisheries by limiting lodge permits is setting a bias and bad precedence for the city, better left to the state and/or federal managers.

Eric Morisky, Sitka

## Halibut Response

Dear Editor: I was curious about Eric Morisky's response to my Monday letter to the editor. I don't recall promoting IFQ in that letter.

To attribute something to someone as a springboard for further argument is known as a "straw-man argument." You build a straw-man, and then you burn him down.

Fishermen don't blame guides for declining halibut. Natural resources respond to cycles beyond our understanding. Waste in commercial fisheries is accounted for by a hundred years of conservation management through the International Pacific Halibut Commission. The only unchecked variable in the management equation is the unbridled growth of the guided sport fish sector.

Their corruption of our U.S. senators, the National Marine Fisheries Service and the Department of Commerce, places that unbridled growth on a collision course with existing and traditional local economies.

While the 2C halibut quota declined 20 percent in 2007, and 28 percent in 2008, representatives of charter fishing organizations have responded with a demand for a 10 percent increase in the number of halibut they will harvest. If the quota is further reduced by an expected 30 percent next year, the charter sector will have 60-70 percent of the total allowable catch of halibut for Area 2C; in 2009.

I find it regrettable that Eric Morisky would choose to make the implications of that scenario into something as trivial as a personal attack on the editorial page. And, by the way, our halibut longline fishery was recently certified by the Marine Resources Stewardship Council, as an ecologically friendly fishery.

Sigurd B. Rutter, Sitka



North Pacific Fisheries Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501-2252

Baranof Excursion  
PO Box 8523  
Ketchikan, AK 99901

RECEIVED  
MAR 13 2008  
N.P.F.M.C.

RE: Charter Halibut Allocation

Baranof Excursions runs a fleet of 20 Lund skiffs that we take locals and visitors out to experience Southeast Alaska tradition and bottom fishing. We employ 22- 26 captains a season with the vast majority being local residents of Ketchikan. We pump \$1 million a year in expenses and payroll into the local economy.

With the Secretary of Commerce currently considering the IPHC recommendation of 1 fish per day and a 4 fish annual limit for guided fisherman and a GHL of 931,000 pounds, this would create a very tough situation for the charter industry in Southeast Alaska. The NMFS estimates that a 1 halibut daily bag limit could result in up to a 30% reduction in angler demand. With small profit margins this would close several fishing operations in Southeast Alaska.

The Commercial- Charter fishing allocation battle for halibut is not a conservation issue. The amount of halibut taken annually by the Area 2C charter fleet is a small percentage of the halibut biomass, and it is actually less than what the IPHC historically adds as a buffer to the allocation for the Area 2C commercial fleet in years when the biomass is declining.

The hook and line industry has been destabilized by the uncertainty in the charter industry. The only way to bring back stability to both the charter and commercial fisheries in area 2C is to provide the charter industry with a fixed annual allocation. We support a fixed annual allocation of 1.9 million pounds. This allocation coincides with the control date set for the moratorium on halibut charter boats. A fixed allocation of 1.9 million pounds allows all fishing regulations to be set far in advance and stops the annual change to fishing regulations that are detrimental to the charter industry.

With our guests planning as much as a year in advance, a floating allocation will lead to uncertainty and have a negative impact on business. The uncertainty of not knowing the allowable catch in 2C will send our clients to other areas to fish. A floating allocation will mean endless allocation battles that waste taxpayer time and money both federally and locally.

Sincerely,

  
Jay Lloyd  
Baranof Excursions  
Ketchikan, AK

March 9, 2008

Thomas B. Botts  
P.O.Box 424  
Hoonah, Alaska 99829

North Pacific Fisheries Management Council  
605 W. 4<sup>th</sup> Ave. Ste.306  
Anchorage, Alaska 99501

**RECEIVED**  
MAR 13 2008

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

Dear Council Members,

It has come to my attention that the North Pacific Fishery Management Council will be addressing options for the 2C and 3A halibut charter interim management plan. The plan includes options to increase the guided harvest level without compensating commercial quota share holders. Another option is to change the GHL to a fixed allocation, with no regard to the abundance of the stock.

Needless to say, dealing with these issues over and over is exceptionally tiring. The guided sport charter industry refuses to share in the conservation of the halibut stocks, demanding a larger GHL, while at the same time I have lost 48% of my halibut quota in the past two years alone. I live in a small fishing village in Alaska where fishing is one of the few means of making a living. The reduction in my income is having a serious impact already, and coupled with the higher costs of fuel, I may well have to leave the area all together in order to find work. Fishing for me is not just a sport.

In the interest of fairness, I don't see why the charter industry should be allocated fish that were given to me under the IFQ program. The exploding growth of the charter industry is decimating the resource and reallocating finances away from the historical users. I'm asking that you put an end to all of this foolishness and change the current GHL to one that fluctuates with abundance.

I would support the Council if they should decide to provide charter operators with the opportunity to lease quota shares, but to outright increase their GHL at my expense is totally unacceptable.

Sincerely,

  
Thomas B. Botts

March 7, 2008

North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

**RECEIVED**  
MAR 13 2008

Re: Charter Halibut Fishery

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

Council Members:

This letter is to support continuation of the 2 halibut per day limit for the Clients of Charter Fisherman in Area 2C. I am neither a Commercial fisherman nor a Charter Fisherman. I am a Sport fisherman who has lived in Southeast Alaska for over 35 years. I am also a past Chair of the Greater Ketchikan Chamber of Commerce and past Board Director for the Alaska State Chamber of Commerce.

The reasons I give my support for the 2 halibut per day limit are numerous and varied so I will try and make this as short as I can without lessening the importance of the issue.

My first reason to continue the current limit is based on the science as presented by the International Pacific Halibut Commission. In a recent 2008 meeting of this group they concluded the Halibut stocks are above a level of concern. This is the group charged with keeping an eye on the Halibut Biomass or total numbers of Halibut. To put it plainly-**There are enough Halibut.**

My second reason is relative to my family, friends, and my community. I have lived through the rise and fall of the Timber Industry and have seen the affect of well intended but misguided regulations and limitations put on an industry. It appears to be happening again, only this time to the Charter industry. In the case of the Timber industry, the devastation caused by a well meaning government will never be made up for. It would be cruel for a remnant of opportunity from the timber industry, such as the Charter industry, also be taken away. The Charter industry, for many of my family, friends and my community, is part of our last stand here in Southeast Alaska. **We cannot continue to learn from the mistakes of over-regulation.**

Probably the other thing I feel compelled to include is what seems to be the unending imposition of direction in my life by those who do not live here They are not "stake holders". Unless you have tried to raise a family, own a home, participate in building a community here in Southeast Alaska, it is difficult for me to understand how you can be a "stake holder". We (the people of Southeast Alaska) have chosen to live here no matter the conditions and have paid our dues. Please recognize what we have created out of the wilderness and do not continue to take it away. Respect our wishes and trust that we will take good care of our environment and fisheries. **We have everything at stake.**

As I said previous, I am an avid sport fisherman and spend over a 100 days a year on the water. I share with Charter fisherman and Commercial fisherman the same available fish. There are no fences under the water. Please keep the 2 fish limit for the Charter fisherman. To discriminate against any one group is unacceptable and I can only hope you will not allow that to happen.

I would appreciate your careful consideration of this matter. There is enough halibut to go around. That one fish difference in the limit may not seem like much, but for many, it will make the difference in their businesses remaining economically viable. This is not only true for the Charter fleet, but others such as Bed and Breakfasts, Marinas, lodges, hotels, grocery stores, and many others in our visitor industry. Please leave the current 2 fish limit in place for the Guided Anglers that come to Southeast Alaska, or as you know it, Area 2C.

Thank you,

*Lloyd D Gossman*

Lloyd Gossman  
PO Box 9238  
Ketchikan, Alaska

RECEIVED

MAR 18 2008

Chairman Olsen and NPFMC members,

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

Once again, I'd like to take some time to express my concerns about the halibut fishery.

My first year halibut fishing was in 1983 as a crewmember on my father's boat. I received 1000 lbs of 2C halibut for my participation in the "derby days". After IFQ's came out I deckhanded for some real crazy guys until I had enough money to buy more pounds and again fish my own boat. Two years ago I had 6500 lbs, this year I get to fish about 3500 pounds.

For my family halibut fishing has always been a way to make salmon trolling profitable. Two years ago I could smell the tar heating up and hear the chickens getting plucked by the charter fleet for the commercial fishermen, so I decided I needed to diversify in to some blackcod. Now I have another \$110,000 in quota loans to make and less halibut to subsidize my IFQ purchase. Thankfully I still troll, and last fall I started operating a sea cucumber diving vessel to make needed extra money for a growing family. Health reasons that limit me from diving my own cuke permit also make me undesirable as a deckhand. I can not troll much harder without fishing around the clock or in 30 knot plus winds. My health now demands that I have a deckhand and it is hard to support a good guy on just what I make trolling. I would like to buy more pounds to offer a living wage for my crew but the fishery seems too unstable. I suppose I should get a different job, but fishing can be a hard habit to quit if your head is a square as mine.

I supported the halibut moratorium on charter vessels. Long-term the moratorium will only spell trouble for trollers. New charter fishermen will still be allowed to fish salmon, rockfish, and lingcod and only the halibut charter vessels will be limited. Without a comprehensive solution in Southeast Alaska the already red hot king salmon allocation issue will only get worse. Rockfish and lingcod bycatch by longliners will be further threatened by an ever increasing charter harvest. After the charter fleet has finished gorging themselves on the caucus of commercial fishermen (trollers) the state of Alaska will see what a problem overcapitalization in the charter industry really is. Local sport and subsistence fishermen already see the problem. I realize many of these issues the NPFMC has already given the The Board of Fisheries to deal with but the council should be aware of were this issue is going. I think even most Southeast charter operators agree that it is long past time for comprehensive limited entry. I remain concerned that 2C commercial fishermen, our impact on the local economy, and our clients the consumer are being sacrificed to maintain an ever increasing charter harvest.

Please do not change the GHF for halibut charter fishermen. Beyond one fish a day, free market solutions like leasing or compensated reallocation should be the only avenue for charter growth in low abundance years. They are both as fair as me buying more quota to stay in the same place.

Local charter operators can still sell the total Southeast Alaska experience, not just the promise of maximum fish boxes to pay for your fishing venture. Let the meat hunter mentality go west, and after the boom and bust cycle of charter economics have ravaged the local fishing opportunities around more coastal communities other people will see the problems with unregulated growth.

Please understand that I am not blaming charter fishing for the decline in 2C quota. I think that the blame rests squarely on the shoulders of the IPHC, something

about pride coming before the fall. Once IPHC was the standard for good management, now they look guilty of a decade of guesswork management. This lesson should not go unnoticed in the rest of Alaska. Now SE fishermen must accept whatever reduction is necessary to rebuild our resource.

However around Sitka the charter fleet is responsible for some of the localized depletion. When Sitka enacted the Local Area Management Plan (LAMP) it had an unintended effect. It created a line fishery on "the corner" at Cape Edgecombe. "The corner" as local trollers call it, is a tide rip that is created by the westward setting current turning around the old lava fields of Cape Edgecombe. From Cape Edgecombe to the blackcod edge is only about twelve miles, a real pinch point for coastal halibut migration. Not to mention that "the corner" is the feeder source of most of the fish that go into Sitka Sound.

For as long as I can remember there used to be a ping pong paddle patch of little halibut on "the corner". Trollers usually fished above the mass of halibut because you couldn't get a salmon to bight your hooks because the halibut were so thick. Within three years of the LAMP that ping pong paddle patch was pounded flat by the charter fleet. As close to town as you could get and great fishing, why spend extra money on fuel to go somewhere else. Now charter boats must range farther from town to even catch one fish. It is much easier for me to troll deeper at "the corner", but at what cost. I believe that Sitka's charter fleet has helped contribute to localized depletion, but are not the only problem.

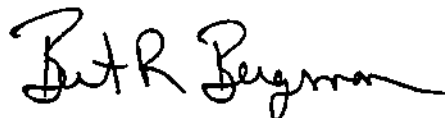
Sitka's transportation system has attracted four fish buyers with a waterside investment as well as a hand full of smaller operators. Last year Sitka was one of the top ports in Alaska for airlift of fresh fish. All those markets have attracted a lot of fishermen and have no doubt increased fishing pressure locally (within 30 miles up and down the coast). Sub-district management may be the only way to insure that local stocks are not over fished. I would hate to see it but it must be considered.

Also most fishermen knew that the charter fleet would be a problem for 2C. The smart money invested in 3A. SE fishermen with 3A quota have created a line fishery at the 3A/2C line. The increased fishing pressure at the line has no doubt had a greater impact on coastal halibut migration than say in the derby days when this line was unfished for most of the year. Perhaps this is another case for sub-district management. Maybe the problem can be addressed by a 5 or 10 mile closed area on either side of the line. I'm sure the Canadians would then want the same thing on the south end. Controversial perhaps but this too must be considered.

I like halibut fishing and think that it is something worth fighting for. The charter fleet can pry my last pound from my cold dead fingers. Don't forget to smile.

Thank you for taking your time to read my letter and thanks for your service to public process.

Bert Bergman  
Sitka, Alaska



Ms Stephanie Madsen  
Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave., Ste 306  
Anchorage, Ak. 99501


March 10, 2008

RECEIVED  
MAR 14 2008  
N.P.F.M.C.

Dear Stephanie and fellow management council members,

I am writing to you today because of my concern over the management of the charter industries halibut quota. I am a lifelong Alaskan and have fished halibut commercially for the past 36 consecutive years. Our family has put a lot of faith, money, time, and energy into the halibut fishery. My wife has had to buy halibut IFQs and fishes with me, along with our two daughters. My oldest daughter will be going off to college next fall, and a major part of her savings for that has come from the halibut fishery. Our family relies heavily on the halibut fishery for a major part of our income. I thought a few years ago the council was going to have a handle on the charter industry and their interest in it. That plan was abandoned and I realize that was not your doing or at least I hope not. I don't have to tell you that the charter fleet numbers in the Craig area have gone through the roof with no limits. I'm glad to see a moratorium on new members is finally in place. Our outside coast, in the summer, is a horrible sight. The days of peaceful fishing with a sport rod are long gone in the common areas. Now there are tons of boats vying for the same spot like a bunch of vultures, because of pressure to produce. It is not pleasant for the local people to be around them, and I can't imagine it is for the guests either. The outside of Noyes and Baker Island used to have lots of nice halibut within a mile of the beach. It makes me sick to see the amount of halibut juveniles that are being consumed by the charter fleet daily. The Waterfall fleet alone catches staggering numbers. Over the last ten years the charter halibut size average has gone way down and the harvest number totals just keep rising. The commercial fleet has implemented their own management system through your agency, and our money to ensure that the commercial halibut fishery will stay a viable business. The charter industry has done nothing to help with managing itself let alone the halibut industry. I strongly urge you to not allocate from the commercial sector to go to the charter industry. Two years ago, I spent \$100,000 to buy more halibut IFQ, only to have it cut in half. If the charter industry wants more poundage, then let charter captains buy it in the same uncompensated manner that the commercial sector has had to since limited entry. I know the commercial cuts in the last two years are supposed to be based on sound science, but the charter fleet believes it should not also take cuts, but get more. The charter fleet has gone over their allocation ever year and their penalties and adjustments should be based on a percentage system just like the commercial. You must stop this open-ended reallocation system that is happening and come up with a set percentage based allocation. At present it is like a giant snowball out of control. I'm very disappointed, because for years we've asked the council to get this under control, and with the lack of a system, it's now a much bigger problem. I strongly oppose fixed allocations, because that does not make good science management sense. I am respectfully relying on you to come up with a fair system, based on science and the needs of all Alaskans, that depend on the halibut fishery in 2C.

Sincerely,

  
Brian Castle  
Box 243  
Craig, Alaska 99921  
907-826-3489

**Midnight Sun Halibut Charters  
Captain Jim Thompson  
P.O. Box 1114  
Soldotna, Alaska 99669**

03-13-08

**North Pacific Fishery Management Council  
Eric Olson Executive Director  
Chris Oliver, Executive Director  
605 West 4th Avenue, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: 907-271-2817**

**RECEIVED**  
MAR 17 2008  
N.P.F.M.C.

**NPFMC Members,**

The intent of this letter is express concern with issues the NPFMC is facing on Charter Halibut Allocation.

It is imperative at this juncture that the NPFMC arrive at a final solution. This process has dragged on for pushing 20 years with absolutely no solution.

It is of vital importance to the State of Alaska's tourism industry that traditional seasons and bag limit of two fish per person with no size limitations or annual restrictions are maintained.

The Charter Fleet needs a large allocation and it needs to be fixed. We are tired of fighting with our commercial neighbors and the infighting this process has caused within our industry.

The Moratorium already passed by the NPFMC needs to be fast tracked and implemented.

The NPFMC has the opportunity to bring stability to the Charter Industry and end this allocation war for good. Thousands of local businesses and millions of users of this fishery are depending on it.

Sincerely,



**Jim Thompson  
Owner/Operator  
Midnight Sun Halibut Charters**



RECEIVED

MAR 1 2008

March 5, 2008

NPFMC

N.P.F.M.C.

Dear Council Members,

I am an Alaska resident & a halibut fisherman. I have three crew members whose wages are a substantial part of their income. I was issued quota share and also purchased quota share that I'm still paying for.

The quota reduction last year and now this year has really been hard, even so, I can't see jeopardizing the resource for my own personal gain. I believe through conservation the resource will recover along with quota shares.

I am not in favor of you reallocating part of what is left of my quota to the charter fleet. The charter fleet needs to share in the conservation of the resource. They need a vested

interest in the well-being of the halibut resource. They also need to get away from a meat fishery and more towards an Alaskan experience.

In the past, the charter fleet said they could not survive without a large number of King salmon per day, but seem to be doing quite well with the allocation.

Please do not reallocate any of what is left of my 2-c quota to the charter fleet.

Sincerely,

*Ken Smith*

P.O. Box 6017

Ketchikan, Alaska

99901

RECEIVED  
MAR 11 2008

March 11, 2008

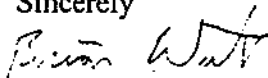
Dear Sirs;

N.F.F.S.C.

I would like to make a few comments on the charter boat halibut catch problems in Southeast Alaska. Our family has been hurt a great deal by the growing charter fleet in area 2c or Southeast. In the last two years our I.F.Q.'s have been cut by 47% ! Part of that cut is due to the fact there are less halibut around as you know. But, part of our cut is due to the growth of the charter fleet. It is troubling to me watching what is going on with the way the charter fleet will not make any moves on its own to help rebuild the number of halibut.

There needs to be action taken to keep the charter catch within the GHJ that was set at 125% of their catch at that time. Maybe in time we could come up with a plan in which they could lease shares from longlines. At least this way fishing family's like mine would get something out of it. We purchased about 75 % of our halibut shares and it is VERY hard to watch some other group steal food off my family's table.

Sincerely

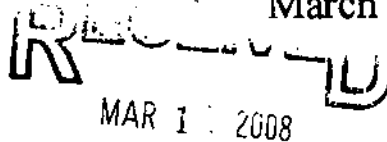


Brian Warmuth  
F/V Corsair

P.O. Box 6382  
Ketchikan AK  
99901

NPFMC  
605 West 4th Ave., Suite 306  
Anchorage, Ak 99501

March 14, 2008



Dear Council.

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

I am a halibut longliner and have owned a home in Sitka since 1989. The IFQ's I hold were purchased with my hard earned cash.

I applaud the Council for their conservation efforts to protect the resource; however attempting to do it only by taking quota from the commercial fishermen and allowing unrestrained growth in the charter sector catch is a flawed policy. The ultimate end effect of this policy will be the financial destruction of the halibut longliners plus the inability to provide halibut at a fair price to 300 million Americans. This only to feather the pockets of a few thousand charter fishermen and put halibut on the table of their customers and select friends.

TO CONTINUE TO TAKE MY QUOTA AND ALLOW THE CHARTER FLEET TO CATCH THESE FISH WITHOUT ANY PAYMENT IS UNFAIR AND WRONG!! The council needs to know that there is a great deal of resentment brewing as a result of this because of the grossly unfairness of the present arrangement.

The one fish charter fisherman limit must be put and kept in place until some other fair and equitable arrangement is in place.

THE CHARTER FLEET MUST SHARE IN CURTAILING THEIR CATCH ALONG WITH THE COMMERCIAL FISHERMEN AS NECESSARY TO CONSERVE THE RESOURCE.

Respectfully Submitted,

  
Norman Sowards  
Bx. 974, Sitka Ak

March 15, 2008  
Walter Soroka  
PO Box 849  
Willow, AK 99688

RECEIVED

MAR 17 2008

N.P.F.M.C.

NPFMC  
605 West 4<sup>th</sup> Ave.  
Ste 306  
Anchorage, AK 99501

Dear Sir or Madam,

I would like my comments considered when the NPFMC addresses halibut charter interim management plan options for areas 2C and 3A.

I am retired and to supplement my income, invested part of my "retirement nest egg" in the purchase of halibut quota share in area 3A. I fish every summer in Prince William Sound.

I am concerned that the charter industry, which has grown exponentially in the past ten years, is unfairly demanding a larger share of limited halibut resources without sharing any of the conservation responsibilities imposed on commercial fishermen.

Quota share owners, even relatively small time operators like me, have invested substantially in our businesses, rely on fishing for our livelihoods and support fisheries management and enforcement through payment of fees based on our landings.

Reallocating part of my QS, which I paid for with my retirement savings, to a charter operator who's biggest investment may be a skiff and outboard motor, would be patently unfair and likely make my small business unprofitable.

I strongly support charter operators investing in their businesses just as I did by allowing them to purchase or lease QS from existing owners like me. This would allow charter operators to operate successful, competitive businesses, share in conservation measures and management and enforcement costs.

Thank you.

Walter Soroka  
Willow, AK

March 17, 2008

NPFMC  
605 West 4<sup>th</sup> Ave., Ste 306  
Anchorage, AK 99501

Dear Chairman Olson and Council:

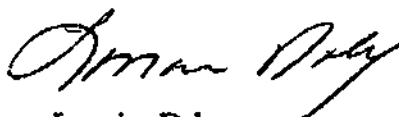
I was very hopeful and proud to see the charter and setline fishermen negotiate an amicable agreement on the interim plan at the NPFMC October 2007 council meeting. The two user groups seemed to agree on a main objective to hold in high regards a developing plan that preserves the halibut stocks in area 2C for all user groups.

The 2C commercial fleet has proven time and again their continued commitment to the conservation of the whole stock. I myself purchased with loan money 2478 pounds of IFQ a few years ago. Today I am left with 1754 pounds due to the series of cuts made to the 2C GHL. I realize this may not seem like a very large investment but I was very proud to be able to purchase these pounds and now I worry that my investment may be in danger of shrinking even more do to the Charter fleet's greed. What happened to the unity we saw in October's meeting when the Charter members stood up in front of the council with the commercial members and announced they wanted to work together for the better of the whole stock? I can't afford to have the charter sector be given a percentage of my halibut that I am paying for.

The 2C Charter fleet should have a floating GHL as the Commercial fleet does. Their GHL should fluctuate with the halibut stocks thus keeping in step with conservation so all user groups can have adequate access to the halibut resource. A lease program between the commercial and charter sectors would eliminate the need for a hard GHL thus providing the charter sector the ability to harvest more halibut if needed.

Finally, I would just like to point out I am one of the hundreds if not thousands that have purchased their halibut IFQ in area 2C that truly have a financial weighted interest in preserving the stocks. I see the cost of fishing rising substantially and my quota decreasing considerably. My investment is struggling to survive. The Charter sector should accept the responsibility as the Commercial sector has and have a floating GHL with lease options.

Thank you for your time,



Lorraine Daly

Sent 3/19/08 PT Higgins

March 16, 2008

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 17 2008  
N.P.F.M.C.

Dear Chairman Olson:

I run a small family owned and operated charter business out of Ketchikan, Alaska. I strongly oppose the proposed one fish limit. If you put a one fish limit on Area 2C, what are we suppose to tell our clients? Most of them booked their trips last year expecting the same limits they had then. To impose a one fish limit a month before the season starts is not fair to our clients. We are not commercial fisherman and our business can not be run like commercial fishing. For the commercial guys if the GHF goes down normally the price would go up. If the GHF goes up the price goes down and it all works out to about the same amount of money in the end. It isn't the same in the charter industry. It takes years to build up a good clientele, it will take no time to loose them. A one fish limit one month before the season begins may do just that. When you consider that British Columbia and 3A have a two fish limit. Why would anyone want to come to Southeast next year?

The Charter Industry has come a long way in a few years. We should have our moritorium in place by 2010. We need your help for the next couple of years to get all of this in place without loosing our clientele in the process. We need stable management of our halibut resource. Most of our trips are sold six to twelve months in advance. It doesn't work for us to have limit changes a few months before the season. We've been selling our trips as a two fish limit all year long, because right now it is a two fish limit. If you change the limit we are going to have a lot of irate people and loose a lot of clients.

I would like to see 1.9 million pounds in area 2C and 4.15 million pounds in area 3A as a fixed allocation, one of the options the Council is considering. We need to keep a two fish limit in 2C to compete with British Columbia and 3A. If you consider the amount of commercial halibut bycatch (between ten and fifteen million pounds), we are not asking that much. I am not against commercial fishing. I longlined for fourteen years. I do, however think there is enough fish out there for all of us to make a living.

Thank you for your time and consideration.

Sincerely, *James E. Moody*

Jim Moody, Owner/Operator  
First City Charters, Ketchikan, Alaska

March 16, 2008

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, AK 99501-2252

Dear Chairman Olson:

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Thank you for your time and consideration.

Sincerely,



Jim Moody, Owner/Operator  
First City Charters, Ketchikan, Alaska



Dear sirs;

I would like to make a few comments on the catch of halibut by the charter fleet. My husband is a longliner in Southeast Alaska. We have seen the halibut quota cut by 47% in the last two years. There needs to be something done with the charter fleet you need to set a fixed percentage of halibut that the charter boats can catch and that is it. How can the Council cut our family's quota and just give it away to the charter fleet? Is this fair?

Thank you

*Carol A.S. Warmuth*

Carol A.S. Warmuth

**RECEIVED**

MAR 1 2008

**N.F.M.S.C.**

March 14, 2008

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL  
Mr. Eric Olsen, Chair  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

RE: Halibut Charter Allocation/Comment

Dear Mr. Chairman:

My name is Jay Haun. I own and operate a C Class longline/troller. I have longlined since before the IFQ program was started but failed to qualify for initial issue of any quota share. At that time the United States was negotiating the salmon treaty with Canada and the U.S. salmon quota was going to shrink.

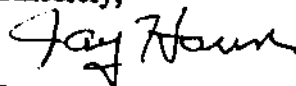
As a matter of survival to my commercial fishing business, I began to purchase halibut IFQ. There were years when the halibut price was so low that I was unable to make my loan payments without using my troll income. I worked non-fishing jobs in the winter to pay the monthly bills. When I finally paid for my first halibut IFQ block, I used it to finance another block.

Before the quota cuts started two seasons ago, halibut fishing was two-thirds of my income. This season halibut fishing will be one-third of my income. These cuts are necessary to protect the resource and insure a fishery in the future. However, the loss of one-third of my income at a time of soaring expenses is painful and those fishermen with large payments will be left with nothing.

The commercial charter fleet's current GHIL needs to be converted to a percentage of the total allowable catch and needs to be managed to stay within that catch limit. All user groups need to be held responsible for conserving the resource. To do other wise would be short-sided, unfair, and most of all detrimental to the resource.

The commercial longliners cannot withstand another cut in their quota due to a reallocation from one commercial user to another. For the council to give the charter fleet the right to catch more fish after it forced me to buy the right to catch them is wrong and would be considered criminal in the private sector. The commercial charter operators that feel they need more halibut too survive should be able to purchase IFQ just as I did. Most importantly, all user groups need to be held responsible to protect the resource.

Sincerely,



Jay M. Haun  
Owner/Operator  
FV/CINNABAR

March 9, 2008

RECEIVED  
MAR 7 2008

N.P.F.M.C.

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252

My name is Brian Merritt and I have lived in Wrangell, Alaska for 40+ years. I started commercial fishing for salmon and halibut with my father when I was 8. When I was 18, I bought my first commercial fishing boat for \$10,000. The boat was small and old, yet very functional. From this vessel I hand trolled for salmon and fished for halibut. I made good money with these two fisheries and eventually saved up enough money to put a down payment on a \$30,000 power troll permit and a \$120,000 fiberglass boat. It took me 8 years of hard fishing to pay off this boat and permit. During some of these early years with my new boat, I barely made enough money to make my loan payments, but this did not bother me as I thought someday I will have everything paid for and then I can start saving some money, maybe buy a house or own a vehicle that is less than 10 years old, etc. Well about the time I had everything paid off, the rapidly **growing charter fleet** came to the Alaska Board of Fish and lobbied for a portion of the trollers' king salmon quota. They were successful and were awarded 17% of the total number of king salmon that could be caught by commercial fishermen. As time went by this growing charter fleet continued to lobby and received more of the commercial trollers' quota. Before the charter fisherman took part of my king salmon quota away, I could fish for kings for roughly 3-4 weeks in the summer and that would generate about half my trolling income. Eventually, due to charter fleet growth and the king quota being reduced, I ended up fishing for kings for ONE week in the summer! At this point in time, realizing I would not be able to generate the income from trolling that I used to, I sold my troll permit and went into gillnetting. I did this so I could get away from the growing charter fleet influence that was strangling my fishing future! Notice that I spent \$150,000 to become a commercial troller!

The **growing charter fleet** at that time (1998) would absolutely not consider any type of limited entry program like the state of Alaska imposed on all of its commercial salmon fishermen in the early 1970's. The charter fleet has continued to grow unchecked with free access to anyone that wants to be a charter fisherman.

At this time, if you want to become a charter fisherman in Alaska, you get a license, called a USCS 6-pack, an ADFG sport guide & business license and then take people out on your boat and charge them for the experience whether they catch any fish or not. Quite simple and a very low investment, considering a lot of charter operators use their personal recreation boat to charter with. Another point that needs to be made is I live in Alaska all year whereas a lot of the charter operators just come up here for the summer, rape the land of its resources, and then take this money they made in our state and spend it down south!

Four years ago, in an attempt to diversify my fishing business, I bought 5,000 pounds of halibut quota. This cost me \$55,000 and I'm making payments on it every year to pay it off. In the last two years my 5,000 pounds of halibut quota was cut 42% because way too many charter fishermen are catching way too many halibut. My quota

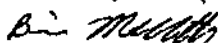
has severely dropped due to increased charter clients catching more halibut, and there is no end in sight because there is no limit on the **growing charter fleet!** A key point to remember is the charter operators didn't pay one cent for the halibut they're catching and its coming right out of the same pie I had to spend \$55,000 to get a small piece of! Doesn't it seem only fair that they should have to purchase halibut quota shares like I did to access a limited amount of fish?

Here's an example that might explain the situation a little better: Assume you decide to purchase an acre of land that has 100 apple trees on it. You plan on selling apples from the trees to make money and help pay off the \$100,000 you borrowed to buy the land with. The first year you pick 10,000 apples, the second 8,000, the third 5,000. Obviously your profits are going down each year. You wonder what is happening to your apples so you go and watch your orchard. You notice that many times during the day different sight seeing buses stop along side the road and tourist get out and go raid your apple trees. Is this fair for these clients to steal your apples? Is this fair for the bus operators to exploit your fruits when they could go out and buy their own orchard for their clients to molest? Of course the answer to these questions is NO! Hopefully this helps you fully understand how commercial fishermen feel about how charter fishermen are stealing the resources away from the long established Alaska commercial fishermen!

Twice in my 25 year career as a commercial fisherman, charter operators have financially damaged my business! In order to stop the crippling of the Alaska commercial fisherman anymore these steps need to happen:

1. Limit Charter Operators in Alaska by continuing to put a priority on the implementation of the halibut moratorium.
2. Require all charter operators to lease halibut quota for their clients to catch, (I'll bet if this happens the charter operators will self impose a one halibut bag limit per client!!!)
3. Allocate to the charter fleet the GHQ as a floating percentage that adjusts with changes to the halibut abundance.

Sincerely,

  
Brian Merritt  
F/V Sharlene C

March 14, 2008

North Pacific Fishery Management Council  
Eric Olson, Chairman NPFMC  
Chris Oliver, Executive Director NPFMC  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

MAR 10 2008

NPFMC

NPFMC Members,

I would like to express my concern with issues the NPFMC is facing with the Charter Halibut Allocation in Area 2C.

It is important for all parties concerned, Alaska fishing charters, resident and non-resident sport fishermen, all tourism related businesses and commercial halibut fishermen that the NPFMC arrive at a final solution once and for all in the sport halibut allocation battle. This process has been active for nearly 20 years with absolutely no solution at this time. It is imperative that NPFMC arrive at a final solution.

It is of vital importance to the State of Alaska's tourism industry that traditional seasons and daily bag limit of two halibut per person with no size limitations be set that will be consistent from season to season.

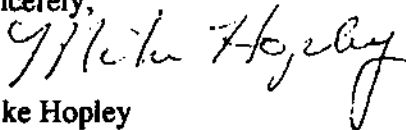
The Alaska sport halibut charter fleet needs a large enough allocation to carry them through the tourist season without the fear of getting shut down before the end of the season. Tourist to the State of Alaska as well as halibut charter businesses expect and deserve this consistency.

The halibut Moratorium already passed by the NPFMC needs to be fast tracked and implemented immediately.

The NPFMC has the opportunity to bring stability to the Halibut Charter Industry. Thousands of local Alaska businesses and millions of users of this resource are depending on your decision that will end the halibut allocation battle forever.

Thank you for your time.

Sincerely,



Mike Hopley  
Alaskan Adventure Charters  
P.O. Box 4273  
Soldotna, Alaska 99669  
(907) 262-7773

# Alaskan Game Fisher

P.O. Box 1127, Soldotna, Alaska 99669  
(907) 262-2980 • Fax (907) 260-2676  
E-Mail: gamefish@alaska.net

1-800-320-2980  
www.AlaskanGameFisher.com



RECEIVED  
MAR 20 2008  
N.P.F.M.C.

To: NPFMC

From: Mel Erickson

Subject: Charter halibut allocation

I have been a charter boat operator since 1989 in Cook inlet, and we have been dealing with this allocation problem and without a charter boat management plan since 1993.

The NPFMC is a failure and borders on ridiculous that it cannot solve this problem in the past 15 years.

You had the perfect solution with the IFQ plan and then in 2005 the State of Alaska fed you a bunch of garbage that it could implement a limited entry plan and the NPFMC trashed the IFQ plan.

Now 3 years later still nothing except restrictions on the halibut charter fleet on daily annual & size limits the deter anglers from taking fishing trips.

It is way past time that you fix this problem now.

- 1: implement the moratorium on charter boats now!
- 2: Allocate enough fish to the guided angler to harvest 2 fish of any size all season with no annual limit.
3. implement a management plan that will reduce the number of charter boats in the future.

Thank You.

*Mel Erickson*  
Mel Erickson

MAR 20 2008  
FISHING

## Interim Charter Management Plan

Date: 3-17-2008

Pg 1 of 2

To: NPFMC

Dear Council Members,

My name is Gary Aulbach. I live in Petersburg Alaska. I have fished Halibut as a deckhand and IFQ permit holder for the past 22 years. In March of the 2006 season I purchased an additional 3,054 lbs of IFQ's and financed them 100% with the equity I had in the 5,788 pounds I already owned. After the quota reductions of the past two years, I currently own 4,999 pounds of quota. I have lost every single pound I purchased and a bit more. Unfortunately, I still must pay for the money I borrowed for IFQ's which I no longer have. I am not a full time fisherman so I do have other resources to fall back on, however, fishing provides a large part of our income and that portion of income has been drastically cut in the last two years.

The Charter industry claims that the economic hardship imposed by a one fish per day limit would be devastating. Let's sell them each 3,054 pounds of IFQ's, and then take them away but have them keep paying on the loan. That is where I am, so don't tell me about economic hardship. Also, as is the case with myself, I can not think of any charter fishing business owner who depends on charter fishing for all of their income. I may be wrong, but I believe all the charter owners here are either School Teachers, School Administrators, people who have already retired from another job, people with seasonal jobs, and people who take time off from their usual jobs to do charter services during the summer season. Many of them do not even live here, but live and work in the lower 48 states and are only here in the summer. If one fish a day seems so scary, why not advertise it as, "Catch as many as you like, just keep one per day." Catch and release is already becoming the standard throughout the world. The complaint you hear from the folks buying the charter trips year after year, is that if they can catch two fish a day, when they get back home they can sell enough fish to pay for their trip and still put some in the freezer.

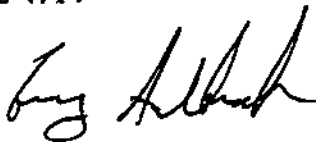
The public's access to the public's fish will not be denied by imposing a one fish limit. Take a look at guided hunting for example. The public still has its' own access to hunting for Deer, Elk, Bison etc., but they can also choose to be guided to where the animals are. Just try to book one of these hunts less than a year or two in advance and you will find that the good operators are already booked up. Halibut charters offer the same type of service to people who want to fish. I believe a one fish a day limit will have no effect on the industry's ability to book fishing trips. After all, these trips are paid for by the half day or full day, not by how many fish you can catch.

I have taken the combined 47% cut in my IFQ's the last 2 seasons and have tried to remain optimistic. I am willing to trust the science and take care of the resource that is important to all of us. I am not willing to have my percentage of the resource taken away just to be given to another user group for their profit. I also feel that the existing GHL for the charter industry should be dropped by the same percentage as the Commercial harvest, and for once in the history of the Charter GHL they should have to **not exceed** that level, or face some sort of consequence! Commercial harvesters have never exceeded their overall harvest level. A fixed allocation for the Charter operators will never work because they will definitely out grow it over time and then will ask for more.

I support the idea of allowing Charter operators to lease or buy quota shares and therefore invest in their and the resources future as I have. I also support the Charter operators GHL being on a percentage basis that will fluctuate up or down as the abundance of stocks dictates.

If you are going to eventually take away all of my IFQ's so that the Charter operators can flourish in area 2C, then please pay me for the shares that I have lost and the shares I still have, and I will quietly drift away.  
Thank you for your time.

Gary Aulbach  
P.O. Box 726  
Petersburg, AK 99833  
907-772-4714





March 20, 2008

Joel Pasquan  
PO Box 845  
Haines, AK 99827

North Pacific Fisheries Management Council  
Eric Olson, Chair  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Fax: 907-271-2817

RE: Halibut Charter C-6

I am a lifelong Alaskan that moved out of Juneau to Haines three years ago. I have been a commercial fisherman for 45 years. I have purchased halibut quota share. Halibut is an important component of my livelihood. I am participate in the salmon gillnet and king and tanner crab fisheries in Southeast Alaska. I use to own a Dungeness crab permit which I sold to help finance the purchase of additional halibut quota shares.

The halibut charter issue has dragged on to long and a resolution needs to be found to this issue. The Council needs to provide the charter industry a floating allocation that adjusts with the halibut biomass and that is equivalent to the current GHL. The GHL in 2003 provided at that time an additional 25% to the charter fleet for growth. They need to live within this allocation and purchase or lease quota share for any future re-allocation adjustments.

I now live in Haines that is a small rural community, the charter fleet has remained very stable with just a couple of local operators. Haines is a commercial fishing community that is reliant upon a healthy commercial industry. Further allocating commercial quota share to the charter industry will be devastating to the community.

The downturn in halibut price from last year and the loss of quota share has significantly effected the amount of income I will receive this year. I have already fished all of my quota share and fished at the same time last year - I earned \$57,000 last year (2007) and this year (2008) only earned \$34,814 on halibut.

Sincerely,



RECEIVED  
MAR 20 2008  
N.P.F.M.C.

To Eric Olson,  
NPFMC;

This letter is to encourage you to vote yes to keeping the Charter Halibut Fleet allocation at there GHL as a floating percentage. This well insures that they can keep in the same pattern as the longline commercial fleet. The Halibut biomass is a very sensitive issue and with other user groups coming to the table. It is important for all of us to stay with in our total allowable catch.

This is a very important issue to me for. I am a third generation Alaskan and live here with my wife and two young girls. Halibut is a good portion of our income.

The fish were dealt out in 1995 and please don't reallocate them to some other group.

If they want more then the ghl allows let them buy IFQ's like the rest of us...

THANK YOU FOR YOUR TIME.

Jerome E Dahl Jr.  
1275  
Petersburg Alaska. 99833

REC-10  
MAR 21 2008  
N.P.F.M.C.

**FRONTIER FISHERIES, INC.**

P.O. Box 20373  
230 Highland Drive  
Juneau, AK 99802

Telephone (907) 463-4430  
Fax (907) 463-4439  
Cellular (907) 723-4439

REC-110  
MAR 21 2008  
N.P.F.M.C.

DATE: 3-20-08

PAGES: 2

TO: North Pacific Fisheries Management Council

FROM: Dina: Randy Gress

FAX #: 1-907-271-2817

ATTN: Eric Olson, chair

Special

Instructions: Dear Mr. Olson, please read the following  
letter regarding our concern about the halibut  
allocation for charter / commercial users.

Thank you

Dina Gress

Letter of concern regarding halibut

From: dg4430@aol.com

To: halibutcoalition@gmail.com; ogutierrez@doc.gov; cora.crome@alaska.gov; Todd\_Bertoson@commerce.senate.gov; arne\_fuglvog@murkowski.senate.gov; dave.whaley@mail.house.gov; jim.balsiger@noaa.gov; Denby.Lloyd@alaska.gov

Subject: Letter of concern regarding halibut

Date: Thu, 20 Mar 2008 10:37 am

To Whom it May Concern:

My wife and I are commercial fishermen here in Southeast Alaska. We have fished for halibut for over 20 years and participate in other fisheries such as blackcod, tanner crab, king crab and salmon. We have a 58 foot boat equipped with an auto baiting system for our longline operation as well as the full line up of equipment needed to participate for all of our other fisheries. We have invested thousands of dollars each year to maintain and improve our boat and equipment as well as our investment in IFQ's. I was young and just starting fishing when the qualifying years for IFQ's were taking place. Therefore, I wasn't awarded a huge allotment of IFQ's, only a small amount. We had to invest a lot of money in IFQ's which my wife and I did, so we could continue to make money in the halibut fishery.

Our concern here with what is going on with the charter halibut issue is this. The charter industry, whether they realize this yet, is a commercial fishing venue. Charter operations are on the rise as is the amount of clients wanting to catch a halibut or two. This puts a strain on the resource, which needs to be managed amongst many users. A fixed GHL isn't a good idea since it will cause problems later on, with over fishing as an example. This is a fishery with a huge team of people working to keep it viable. It's one of the best managed fisheries around. Halibut charter operators need to be able to lease or even purchase IFQ's and invest in their business just as commercial halibut fishermen have done to make money. The current system for charter operators is a stop gap measure for something that needs to be done to manage a growing sector. The current GHL needs to be adhered to by the charter operations and the management groups need to put a plan in place that is a more permanent solution.

The charter groups are demanding an increase in the GHL. While I understand and sympathize with the restriction placed on them, we feel that this is similar to a spoiled child demanding more ice cream after being told no. This isn't about the charter sector being punished by the commercial use folks, this is about conserving a resource for future use. We have taken a 40% reduction in pay over the past two years in IFQ reduction amounts, basically for the good of the fish. This has hit every commercial fisherman very hard; we didn't want it but know and understand that it needs to be done. But we go with it because we want to continue to fish for halibut and provide for a much larger amount of people who have no means to fly to Alaska, spend the money to hire a boat and guide to go catch fish. We are providing food to a huge majority of people all over the world, not a select group of fortunate few who have the means to catch a fish or two. We too are giving the public access to public fish. If these folks went to a store and bought halibut in the amount of their trip to Alaska, they would have a freezer full.

In closing, please be very careful in your decisions regarding this resource and the charter boat roll in it. We all have to share, we all need to be careful about what we do now and how that impacts the resource in the future. Commercial fishermen have done their part with 40% reductions in their IFQ's. Keep the one halibut limit for the charter sector in place during this time of lower halibut numbers so there is no over fishing by everyone who has access to halibut; commercial users, charter boats, sportsmen and subsistence users. Thank you.

Sincerely,

Randy and Dina Gregg  
FV Patriot  
PO Box 20373  
Juneau, Alaska 99802

Planning your summer road trip? Check out AOL Travel Guides.

Homer, AK 3-17-08

RECEIVED  
MAR 21 2008  
NPFMC

To: NPFMC 605 West 4<sup>th</sup> Ave Ste 306  
Anch, AK 99501

I am a halibut QS holder. All sectors, set line and charter commercial fisherman, should share in resource conservation by changing the current GHL to a percentage that fluctuates with abundance. Charter operators should have the opportunity to lease QS. Setline as well as charters need to share the burden of conservation and one halibut bag limit for charter clients is needed to rebuild 2C stocks. A higher bag limit during this time of low abundance would over-harvest halibut stocks, resulting in re-allocation of quota from traditional harvesters to the non-resident guided anglers.  
Thankyou!

cc: Halibut Coalition  
Juneau

Sincerely,  
James E. Preston  
P.O. Box 394  
Homer, AK 99603  
(907) 235-8906

Darell Ness  
PO Box 240454  
Douglas, AK 99824  
907-364-2501

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

March 25, 2008

RE: Charter Halibut

I am a commercial fisherman who has participated in the halibut fishery for a very long time. While I did not support the development of the IFQ program, it became the law of the land and because of that I further purchased additional halibut quota share throughout Alaska. I just sold out of Area 4 A but still hold halibut in Area 2C, 3A and 3B.

I don't understand how the Council can develop a program – fine tune it for 15 years and then pull the rug out from underneath the participants of the program that they created to provide for another commercial industry the charter fleet.

I feel that the charter fleet needs an allocation that is sensitive to the resource by floating with biomass as the commercial fleet does. The charter allocation should not be higher than the current GHIL in regulation. At the time the GHIL was formulated they provided for growth by granting the charter fleet 125% of their harvest at the time.

At the time of the development of the commercial IFQ program, the Council did not have any trouble ignoring the impact of the program on crew members, why should more consideration be given at this time to the charter fleet.

Sincerely,



Darell Ness

RECEIVED  
MAR 21 2008 3-20-08

N.P.F.M.C.

N.P.F.M.C.

Regarding the 2C + 3A Halibut charter interim management plan.

My name is Jarl Gustafson and I am a small boat commercial fisherman who owns IFQs for halibut in area 3A. I was a deckhand during the qualifying years, and therefore, have had to purchase all of the IFQs I own. I still owe on them, and have 2 loans out with the State of AK Div. of Investments, that were used for the purchase of said IFQs.

The commercial halibut sector was ~~reigned~~ reigned in many years ago and has actually seen the fleet decrease. (as you know) Of course we take the ups and downs with the quota<sup>stock</sup> changes, while the charter sector has seen nothing but growth. I have invested a significant amount into my operation and am strongly opposed to any reallocation of the resource from the commercial to the charter sector. To do so would be extremely unfair and unjust and I believe the charter sector just wants to be given more of a valuable resource at the expense of us. They should have to remain at their current GTH just as we do. After all, that's ~~at~~ what it was set for, and, at the time<sup>ever</sup> allowed for some growth for them.

My IFQs are the only real asset I have, and in fact don't yet own outright, but have been paying interest on for many years.

As far as charter operators leasing goats from the commercial sector, I am not opposed, as that way they would be paying for access to a resource that I <sup>and others</sup> have had to pay for, even though they currently have free access to their GHL.

Sincerely

Jarl Gustafson

PO Box 952

Homer AK 99603

(907) 235-1078

F/V Vigor





Captain Mike's Charters  
 PO Box 269  
 Homer, Alaska 99603  
 (907) 235-8348

*"Halibut Fishing is Our Specialty"*

RECEIVED  
 MAR 24 2008

N.P.F.M.C.

March 22, 2003

North Pacific Fishery Management Council  
 Eric A. Olson, Chairman 605 W. 4th Avenue, Suite 306  
 Chris Oliver, Executive Director Anchorage, AK 99501-2252

- I have read the 147 pages having to do with catch sharing between commercial and charter. The whole thing is very biased in favor of commercial fishing interest. The proposals are somewhat complicated and hard to understand. On page 13 you have 39 abbreviations and on page 22 you have a new one. What is CQE?

The one fish bag limit pretty much puts us (charter fishing) out of business. Most sportsmen who have fished for halibut in the past expect to take their 2 fish home to eat. This is not a catch and release fishery like marlin and sailfish. I don't believe they would be willing to pay the price and only be able to catch one fish. Another thing, our economy is tanking and the high fuel prices will drive the price of charters higher.

As for leasing from the commercial sector: This won't work, for one thing it would be cost prohibitive. We are talking about 2 - 20 pound fish. What would you have to pay for the IFQ if the commercial fisherman is getting \$5 a pound at the dock, who knows? If you could get it a \$2 a pound that would be \$80 more you would have to charge for a single fisherman for the charter. There also may not be anyone willing to lease the IFQ's.

As far as the amount of fish we will need in the near future: we will need enough fish to get us by until we get a long-term solution. That would mean we would need at least 4.15 MLB.

I have been charter fishing out of Homer for 26 years. I run about 90 to 100 trips a year. As it stands now, with the moratorium, the guys who get in with the lower amount of trips will be able to grow to whatever, which would put us over the GHL. So then I would have to be cut back to allow their growth. THIS I DON'T LIKE. Charter fishing is the only thing I do for a living, it's how I feed my family, just like commercial guys.

One other thing, what about the bycatch? What's the deal, why can they waste more fish than the sportsmen catch? Is it because they are commercial fishermen? Let's get this taken care of before you start limiting the charter fishing industry.

A sportsfisherman with an Alaskan Fishing license is not a lesser person because he fishes on a charter boat as opposed to a private boat. Why are you limiting this person by what boat he fishes on?

Mike Huff  
 Captain Mike's Charters  
 PO Box 269  
 Homer, Alaska 99603  
 (907) 235-8348  
 cell: 399-3125 Web site: [www.captmike.com](http://www.captmike.com)  
 e-mail: [flatfish@gci.net](mailto:flatfish@gci.net)

guideline harvest, saying there was no justification for it. And the Department of Commerce, which oversees council action, is still reviewing the decision, said spokesman Steve Pennoyer in Juneau.

The secretary of Commerce can reverse the decision.

"It will be overturned," predicted John Lewis, an Anchorage angler who serves on an advisory panel to the council. He is one of two sportfishing representatives officially involved in a mix of scientific and advisory committees including several dozen people.

The council itself has no sportfishing representative, though the Magnuson Fisheries and Conservation Act calls for such representation.

Other regional councils managing fisheries resources within the 200-mile zone along the North American coast have been sued over this issue, and all other councils now have sportfishing representatives.

Coffey predicted that if the Commerce Department doesn't overturn the latest action by the North Pacific Council, it may get sued.

"Sport fishing has no representation here," Coffey said.

"It's not in compliance with the Magnuson Act," Cutler said. "What we need is a motion tea party. They're making the rules, and we have nothing to say."

Council members may have recognized that.

"My feeling is (the council) really didn't want to do it," Coffey said.

He said it appeared the group just grew tired of member Linda Behnken, a representative of Sitka longliners, constantly complaining about how the foxes were the henhouse.

"I think Linda Behnken is the reason they're even messing with this," Coffey said. "They're using it as a club to make the charter boats do something" to regulate their



Sport fishing boats such as the Legacy out of Seward may face new restrictions.

BILL ROTH / Anchorage Daily News

fishery.

Behnken told The Associated Press that charter boat skippers will be expected to limit their fishing as catches approach the harvest limit. How they will do that is not clear.

"Under no circumstances will the charter season ever be closed or curtailed," Behnken added.

"They have been tasked with working through the Board of Fisheries process to slow down their harvest so that they live within these requirements."

Though restrictions are aimed at the charter-boat industry, state sport fish director Kevin Delaney said the big impact hits anglers.

Only a tiny percentage of Alaska anglers have their own, ocean-capable fishing boats, he said.

"Without the ability to charter out," he said, "Alaskans simply don't have access, really a majority of people don't have access to the fishery."

In the past, some charter

boat skippers have endorsed that idea, figuring that if the number of charter boats is limited they can steadily jack up prices for charters and make more money.

But a state charter boat coalition has taken a position firmly against limits and IFQs.

IFQs are nothing but a giveaway of a public resource, said charter boat skipper Rob Zollo of Homer.

The commercial fishery, he said, controls more than 90 percent of the catch, "and that's how they want to keep it."

"Who are they? Do they own these fish? ... It seems pretty illegal."

Coffey wants to see a solid economic study of the halibut fisheries to determine where the greatest benefit accrues for the state of Alaska.

"Basically, what the council did is they made the presumption that Alaska benefits from capping the sport catch," Delaney said.

He's not sure that's true. Neither is Coffey.

"We tried to give them an out for everything," Coffey added, noting that there are a few areas in Alaska where competition between charter boats and commercial halibut longliners is leading to local fish shortages.

Coffey and two other fish board members on a halibut committee told the council that the board could address local problems — with the council's oversight.

"They agreed that was the right idea," Coffey said. "They're managing the Bering Sea. The last thing they want to do is manage Sitka Sound."

"It really kind of surprised me they went to a guideline harvest (in the end). There was a statement by the scientific folks that there was no justification for this."

Even Pennoyer rose to suggest the council vote against the guideline harvest. But in the end, it went ahead.

"It's the most ridiculous thing I've ever seen," said Zollo.

Just some old stuff

RECEIVED

MAR 24 2008

Dear Council Members,

N.P.F.S.R.C.

I am a Commercial Fisherman. I am writing to you guys how we were hurt about the Q's quota went down. I originally got almost no Q's. Halibut when Q's came out. Later I had to get a loan from Division of Investments and buy my own Q's. I bought Halibut Q's. In Area 3B. In couple of years the Quota started dropping in 3B. It dropped almost 50%. We still fished and made our payments. We never got help from anybody not from Charter Fleet, not from Feds, not from anybody. So why do Charter Fleet need to get a chunk from our Quota. They never stop they keep on asking for more and more. When is it enough, never. They can get a loan buy some Q's and fish them. Then they will, or hopefully know how we feel. At one time we got loans and bought Q's we had to give everything for the collateral that we owned. We could of lost all the collateral we put in. The Charter fleet wants us to suffer again. "NO" I think if they want to be out fishing let them get loans and buy Q's just as we did, who did not get any Quota. Nobody gave us anything. So let them do the same thing get loans buy Q's and see how we suffer and make payments.

And I strongly feel they can not lease  
Quota From Commercial Fleet. Because they don't  
want to lease or sell there. We don't want  
our hard earned Q's being reallocated to Charter  
Operators

Sincerely  
Troy Reuter

Wayne Ivers  
P.O. Box 42  
Yakutat, AK. 99689  
March 19, 2008

NPFMC  
605 West 4<sup>th</sup> Ave., Ste 306  
Anchorage, AK 99501

RECEIVED  
MAR 24 2008  
N.P.F.M.C.

Dear North Pacific Fishery Management Council,

I started long lining halibut out of Yakutat in 1982, while still in high school. Like most of the guys my age, I fished out of a set net skiff. At that time the IFQ Program was a hard pill to swallow. I received just over 1,200 lbs. Since then my family has worked hard to build up enough IFQ to make a living off of our 35 ft boat.

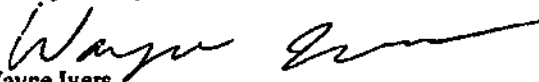
I feel it is **fair, necessary, important and long past time** to enforce the charter boat GHL. We can't just continue to allow one commercial user group unlimited growth while cutting their excess from the commercial fishermen.

When purchasing my IFQ, I bought in good faith. I was buying a small piece of the pie. My piece grows smaller as the charter boats exceed their GHL.

I urge you to resolve this issue now. I do not necessarily care how they regulate that industry (IFQ, Bag limits, shorter season, etc) But they cannot continue to exceed their GHL. The charter fleet must also share in the responsibility of conservation. If the resource begins to diminish, we must all do our part and cut our catch to protect this resource and our future.

As I struggle to make my payments, I think of this upcoming meeting. I hope that maybe this time we can make some real progress on this issue.

Thank you for your time,

  
Wayne Ivers

Yakutat, AK

cc: Halibut Coalition, [halibutcoalition@gmail.com](mailto:halibutcoalition@gmail.com)

Secretary of Commerce, Carlos Gutierrez [cgutierrez@doc.gov](mailto:cgutierrez@doc.gov)

Governor Palin's Fishery Advisor, [cora.crome@alaska.gov](mailto:cora.crome@alaska.gov)

Senator Steven's office, [Todd\\_Bertoson@commerce.senate.gov](mailto:Todd_Bertoson@commerce.senate.gov)

Senator Murkowski's office, [ame\\_fuglvog@murkowski.senate.gov](mailto:ame_fuglvog@murkowski.senate.gov)

Representative Young [dave.whaley@mail.house.gov](mailto:dave.whaley@mail.house.gov)

Director, NMFS, [jim.balsiger@noaa.gov](mailto:jim.balsiger@noaa.gov)

Commissioner ADF&G [Denby.Lloyd@alaska.gov](mailto:Denby.Lloyd@alaska.gov)

NPFMC, I am a commercial Halibut fisherman with Quota in area 2C. In addressing options for the Halibut interm management plan I submit my view of the subject.

GHL's of any species of game or gamefish fluctuate with abundance, I see no rational for Halibut to be any different. This year my commercial harvest for 2C Halibut has been cut by 27%, preceeded by last year's cut of nearly 20%. I believe these reductions have been necessary to protect the future health of the Halibut resource and I feel the Sport sector at large should feel no different. I imagine the only difference in this scenario is that the Sportfishing sector wishes to have more of the Commercial sector's Quota to make up for the shortfall.

I am not against the Sportfishing sector acquiring more of the Commercial sector's Quota but the method by which this transfer is made needs to be fair. I have purchased all of my Halibut Quota and that took years of work and \$\$\$ to accomplish.

I side with the argument of many in the Charter industry that the purchase or lease of Quota may price them out of business. This is why I don't differentiate on the methods employed to harvest Sportfish. I don't think it is fair that only one section of Sportfishing (Charter), has to pay for it's growth but rather all Sportfisherman should share in this burden, the "Charter Industry" is only one method of Sportfishing that continues to need more fish.

Certainly the Charter industry can afford to pay more for it's growth than a kid fishing from the shore but I feel the State of Alaska as a whole will benefit from the flexibility of being able to transfer Quota from Commercial to Sport. One way this can be accomplished is for the State to purchase or lease Quota and transfer it to the Sportfishing sector. ADF&G could then apply fees it felt appropriate to recover this investement over the long term.

A few years ago my 2C Quota was reduced by 6% to allow for a 25% growth in the Charter industries. This is enough with taking Quota.

Sincerely, Jeff Kerbel

RECEIVED

MAR 24 2008

N.P.F.M.C.

March 20, 2008

RECEIVED

MAR 20 2008

North Pacific Fishery Management Council:

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

My name is Rick Ballas and I am an Alaskan commercial halibut and salmon fisherman here in Cordova, Alaska. Along with my partner Sarah Ecolano, a second generation Alaskan born and raised commercial fisherwoman, we have adopted the way of the sea to provide for us. We live simple here and fishing is our sole source of economic income.

A few years after buying into the PWS commercial salmon gillnet fishery, I was advised by a successful retiring fisherman to diversify in order to survive. Economically speaking, diversification is an expensive investment for a commercial fisherman to consider. Being I had a familiar background in the halibut fishery, I chose to purchase Halibut QS. With the decline in the PWS commercial herring fishery, halibut would prove to be the much needed economic opportunity prior to the May opening of the commercial salmon gillnet season. This early opportunity (March/April) to fish the Halibut QS close to home and with limited Commercial Sportfishing pressure has become invaluable at making this venture worthwhile as a small boat fishery.

Fishing for myself and Sarah is not only business but our lives. Purchasing the Halibut QS and creating a Direct Marketing Seafood Business are just two important steps in our diversification and long term commitment to the fisheries we are involved in. Since the QS purchase I have designed and built a new custom aluminum fishing vessel, F/V EYAK.RYDER, to allow me to safely harvest and market my own Halibut QS. The design and construction of the boat was done and completed in Cordova during a two year period, by Webber Marine. This provided multiple employment opportunities for local welders and crew during the winter construction process when work is often scarce. The following year a second additional combo gillnet/longliner boat was designed and built at the same shop, creating three years of additional winter economy based on the premis of IFQ harvest.

Our commitment within the fishery does not end with the delivery of our catch to the processors. It continues with the marketing of our halibut to the public direct. We have touched countless people in our campaigns and feel we are a making a difference. Commercial fisherman are the suppliers of seafood to the public masses while the Commercial Charter Fleet benefit only those few who can afford to go.

As a commercial fisherman I have not only played by all the rules but have aided in designing and supporting them, usually at some monetary cost to me. Over the years I have adjusted my business plans to meet unexpected pitfalls and have enjoyed believing my conservation efforts are helping when harvest levels are increased. I have grown increasingly concerned at the rising numbers of Commercial Charter Sportfishing boats that are effectively targeting the fishing grounds of area 3A. The increase of newer boats that are faster and more technologically specialized at targeting halibut and other fish species are having an impact on the resources. Through the use of VHF radios and cell phones the Commercial Charter Sportfishing boats, working at some extent together, are able to search out and find the traveling schools of fish quicker and put additional boats on the resource.

When catch levels exceed established yearly harvest limits without any management repercussions, whether commercial harvest or commercial sportfish, something is wrong. Halibut, in particular, are not an unlimited resource to be irrationally harvested by anyone. There is no question on whether or not the Commercial Charter Sportfishermen has had an impact on the wild stocks more now than ever. The unchecked Charter catch numbers continue to surpass established harvest limits annually. The time to react is now and in a way that does not have a negative impact on my purchased QS allotment. I absolutely cannot afford any more reductions or transfers of my QS especially to the Commercial Charter Fleet. Let them pay as I have.

The Commercial Charter Sportfishermen should contribute their part toward the future conservation of the species as myself and the commercial fleet has. Make it so all sectors share in the resource conservation by changing the current GHF to a percentage that fluctuates with abundance levels of the species. Understanding that Commercial Charter Sportfishermen may wish to expand there operations; I support the Council in providing the charter operators with the opportunity to lease QS, therefore investing in the resource and the future of the fishery as myself and other commercial fishermen have.

The purchase of the QS, the building of the boat and associated gear/equipment used in harvesting my QS, the computers and much, much more has put Sarah and I in extreme long term hazardous debt. I do not wish to disclose the actual amount of monies and properties at risk that we have put forth in striving to accomplish our sound business goals within the fishery. Increased fuel prices, bait prices, license fees, insurance premiums, reductions in quota and increased local Commercial Charter Sportfishing harvests have all impacted both of us above and beyond any business plan I could have designed five years ago. I cannot afford to lose my quota shares being reallocated to the Commercial Charter Sportfishing fleet. Every year if I lose more of my quota percentage that I so preciously protect and pay more to find the fish that once were, my life becomes one harder to live within the decreasing profit margins I will face. Please decide on this issue now and without impacting the commercial fleet anymore than it already has. I feel I have done everything right and its time now for the Commercial Charter Fleet to do their right and invest in quota the same way we have .

Sincerely:



Rick J Ballas

Commercial Fisherman

Cardova, Alaska





## ALASKA SPORTFISHING RESORT

March 21, 2008

Sent by Fax: 907-271-2817

Eric Olson, Chairman  
Chris Oliver, Executive Director  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

RECEIVED  
MAR 21 2008  
N.P.F.M.C.

RE: Halibut Allocation

Gentlemen:

As a reference point, our fishing lodge is located between Ninilchik and Anchor Point right on the Cook Inlet. From May through August, approximately 20 guests stay with us per week. They fish for Halibut and Salmon each day for 5 days. We have 5 boats and 5 Licensed US Coast Guard Captains in addition to me as the back up Captain. Needless to say, with this business activity, we are concerned about all the fisheries, but extremely concerned about the Halibut Allocation Issues. Let me be brief. We need:

- Traditional seasons and bag limits.
- A fixed allocation, but 125% of the actual catch previously approved under the original IFQ.
- No limitation or restrictions on the size – two Halibut is simply two Halibut.
- After all these years, a final resolution with no more changes.
- The process to be posthaste.

In summary, uncertainty of limits causes sport fisherman, primarily from the lower 48 states, to stay home. Reduction of the daily limit from 2 Halibut to 1 will destroy our business. Who will spend the money to visit Alaska to catch 1/2 of what was originally caught, especially when the summer air fares are up about 40% in the last two years? We have surveyed our extensive data base and the answer is clear. Few people will pay more to catch less.

Thanks for your time and consideration.

Sincerely,

Bruce H. Butterwick, Owner/Captain

RECEIVED  
MAR 23 2008

N.P.F.M.C.

Matthew R. Metcalf  
2999 Joshua Ct.  
Holland MI 49424

March 23, 2007

North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99501

Dear North Pacific Fishery Management Council,

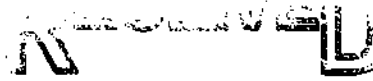
I have watched my 2C Halibut quota shrink by 20% last year and 27% this year for a combined 41.6% in two years. Having faith in the Council, the Halibut Commission, and the science behind the cuts makes them no less painful, but I can accept them as the "right" action for the resource. If taking a cut in income and a decline in the value of my investment of over 40% will help the resource, I can accept that and look forward to an improvement in the future.

What I cannot accept or rationalize in any way is watching the fish I am giving up for conservation being reallocated to another commercial entity, the halibut charter fleet. As a commercial user of Halibut the charter fleet should also share in the conservation efforts. The most expedient way to accomplish this is to adopt the current guideline harvest level as a percentage and allow it to fluctuate up and down with abundance. The Council should also allow a mechanism for the charter operators to lease quota from commercial fishermen in a fair market system that will allow for growth while fairly compensating commercial quota holders who voluntarily decide to lease their quota.

Thank you for considering my comments.

Sincerely,

Matthew R. Metcalf



MAR 24 2008

24 March 2008

NPFMC

VIA FAX 907-271-2817

North Pacific Fisheries Management Council  
605 West 4th Street, Suite 306  
Anchorage, AK 99501

Dear Council Members:

I have been an active sport fish user of Area 2C halibut since my family moved to Alaska in 1954. At an early age I would dangle a hook into the water off a dock or my skiff, sometimes feeling the tug on my line from a halibut.

In 1982, I began to longline commercially for halibut, alone at first, then two years prior to the onset of Individual Fishing Quotas (IFQs), with three crewmen on my third boat. Upon the implementation of IFQs, I was granted 7840 lbs of halibut. Unfortunately, my highest production years of 30,000 per annum did not count.

By 2006, I had purchased and paid for more than \$250,000 worth of 2C halibut IFQs to bring my poundage up to 32,000 lbs., comparable to my last pre-IFQ years production. Now in 2008, I have lost 47% of my poundage and most of my investment because of biological necessity, and continued charter boat over-harvesting.

While the total burden of halibut conservation has fallen upon only the commercial longline sector, the charter operator's usage continues to grow. Charter operators argue that their investments are large and their clientele deserving of a two fish bag limit. They continue to argue for an ever-increasing GHL, a bigger share of a finite resource with the pain of conservation measures along with its financial losses to be borne by others, namely the commercial sector.

To be effective, conservation measures have to be implemented by the collective. In other words, all users need to be held accountable and responsible for the long-term viability of the species, and should do so willingly. In this case, charter operators need to do their share for the conservation of halibut stocks upon which they profess to need for their very survival. The continued "taking" from others and "gimme more" for free and without consequence, will only jeopardize the resource, commercial longliners and their clients, the homemakers and restaurant users of America, and will create an ongoing imbalance in the very real and necessary conservation efforts needed to preserve a viable halibut resource for the benefit of all.

I urge the Council to support and implement fair and equitable conservation measures on charter operations. The right to harvest a renewable natural resource such as halibut only comes with the responsibility to insure its viability for future generations.

Sincerely,



Charles E. Wood  
F/V Talon  
P.O. Box 383  
Petersburg, AK 99833-0383  
907-772-3480

cc: Governor Sarah Palin / [cora.crome@alaska.gov](mailto:cora.crome@alaska.gov)  
Commissioner ADF&G / [Denby.Lloyd@alaska.gov](mailto:Denby.Lloyd@alaska.gov)  
Secretary of Commerce, Carlos Gutierrez / [cgutierrez@doc.gov](mailto:cgutierrez@doc.gov)  
Director, NMFS / [jim.balsiger@noaa.gov](mailto:jim.balsiger@noaa.gov)  
Senator Lisa Murkowski / [arne\\_fuglvog@murkowski.senate.gov](mailto:arne_fuglvog@murkowski.senate.gov)  
Senator Ted Stevens / [Todd\\_Bertoson@commerce.senate.gov](mailto:Todd_Bertoson@commerce.senate.gov)  
Representative Don Young / [dave.whaley@mail.house.gov](mailto:dave.whaley@mail.house.gov)

RECEIVED  
MAR 24 2008

March 24, 2008

N.P.F.M.C.

North Pacific Fisheries Management Council  
605 West 4th Street, Suite 306  
Anchorage, AK 99501

VIA FAX 907-271-2817

Dear Council Members:

Since the implementation of IFQs, I can count over a million dollars in 2C halibut quota share purchased amongst a handful of boats adjacent to my skipper's. These are small boat owners (under 50') who believed in the principle and biology of the mandated IFQ program, and proceeded to invest their hard-earned money or transacted bank loans to further secure their futures.

All 2C commercial halibut fishermen have taken a combined 47% *biological* quota share cut in the past two seasons. Many are now paying on quota share they can no longer fish so servicing their debt is a real concern. Meanwhile, the Council has failed to make the 2C sport charter fleet accountable to their guideline harvest level, which has been consistently exceeded without consequence.

What's needed: We've been writing these same letters for over a decade with the same recommendations – it's time for the Council to finally impose a fixed allocation system, using the same biology, on the 2C charter halibut fleet with immediate enforceable consequences.

Sincerely,

/s/ Suzanne West  
P.O. Box 383  
Petersburg, AK 99833-0383  
907-772-3480

ec: Governor Sarah Palin / [cora.crome@alaska.gov](mailto:cora.crome@alaska.gov)  
Secretary of Commerce, Carlos Gutierrez / [cgutierrez@doc.gov](mailto:cgutierrez@doc.gov)  
Senator Lisa Murkowski / [arne\\_fuglvog@murkowski.senate.gov](mailto:arne_fuglvog@murkowski.senate.gov)  
Senator Ted Stevens / [Todd\\_Bertoson@commerce.senate.gov](mailto:Todd_Bertoson@commerce.senate.gov)  
Representative Don Young / [dave.whaley@mail.house.gov](mailto:dave.whaley@mail.house.gov)  
Director, NMFS / [jim.balsiger@noaa.gov](mailto:jim.balsiger@noaa.gov)  
Commissioner ADF&G / [Denby.Lloyd@alaska.gov](mailto:Denby.Lloyd@alaska.gov)



## Charter Halibut Task Force

P.O. Box 8500 Ketchikan, AK 99901 [www.charterhalibut.org](http://www.charterhalibut.org) 1-877-588-8819

March 20, 2008

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

MAR 20 2008

ALASKA

Dear Chairman Olson:

The Charter Halibut Task Force (CHTF), representing charter fishing operators whose clients catch halibut off Alaska, fully supports a nomination for Rex Murphy to a seat on the Advisory Panel. The North Pacific Fishery Management Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska, and Rex has firsthand knowledge and background on the complicated issues. During this critical time, Rex will provide a valuable charter perspective to a panel that has minimal charter insight or understanding.

Furthermore, Rex is both conservative and fair-minded toward the careful management of not only the international halibut resource, but the many fisheries the AP must consider. Rex is known throughout the charter industry for his constant analysis of numbers and documents that come from the NPFMC and IPHC. He has proven his desire to make a difference at the NPFMC by committing to the Charter Halibut Stakeholder Committee for the past year and a half. He understands and respects the Council process and his level-headed analyses would be valuable contributions to the many issues reviewed by the Advisory Panel.

Rex's diverse background gives him a uniquely broad perspective. He grew up in Alaska, then went to the lower 48 to pursue a university degree and a successful career as a software engineer with a highly ranked Fortune 500 company. He returned to Alaska to start his own business, and is now prepared to use his problem solving skills by serving on the Advisory Panel.

We urge you not to miss this opportunity to add another valuable player to the AP by selecting Rex Murphy for this service.

Sincerely,

  
Kimberly Tebrugge  
Charter Halibut Task Force

2008  
S.P.C.

Charles B Wilber  
705 Etolin  
Sitka, Alaska 99835  
[cwilber@pci.net](mailto:cwilber@pci.net)

**North Pacific Fisheries Management Council**

**Dear Council Members,**

**Halibut Stocks are down in area 2C (Southeast Alaska). The IPHC has recommended a 27% cut for 2008.**

**The Commercial Response:** This is a big cut (47% in two years)! It's going to really hurt my business, but we shouldn't sacrifice long term abundance for short term gain.

**The Sport/Charter Response:** This is going to hurt my business. We should still be allowed to increase our catch by increasing the GHL so our businesses won't suffer.

Please resist increasing the Charter GHL to satisfy the demands of the over capitalized Charter fleet. The initial GHL was 125% of the existing catch. Increasing the GHL only rewards the Charter fleet for consistently going over their allocation. The only change to the GHL that the Council should consider is to convert the fixed GHL to a percentage allocation which would fluctuate with the abundance estimates. A percentage allocation would allow the charter fleet to share the gain and feel the pain.

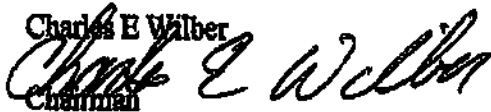
Individual Charter operators who are in danger of going over their GHL should be allowed to lease quota from the Commercial sector. This would allow Charters an opportunity to increase their business while compensating Commercial quota share holders for their loss of fishable quota.

Please implement effective management measures to control the runaway guided sport/charter catch so that it doesn't exceed the GHL. The Charter Harvest has exceeded its GHL the past three years and the Commercial fleet has subsidized this overage. All harvesters, sport and commercial, need to stay within their allocation. The process to put effective control measures on the Charter fleet has gone on for the past fifteen years, and effective management is long overdue.

In my position as Chairman of the Board for Seafood Producers Cooperative I've witnessed all of our Halibut fishermen (240 Halibut fishing members) taking a disproportionate financial thrashing because of this issue. When the Charter fleet goes over their GHL the overage comes right out of individually held commercial IFQ. Plus, the reduction in quota also hurts the 500 fisherman member/owners of SPC. We've spent a lot of money building a plant and hiring the staff to operate it. When production is reduced the production costs per/lb are increased, and profitability is decreased for all.

Fishing is full of uncertainty. Commercial fishermen realize that our success or failure is pinned to the overall health and abundance of fish stocks. The charter/sport fishery needs to realize that they can't guarantee their clients increased catches in the face of declining Halibut abundance.

Thanks for your consideration,

Charles E Wilber  
  
Chairman  
Seafood Producers Cooperative



# WHITTIER MARINE CHARTERS

P.O. Box 2693, Soldotna, AK 99669  
907.440.9510 www.fishwhittier.com

Mr. Eric Olson

Chairman

North Pacific Fishery Management Council  
605 West 4th, Suite 306

Anchorage, Alaska 99501-2252

RECEIVED  
MAR 2 2008  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Dear Chairman Olson:

I have been a charter operator based in Whittier for the past eleven years. The charter industry is a sensitive industry vital to the economic well being of port towns such as Whittier.

Unlike the commercial fleet, there are no economic buffers in place for us, nor do we experience rising ex-vessel prices when quotas decline. Operations such as mine absolutely depend on the ability to offer our clients the expectation of harvesting two halibut and must operate for the entire historical season. It is certain that the potential restrictions on the charter fleet will serve to cripple the industry.

I believe that there is finally a sense of unity among most operators. Consider the following.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. An adequate fixed allocation combined with upholding the moratorium will allow a season of historic bag limits and duration. This is **the only** solution which will allow the survival of operators like me, and the world class fishery which we have (and are on the verge of losing) today.

Thank you,

Mathew Kopec

March 25, 2008

Mr. Eric Olsen  
Chairman  
NPFMC  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

MAR 25 2008

Dear Chairman Olsen and members of the NPFMC,

Please tell me who is more important to YOU:

1. The public that buys their halibut from a grocery store or restaurant
2. The public that travels to Alaska and rides on a commercial-guided fishing trip to obtain their halibut

Ask yourself: #1, #2, or are they both of the same importance?

I fish halibut commercially in areas 2C and 3A and have for the last 32 years. Over the last 2 years in area 2C my IFQ catch has been reduced 41.6% because of concerns for the health of the halibut resource. Fifty percent of the halibut I fish I bought on the open market. To secure my loan I put up everything I own. Fifty percent of my halibut is original issue IFQ: I was given 80% of my catch during the qualifying years, not like the commercial-guided charter fishermen who were given 125% of their best years. Now in 2008, the commercial-guided charter fleet wants 30% more tacked on to their 125%. Also, they want a hard-cap, not a percent GHL based on abundance. They must think that always asking for more halibut over the years, is the way to a fair and equitable allocation for the commercial-guided charter industry.

With the 2C halibut resource in trouble, all users of this important fisheries resource should be good stewards of the resource. Both commercial set-line, and commercial-guided charter industry should share in the rebuilding of the halibut resource in Southeast Alaska (2C). I ask you to keep the commercial-guided charter quota no higher than the percentage equivalent GHL that was assigned by the Council with the 1.43 million pounds in 2003 (13%). Given that the commercial-guided charter GHL is 0.93 million this year, with a declining stock, it would certainly be appropriate to assign a lower percentage allocation than 13%. It is worth remembering that the commercial-guided charter industry is usually well over their allocation. A fixed allocation is not a conservation-based management strategy.

Sincerely,



Walter Pasternak  
F/V Christi Rob  
Box 830  
Sitka, Alaska 99835

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

RECEIVED  
MAR 21 2008  
M.F.F.C.C.

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror

how the commercial fleet is managed. A fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A will provide certainty and stability for both the charter industry and the commercial industry. It will also ensure that the State, the North Pacific Fishery Management Council, NMFS, and the commercial and charter industry participants won't have to devote significant time and resources to annual changes in halibut regulations.

Thank you for your consideration of this letter.

Respectfully,



Mark Novack

Sport Fisherman  
2911 Old Orchard Road NE  
Cedar Rapids, IA  
52402

The Honorable Sarah Palin  
 Governor of Alaska  
 P.O. Box 110001  
 Juneau, AK 99811-0001

March 24, 2008

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

MAR 24 2008

RECEIVED

Dear Governor Palin and Chairman Olson:

We are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and South-central Alaska.

My daughter and I enjoy our annual fishing expedition to Alaska each year. It is the one time we can be together for any length of time without husbands. We even brought some extra friends the last few years (yes, female ones as not only men like to fish) and had a ball. Living in Oregon we are now faced with the Federal closure of salmon fishing for goodness knows how long so our fun trips for fishing excitement is all the more important as we need the fish for our year long meat supply for two families. We utilize fish almost daily and used to fish often here in Oregon. Now it is more fun to go to Alaska, enjoy the scenery, people and get our Christmas shopping for our extended families completed in one fell swoop. We love the shops in Sitka and have even be accorded extra hospitality by our charter owner who had a shop keeper open the shop at not normal shopping hours so we could obtain some desired merchandise prior to our leaving Sitka.

But here you are trying to shut down our ability to fish and come back with two halibut as always (we love the chicken halibut) and less salmon, not to mention rock fish. What is wrong with you people? If you follow through with your rules, we are going to be looking at other places to fish and shop as there are other good sites out there believe it or not and we WILL leave Alaska to you who do not wish to have us there any longer.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

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They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a "fishing experience", which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror how the commercial fleet is managed. A fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A will provide certainty and stability for both the charter industry and the commercial industry. It will also ensure that the State, the North Pacific Fishery Management Council, NMFS, and the commercial and charter industry participants won't have to devote significant time and resources to annual changes in halibut regulations.

**So do you want us and our friends back in Alaska or not!**

Thank you for your consideration of this letter.

Respectfully,

*Mrs. Doris Bowman*  
*Mrs. Jennifer Sperling*  
Mrs. Doris Bowman  
Mrs. Jennifer Sperling

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

Dear Governor Palin and Chairman Olson:

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F/V Midnight Ryder  
Dennis J. Bartlett  
P.O. Box 876819  
Wasilla, AK 99687  
(907) 373-3965 or 841-5708

MAR 22 2008  
11  
MAR 22 2008  
11

March 22, 2008

NPFMC  
605 West 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501

Re: Halibut Charter Issue

Dear Eric Olson and Council Members:

I am Dennis J. Bartlett, been a crew member or fished my own halibut for the last 36 years. As of 2 years ago my IFQ's in 2C were the highest at 6,000 pounds. My IFQ poundage has dropped in 2008 to 3,100 pounds. The reduction of this quota puts financial strain on my business and my family. I currently still owe on my halibut fishing vessel, have to maintain the operating expenses, which include insurance and moorage the vessel is currently moored in Wrangell, AK. I have purchase additional 1500 pounds of IFQ's which is currently paid for. These IFQ's are only worth approximately 900 pounds in 2008.

I feel it is wrong that commercial quota is being given to sport fishery. The IFQ program was designed for the commercial fishery. I do support that all sectors share the resource conservation by changing the current GHL to a percentage that fluctuates with abundance.

Sincerely,

*Dennis J. Bartlett*

Dennis J. Bartlett  
Owner/Operator

F/V Kayleigh Ann  
The Short Family  
Joe, Gwynne, Kayleigh & Matthew

MAR 23 2008

March 23, 2008

Dear Chairman Olsen and Members of the Council,

My name is Joe Short, and I am a 3<sup>rd</sup> generation commercial fisherman who has lived in Petersburg for the last 30 years. When IFQ's were initially issued, I was allocated 22,000 lbs. of 2C quota and have since purchased 30,000 lbs. to supplement my income. I have two children who fish with me and also own IFQs. My wife Gwynne and I raised Kayleigh and Matthew to be self-sufficient and they both use income generated by commercial fishing especially halibut to help pay for their college education.

My family has chosen to live and work year-round in Petersburg, one of Alaska's greatest working waterfront communities. By living in Petersburg year-round we contribute to the local economy by mooring 2 boats in the harbor. We spend on maintenance between the 2 boats approximately 40-45 thousands a year at the shipyard and machine shops. We own our home, and we are still making payments to one of the local banks on Halibut IFQs we purchase with a balance of \$180,000. Our extremely active commercial fishing fleet is a source of great pride for our town, but the recent decline of our halibut quota due in part to the charter halibut fleet has created instability in Petersburg. As a commercial harvester and long standing member of the Petersburg community, I urge the council to hold the charter halibut fleet to the current GHL. Any allocation higher than the current range would be rewarding a sector for consistently exceeding their quota. As a harvester (and personal use/subsistence user) I feel that this practice is wrong, and will encourage sectors to fight with one another.

This year at the IPHC meetings I was amazed (shocked) at the charter sector, with all the science presented on the Halibut stocks and the commercial sector willing to endure the hardship of another 27% cut on top of last years 24% cut, the charter sector did not once mention conservation, all they were concerned with was the economic hardship on their members. Well we have a lot of young fishermen that have financed IFQ's with the Federal Loan Program that are fishing them now & are hoping to just break even. Thank you for your time and consideration.

Sincerely,

  
Joe Short  
Captain, F/V Kayleigh Ann

Steve Fish and Kari Johnson  
P.O. Box 6448 Sitka Alaska 99835

Eric Olson, Chair  
North Pacific Fisheries Management Council  
Anchorage, Alaska

MAR 2 2008

Re: Halibut Charter Management, April C6

Dear Mr. Olson and Council Members,

It is time to sever the cord between the commercial and charter industries. It is grossly unfair that the charter fleet is allowed to continue taking fish from the commercial longline sector and the fish eating public. Continuing to elude any meaningful cutbacks for conservation of the resource, they still clamor for more fish even as area 2C IFQ holders have lost over 40% of our quota in the last two years, willingly, for conservation. Kari and I have borrowed money and bought all the 2C quota we own, and supported the second major quota cut in two years, because we trust the IPHC when they say that, in a word, it is necessary for conservation and thus for the future of our business and the resource.

To have a separate allocation is the only fair way to make the charter fleet accountable for the fish they catch, responsible for the consequences of the growth of their industry, and to start to heal the divisions felt in many Alaskan coastal communities. The growth of the charter industry has been good for the Alaskan economy in many ways, but that growth has come at a cost to other users of the halibut resource. Before there was a guided sport industry in Alaska, the halibut resource was fully utilized by commercial (feeding the seafood industry as well as the American and International fish eating public), sport, and subsistence fishermen. Enough is enough. It is long past time to stop the unbridled growth of charter businesses from eroding other Alaska businesses, and making it more and more difficult for sport and subsistence fishermen to bring a fish home for dinner.

Alternative 1 is not an alternative. Under alternative 2, option 1a gives the charter industry a percentage, which floats with resource abundance, equal to the GHL which was passed by the council after years of testimony and which allowed the charter fleet a cushion to grow. It is not the commercial fisherman's fault that the charter fleet was allowed to grow until it

overharvested their GHL. Since when is overharvesting rewarded at a cost to the totally regulated and accounted commercial catch and the unguided sport and subsistence fishermen?

Lastly, any further adjustment, reallocation or transfer of fish from the commercial to the charter sector needs to involve willing parties on both sides, and must be compensated, for example by an IFQ lease provision. Nothing else is fair or reasonable.

Thank you for your time, and your commitment to fish and fairness.

Steve Fish and Kari Johnson

Handwritten signatures of Steve Fish and Kari Johnson. The signature on the left is 'SF' and the signature on the right is 'KJ'.

My name is Matthew Short and I am a 4<sup>th</sup> generation commercial fisherman who has lived in Petersburg for 20 years. I fish with my father on his boat, the F/V Kayleigh Ann and I have purchased IFQs. I have saved my state dividend money and purchased IFQs with it to help pay for college and as an investment in my future. I presently have a Federal loan halibut IFQs for \$160,000.00. I plan to graduate from college and move back to Petersburg but the existing fight between the commercial and charter halibut fleet has me worried about my future as a harvester. Because the charter fleet a relatively new sector is not being held to their GHIL and is growing rapidly and asking for a reallocation from the commercial sector. There are millions of dollars of financed IFQs in the commercial sector, a large portion of young fisherman like myself. With a reallocation this would more than likely put us out of business. Thank you for your time and consideration.

Sincerely,



Matthew Short  
Crew, F/V Kayleigh Ann

MAR 27 2008

MLP/TC

My name is Kayleigh Short, a 4<sup>th</sup> generation commercial fisherman who has lived in Petersburg for 22 years. I fish with my father on his boat, the F/V Kayleigh Ann. While growing up I saved my permanent fund dividends as well as my income from commercial fishing and was able to purchase IFQs. This has been an investment to help finance my college education as well as contribute to the family business. I plan to graduate from college and move back to Petersburg, but the existing fight between the commercial and charter halibut fleet has me worried about my future as a harvester. With recent quota cuts, I am already struggling to pay for my college education.

I am not only concerned about the economic effects of this fight but also the survival rates of the halibut. If the charter fleet is not faced with more strict regulations and enforcement of these regulations, there will soon be no stock left for anyone. Currently, regulations on charter fisherman are not being enforced with consequences. As a result further restrictions are being put on commercial fisherman. Soon there will no longer be a halibut fishery, which means my family and myself will be out of business; left in debt with no source of income. Thank you for your time and serious consideration of the consequences to commercial fisherman and the halibut fishery if the charter fleet is not regulated.

Sincerely,



Kayleigh Short  
Crew, F/V Kayleigh Ann

Fairweather Fish, Inc.  
Lisa Newland  
PO Box 1729  
Gig Harbor, WA 98335

March 24, 2008

North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501

RECEIVED  
MAR 24 2008  
11:51 AM

RE: Charter Halibut

Fairweather Fish, Inc, a small family fishing operation, has purchased many IFQ's and supports a substantial mortgage in this Halibut Fishery.

This investment was based in part on the many past "Reports to the Fleet", which states numerous times since 1995, that limited changes to the quota share pool may occur *only* due to the settlement of administrative appeals. The devaluation of the Quota Share Pool through the reallocation to other user groups is equivalent to changing the Quota Share Pool.


The Council should not take actions that cause loss of value to *any* established QS Pools, after purchases, sales, and transfers have already occurred. Actions of those types could devastate small businesses. There should be careful consideration of rules to protect Original QS Pools.

If you change the GHL Fairweather Fish, Inc. will be making principal and interest payments for the next ten years, on quota it no longer can harvest! And they will not be alone in that. The GHL should be fixed at the level of 1995, the first year of Halibut IFQ Fishery.

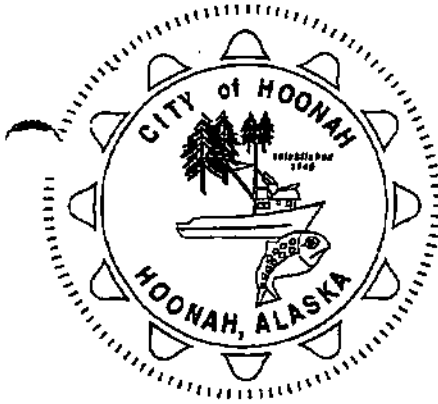
The Charter Fleet should be allowed to buy the commercial quota. With Charter IFQ's the same economic stabilization will occur, and with subsidizing and transfer of commercial quota into charter quota, there should never be a shortage of Halibut for the charter sector during tourist season. They will have a mortgage, but they will still have their businesses. That is the situation many in the commercial sector are facing.

Your consideration of these comments is greatly appreciated.

Sincerely,



Lisa Newland  
Fairweather Fish, Inc.



# CITY OF HOONAH

P.O. Box 360 • Hoonah, Alaska 99829 • (907) 945-3663 • FAX (907) 945-3445

March 24, 2008

North Pacific Fisheries Management Council  
 Eric Olson, Chair  
 605 W. 4<sup>th</sup> Avenue, Suite 306  
 Anchorage, AK 99501

Fax: 907-271-2817

MAR 24 2008  
 M.D. 11

Dear Council Members,

I am writing to ensure that our voice as coastal community is heard as you weigh your decision in regards to the halibut charter issue.

Hoonah is a community of 850 year round residents. Our economy is resource based and fisheries is the leading driver for our residents. The IFQ system has hurt our local community with the flight of quota from long time fisherman to the urban centers where wealth is concentrated. Coupled with flight of quota from Hoonah, we have seen a decline in harvestable quota for conservation reasons. We in Hoonah can appreciate the need to conserve for future generations and don't dispute the need to set harvest guidelines to preserve the halibut stocks.

With the above ongoing issues for our local fisherman we are now facing a fixed allocation issue for the charter fleet. It seems that we are now on our third strike. I am in a difficult position in trying to ensure that the allocation issue is fair and equitable. Hoonah is a top port in Southeast for longline fisheries with 32 different quota holders making up roughly 1.5 percent of the 2C quota share, while nearly 8% of all halibut landings were in landed in Hoonah. However we do have a growing charter fleet that needs access to quota as well.

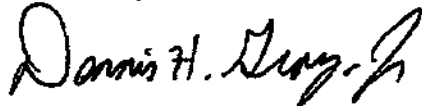
My municipality does count on raw fish tax which totals well over a hundred thousand dollars on an annual basis. The lions share of that total comes directly from the longline fisheries. I would urge that the council support a provision for the charter fleet based on a floating allocation that mirrors the quota system. If there are conservation needs then all gear types need to support that initiative. We cannot ask the commercial fisherman to

carry all the load for conservation. If the charter fleet wishes to become a player they need to be asked to take conservation measures when the need arises, such as this year.

I hope that you can strike the appropriate balance as you move forward and ask the Charter fleet to take a reduction when the conservation demands it and help preserve the rural fishing communities of Alaska.

Thanking you in advance for the chance to offer testimony on behalf of Hoonah.

Respectfully,



Dennis H. Gray, Jr.  
Mayor



From: Carolyn Nichols <carenichols@hotmail.com>

Date: Mon, Mar 24, 2008 at 6:27 AM

Subject: council letter

To: halibutcoalition@gmail.com

Please pass this on to the council as i do not have a fax available to me .

To: NPFMC

I am writing about the reduction in the halibut quota in Alaska for the upcoming 2008 season for commercial halibut fishermen. I own quota share for halibut and sablefish. Some of it is initial allocation and some of it I have bought. It is my sole income. I am willing to tighten my belt and take the reduction in the quota because I believe in the IPHC's recommendations. They have a good track record on halibut management.

The charter fishing sector has an extremely bad track record on resource use. They continually go over their GHL and cry for more.

I feel most strongly that the charter fishermen should take their designated quota lowering too. I see nothing that makes them any different than I am in the economic hardship this will cause. I have plenty of bills to pay too. I will probably have to go get another job to makeup the difference with the reduction in the halibut quota.

I see nothing different in their complaints that clients are expecting to catch two fish. I was expecting to catch more than I am going to get too also. The public that eats this fish will see less of it on the market to buy.

I see no basis for their cries that people won't come to fish for only one fish- There are lots of places in the world that are catch and release only that are fully booked. All they have to do is market it as a sportfishing experience instead of a maximum meat trip. To be contrary I might add that by and far the majority of the population that is the public buying this fish gets it from the commercial fishermen via stores and restaurants across the country and never will go to Alaska to catch their own- but have a right to a steady supply too.

The huge difference I see between the commercial longline fleet and the guided charter sector is the total disrespect for both the health of the resource and anyone but themselves that the charter sector has. The longline fleet is willing to take cutbacks for the health and well being of the resource. The guided charter sector is not. The longline fleet agreed to a 25% increase in the charters historic catch for the charter GHL. The charter fleet just cries and demands for more.

I feel very strongly that the charter GHL should be a percentage of the overall catch so that it fluctuates with the allowable catch. This would do several things. It would put the charters and longliners on the same playing field in that both would be on a percentage allocation which would make it so neither could come complaining that the other is getting an increase at the others expense. This is good management. It would also make the charters share in the conservation of the resource in years when the allowable catch is lower, This being responsible and caring about the health of both the resource and the others user groups would be a new concept to the charter industry, but I am sure in time they would get used to the idea that the universe does not center around them.

I also feel that the measures before the Secretary of Commerce to create fair ways to control the guided charter harvest are imperative to the health of the halibut resource- which should be #1. If this means that the charter fleet is restricted to a one fish limit for their season - so be it- I am sure the public does not want to see the charter fleet be the cause of overfishing the resource as well as the local depletion already happening around towns with larger charter fleets.

Thank You  
Carolyn Nichols  
P.O.Box 226  
Sitka, AK 99835

From: Steve Daniels <[steve@highlinertodge.com](mailto:steve@highlinertodge.com)>  
Date: Mon, Mar 24, 2008 at 9:10 AM  
Subject: Please forward to NMFS  
To: [halibutcoalition@gmail.com](mailto:halibutcoalition@gmail.com)

MAR 24 2008

NMFS/ALC

I am unable to send this directly, Please forward

Dear North Pacific Fishery Management Council,

The Halibut Charter Industry's unbridled growth must stop!

I am a commercial Fisherman who derives all of my annual income from the commercial long-line fishery. I have borrowed over \$500,000. to invest in Halibut IFQs. My loan is almost paid off now. It is grossly unfair to me that the halibut charter fleet should be able to usurp my hard earned (and dearly paid for) fishing quota. These people haven't paid a thing!

My family and I depend on commercial fishing for ALL of our annual income. I fish with my two grown sons who also depend on commercial fishing for ALL of their annual income. The commercial halibut fishery provides sustainable jobs in our community (Pelican, Alaska) and benefits many other businesses in Alaska, such as grocers, barge lines, repair shops, airlines, and restaurants. We have invested heavily in IFQ because of the stability promised by the government.

The open ended reallocation from the commercial halibut fleet to the charter halibut industry has reduced the value of my IFQ, reduced my ability to make a living, and made it more difficult for me to pay off my IFQ loan.

The only fair and obvious way to remedy the encroachment of the Halibut Charter Industry on my hard earned living is to insure that all sectors share in resource conservation by changing the current GHL to a percentage that fluctuates with abundance.

If the Charter halibut industry needs room for growth; I support allowing the sale or lease of halibut IFQ for that purpose.

Sincerely,  
Steve Daniels  
Jill Daniels  
Joe Daniels  
Jon Daniels  
Box 707  
Pelican, Alaska 99832  
907-735-2476  
360-607 6592  
[steve@highlinertodge.com](mailto:steve@highlinertodge.com)

# Saltwater Adventures

North Pacific Fishery Management Council  
Eric Olson Executive Director  
Chris Oliver, Executive Director  
605 West 4th Ave, Suite 306  
Anchorage, Alaska 99501

MAR 2 2008

NPFMC Members,

Hundreds of Alaskan businesses and millions of dollars of tourist revenues are at stake and are based on your recommendations concerning the Charter Halibut Allocation.

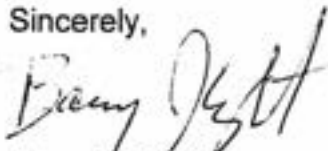
Below are some of my concerns with the outcome of your decisions:

1. We need a final solution with no more annual changes
2. We need a fixed allocation with the same 125% of the current catch they gave us when the original IFQ was voted in.
3. We need traditional Seasons and traditional Bag Limits
4. The Moratorium needs to be fast tracked and implemented
5. We need Bag Limits of two fish with no restrictions on size

The NPFMC has the opportunity now to bring this allocation war with our commercial friends to an end and also give long term stability to the State of Alaska tourism industry and to small businesses.

We are depending on you and thank you for your considerations.

Sincerely,



Barry J. Wright  
Owner/Operator Saltwater Adventures

*E-mail* [salth2oadventures@yahoo.com](mailto:salth2oadventures@yahoo.com)  
(907)240-3639 Anchorage based Cell  
P.O. Box 39328, Ninilchik, AK 99639

Dick Curran  
F/V Cherokee  
Sitka, AK 99835



Sincerely,

Finally the Council must remember that the 2C halibut stock is in decline and is projected to decline the next few years. Any allocation must be tied to abundance and should be on the side of conservation.

Compensated reallocation between the two commercial sectors, commercial and charter, would do a lot to relieve the tension in small southeast towns. This would also allow individual charter and longline businesses to build their businesses to their own needs.

Every crewman on my boat has bought IFQ. This was a major investment for these young fishermen. It only seems fair that owners of multimillion dollar lodges could do the same.

I believe the charter industry should be given no more than 13% allocation as originally proposed based on 125% of their highest catch. Any allocation beyond that should be addressed through an IFQ system or some compensated transfer program.

I am a commercial 2C halibut fisherman. I have been for 30 years, since I was a kid. I have bought 1/2 of my quota. I have done this gladly, believing buying IFQ was a way to build and add stability to my fishing business. I also believed investing in IFQ was a way to plan for retirement and have something to pass on to family members. This plan will continue to work unless the decision is made by the council to reallocate without compensation to the newest commercial industry, the charter industry. Many Alaskan families depend on this same plan: 80% of 2C IFQ is owned by coastal Alaskan residents. Conversely, 90% of the 2C charter industry clients are non-residents.

Dear Eric,

Eric Olsen  
Chairman  
North Pacific Fishery Management Council  
Anchorage, AK

March 24, 2008

MAR 24 2008  
MAIL ROOM  
FV

March 25, 2008

507 Three Eagles Street  
Colorado Springs, CO  
80906

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
VIA FACSIMILE: 907.271.2817

MAR 25 2008  
MIDWEST

Dear Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish; they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror how the commercial fleet is managed. A fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A will provide certainty and stability for both the charter industry and the commercial industry. It will also ensure that the State, the North Pacific Fishery Management Council, NMFS, and the commercial and charter industry participants won't have to devote significant time and resources to annual changes in halibut regulations.

Thank you for your consideration of this letter.

Respectfully,



Nicholas Daley

Charles E. Wilber  
705 Etolin  
Sitka, Alaska 99835  
[cwilber@gci.net](mailto:cwilber@gci.net)

MAR 2 2008

North Pacific Fisheries Management Council

Dear Council Members,

Halibut Stocks are down in area 2C (Southeast Alaska). The IPHC has recommended a 27% cut for 2008.

**The Commercial Response:** This is a big cut (47% in two years)! It's going to really hurt my business, but we shouldn't sacrifice long term abundance for short term gain.

**The Sport/Charter Response:** This is going to hurt my business. We should still be allowed to increase our catch by increasing the GHL so our businesses won't suffer.

Please resist increasing the Charter GHL to satisfy the demands of the over capitalized Charter fleet. The initial GHL was 125% of the existing catch. Increasing the GHL only rewards the Charter fleet for consistently going over their allocation. The only change to the GHL that the Council should consider is to convert the fixed GHL to a percentage allocation which would fluctuate with the abundance estimates. A percentage allocation would allow the charter fleet to share the gain and feel the pain.

Individual Charter operators who are in danger of going over their GHL should be allowed to lease quota from the Commercial sector. This would allow Charters an opportunity to increase their business while compensating Commercial quota share holders for their loss of fishable quota.

Please implement effective management measures to control the runaway guided sport/charter catch so that it doesn't exceed the GHL. The Charter Harvest has exceeded its GHL the past three years and the Commercial fleet has subsidized this overage. All harvesters, sport and commercial, need to stay within their allocation. The process to put effective control measures on the Charter fleet has gone on for the past fifteen years, and effective management is long overdue.

In my position as Chairman of the Board for Seafood Producers Cooperative I've witnessed all of our Halibut fishermen (240 Halibut fishing members) taking a disproportionate financial thrashing because of this issue. When the Charter fleet goes over their GHL the overage comes right out of individually held commercial IFQ. Plus, the reduction in quota also hurts the 500 fisherman member/owners of SPC. We've spent a lot of money building a plant and hiring the staff to operate it. When production is reduced the production costs per/lb are increased, and profitability is decreased for all.

Fishing is full of uncertainty. Commercial fishermen realize that our success or failure is pinned to the overall health and abundance of fish stocks. The charter/sport fishery needs to realize that they can't guarantee their clients increased catches in the face of declining Halibut abundance.

Thanks for your consideration,

Charles E Wilber  
*Charles E Wilber*  
Chairman  
Seafood Producers Cooperative



March 24, 2008

Eric Olsen  
Chairman  
North Pacific Fishery Management Council  
Anchorage, AK

RECEIVED

MAR 24 2008

N.P.F.M.C.

Dear Eric,

My name is Kevin Beam. I am 26 years old and I have been fishing for my entire life and I am a second generation fisherman out of Sitka. Halibut fishing is a very large portion of my income. I purchased my IFQ and intend to be a career longliner.

I am conservation minded and the halibut stock is in decline. Obviously, any allocation to the charter industry should be based on a percentage of the stock abundance, not a fixed allocation. That is the only management scheme that is good for the resource.

I also think that the charter industry allocation should be based on no more than their initial allocation, which was 125% of their top years – this is way more generous than the commercial fleet was offered.

I noticed in the analysis that the charter GHL was assumed to be 1.43 million pounds. We all know that the GHL is actually now 0.93 million pounds and the halibut stock is still in decline. The Council should be more conservative because of these facts.

Thank you for the opportunity to comment.

Sincerely,

Kevin Beam  
Sitka, Alaska



March 24, 2008

Eric Olsen  
Chairman  
North Pacific Fishery Management Council  
Anchorage, AK

RECEIVED

MAR 24 2008

N.P.F.M.C.

Dear Eric,

I have been commercial longlining halibut since 1983. Halibut has been an important part of my income, and my family's income. I understand that quotas have to fall and rise with abundance in order to have sustainable fisheries. In my way of thinking it is critical that the charter industry have a hard allocation that is tied to abundance.

The charter industry allocation should not exceed 13%, as this is equivalent to their initial GHF which was based on 125% of their highest catch. When commercial fishermen were issued IFQ their allocation was based on 80% of their recent historic catch so the charter industry already has a favorable allocation.

Obviously the 2C halibut stock is in decline, the commercial fleet has taken a huge cut in their quota in the past 2 years, and the short term outlook is for more declines. In light of this the charter industry is still asking for more fish, which seems pretty irresponsible, and is not reflective of resource stewardship.

Please consider the halibut resource, and the negative impact of any reallocation on the historic commercial longline fishery in sending this analysis forward.

Sincerely,



Randy Nichols  
F/V Nekton  
Sitka, Alaska

Dear members of the Council,

I have been involved in the commercial halibut fishery since the age of twelve and five years ago bought my first piece of quota and have since then bought more at a great expense. Commercial halibut fishing has been an important part of my family's way of life since the early 1980's and I hope to see this fishery continue to be a viable way for people to earn their living. I would like to see that this fishery is maintained for the benefit of the subsistence, sport, and commercial sectors.

Having bought all of my quota shares I feel that the reduction in the halibut quota while necessary to maintain the resource should not be something that only the commercial sector has to bear the brunt of. The resent reduction in the halibut quota has made my personal ability to pay off my quota shares a much slower process and while this is undesirable, the resource is more important. With this having been said, shouldn't all user groups participate in the maintaining of the halibut resource?

The charter fishery wants to have their GHL increased without any compensation to commercial quota share holders and while this may not hurt some people, there are others such as myself who cannot afford to have their halibut quota keep disappearing. Why should the charter fishery get to have how ever many halibut they want while the rest of the user groups of this resource suffer? The charter fisher should have either a fixed allocation or an even better option is to have an allocation that is allowed to fluctuate depending upon the abundance of halibut. Then if a charter operator wants to catch more halibut he/she could lease halibut quota there by compensating the commercial sector and allowing the charter industry growth at the same time.

I am urging the council to take measures to not allow the charter industry to have an increase in their GHL; one user group shouldn't be allowed to benefit from a decrease in the halibut quota while the other user groups suffer. Even more importantly by allowing an increase in the GHL would almost be saying that the charter industry is more important then the halibut resource and this is not true. By not increasing the GHL and making it so the charter fishery has an allocated amount of the quota available which is allowed to fluctuate with the abundance levels, and leaving the option for the charter fishery to lease commercial quota when needed. I feel that the council would be taking steps forward in protecting this valuable resource.

Sincerely,

Ryan Nichols

MAR 21 2008  
N.P.F.F.C.

**Harvey & Mona Luck**

4703 South Fraser St.  
Aurora, CO 80015

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

MAR 25 2008

NPFMC

**RE: COLORADOANS LOVE ALASKA'S HALIBUT**

Dear Mr. Olson, Chair,

Our family enjoys eating sustainable, healthy wild fish from Alaska—particularly halibut and salmon. Due to the travel costs and time, we do not visit Alaska very often and rely on purchasing our fish directly from the fisherman, store, or restaurant.

We understand that this council is considering halibut management decisions that will affect our access to America's halibut resource. Therefore for the benefit of our family and all America's consumers, we urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will enable us to continue to enjoy this great tasting and nutritious protein.

Respectfully,

*Harvey & Mona Luck*

Harvey & Mona Luck

5335 W 16<sup>th</sup> Avenue  
Lakewood, CO 80214  
(303) 568-9695 Home  
Fax (303) 798-5957

**Jennifer Sweeter**

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

REC-10  
MAR 26 2008

N.P.F.M.C.

VIA FAX

RE: COLORADOANS LOVE ALASKA'S HALIBUT

Dear Mr. Olson, Chair:

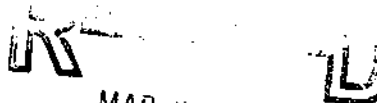
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We understand that this council is considering halibut management decisions that will affect our access to America's halibut resource. Therefore for the benefit of our family and all America's consumers, we urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will enable us to continue to enjoy this great tasting and nutritious protein.

Sincerely,

  
Jennifer Sweeter

**NPFMC**  
605 West 4<sup>th</sup> Ave, Ste 306  
Anchorage Ak 99501

  
MAR 25 2008

March 25, 2008

To Who it may Concern,

**NPFMC,**

The 47% quota reduction of 2007/2008 Area 2C Commercial Halibut IFQ shares has cut my family's annual income almost in half. I am lucky to have a halibut fishing job at all as I never found the shares affordable while raising a family. I have been lucky not to be replaced on deck by a shareholder. The IFQ program changed my plans when they came into being and I adapted. I believe that sound management and protection from over-harvesting of this and all other fisheries is of a higher priority than that of allowing any and all interests to harvest.

In the 2008 halibut charter interim management plan are options to raise the bag limit by increasing the GHL without compensating for these pounds being taken from the investors of commercial quota shareholders, change the GHL to a fixed or fluctuating allocation, and allow charter operators to lease shares from the commercial sector.

A higher bag limit during a time of low halibut abundance would quickly affect the ability for Coastal villagers to harvest sport and subsistence halibut while ignoring the biology and corresponding conservation measures.

A fixed allocation does not allow for the natural fluctuations of abundance, while a flexible guideline would take into consideration any recent impacts to the resource and fair distribution of the resource would be allocated among harvesters.

Allowing Charter operators to lease Quota shares from shareholders would be a way of finally tracking actual halibut pounds caught by this fleet and would allow responsible members of the Charter Fleet to invest in the Halibut resource and future.

Sound management is based on reliable science. All of Alaska's fisheries are dependent on non-politicized science that has the health and longevity of these target species as its primary goal. The cost of this science and management should be a cost shared by all harvesting participants. Charter operators have been in a very grey, very lucrative area of fisheries harvest by not being included in sharing the cost of management, by over fishing their Guideline Harvest year after year after year and now by asking for more halibut stocks to be allocated in 2008 to the charter operators when all other Guideline Harvests Levels are being reduced. This is in direct conflict with all science available and all parties sharing responsibility for the health of Alaska's halibut. The unlimited and rapid growth of the charter fleet and the over-harvesting of our near shore halibut have affected the Alaska resident sport, subsistence and commercial fishers.

Jeff W. Robinson  
PO Box 633  
Petersburg Ak 99833  
907 772 4647  
albertaj@gci.net

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817  
VIA FAX

RECEIVED  
MAR 26 2008

N.P.F.M.C.

### PROTECT ALASKA'S HALIBUT

Dear Mr. Olson, Chair,

Our family enjoys eating sustainable, healthy wild fish from Alaska—particularly halibut and salmon.

I am deeply concerned with the limited regulations on the halibut sport fishing guide services in particular, and feel there is a great need to control the number of guides and their related catch.

We understand that this council is considering halibut management decisions that will affect our access to America's halibut resource. Therefore for the benefit of our family and all America's consumers, we urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will enable us to continue to enjoy this great tasting and nutritious protein.

Respectfully,



Jason Western  
3411 Walnut Bend Ln #212  
Houston, TX 77042

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817  
VIA FAX

MAR 2 2008  
N.P.F.M.C.

**PROTECT ALASKA'S HALIBUT**

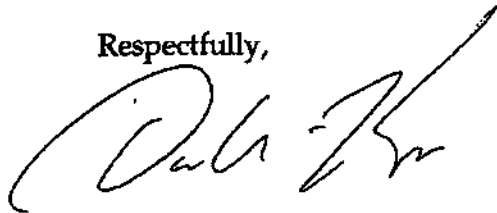
Dear Mr. Olson, Chair,

Our family enjoys eating sustainable, healthy wild fish from Alaska—particularly halibut and salmon. Due to the travel costs and time, we do not visit Alaska very often and rely on purchasing our fish directly from the fisherman, store, or restaurant.

I am deeply concerned with the limited regulations on the halibut sport fishing guide services in particular, and feel there is a great need to control the number of guides and their related catch.

We understand that this council is considering halibut management decisions that will affect our access to America's halibut resource. Therefore for the benefit of our family and all America's consumers, we urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will enable us to continue to enjoy this great tasting and nutritious protein.

Respectfully,



David Korte  
4210 Thickey Pines Ct.  
Katy, TX 77494



RECEIVED

MAR 26 2008

N.P.F.M.C.

3/25/2008

TO: NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
ATTN ERIC OLSON, CHAIRMAN

I'M WRITING TO YOU ABOUT THE HALIBUT REALLOCATION ISSUE.

I AM SKAGWAY ALASKA'S ONLY COMMERCIAL FISHERMAN. SKAGWAY A COASTAL TOWN OF ABOUT 500 RESIDENTS IN WINTER AND A COUPLE THOUSAND DURING THE SUMMER TOURIST SEASON. FOR MOST PEOPLE IN TOWN, I'M THERE ONLY ACCESS TO FRESH FISH. I'VE BEEN SELLING HALIBUT TO INDIVIDUALS, AND RESTAURANTS, FOR MANY YEARS. THE LOCALS DEPEND ON ME FOR THEIR FISH. THERE IS NO OTHER OUTLET IN TOWN FOR ANY KIND OF SEAFOOD, AS THE GROCERY STORE OR HEALTH FOOD STORE DON'T CARRY ANY. MOST TOWN PEOPLE DON'T HAVE ACCESS TO A BOAT, AND CHARTER BOATS ARE TOO EXPENSIVE FOR LOCALS. THE PUBLIC SERVICE I PROVIDE MAKE HALIBUT AFFORDABLE TO EVERYONE FROM SENIORS TO YOUNG FAMILIES.

WHEN YOU ARE DECIDING ON A REALLOCATION PLAN, IT BUMS ME OUT THAT THE COMMERCIAL CHARTER SECTOR HAS THE POSSIBILITY OF BEING REWARDED FOR CONSISTENTLY GOING WAY OVER THEIR SHARE. THE COMMERCIAL LONGLINE SECTOR HAS ALWAYS STAYED WITHIN ITS QUOTA. I BELIEVE WHEN DECIDING ON A PERCENTAGE FOR THE COMMERCIAL CHARTER SECTOR YOU SHOULD BACK DATE IT TO THE MID 1990'S OR 2001, BEFORE ALL THE OVERAGES BEGAN. SOME PEOPLE WILL BE HURT BUT SO WERE SOME COMMERCIAL LONGLINERS WHEN IFQ'S BEGAN IN THE MID 1990'S.

SKAGWAY HAS 7 CHARTER BOAT OPERATIONS, BUT ONLY ONE OF THEM ACTUALLY LIVES IN SKAGWAY. THE REST MAINTAIN P.O. BOXES HERE AND SHOW UP AT THE END OF APRIL AND LEAVE IN OCTOBER. THEY DON'T OWN PROPERTY OR HAVE KIDS IN SCHOOL AND THEY TAKE THEIR PROFITS SOUTH.

-2-

SKAGWAY HAS ONE OF THE HIGHEST UNEMPLOYMENT RATES IN THE STATE DURING THE WINTER MONTHS. I'VE BEEN COME TO DEPEND ON MY HALIBUT INCOME EVERY SEASON. MY 5000 LBS HAS BEEN CUT BACK TO 3000 LBS IN THE LAST TWO YEARS. I'M NOT OPPOSED TO CUTTING BACK IF ITS FOR CONSERVATION AS I'D LIKE TO PASS ON MY IFQ'S TO MY 11 YEAR OLD SON. BUT IF THE CUT BACK IS POLITICALLY MOTIVATED OR ITS TO REPLACE AN EXISTING INDUSTRY WITH A NEW AND RAPIDLY EXPANDING INDUSTRY, THEN I'M AGAINST ANY CUT BACK. THE LOSS OF 2000 LBS AT \$4.00/LB IS HUGE TO A SMALL SCALE OPERATION SUCH AS MINE.

I KNOW YOU'VE TALKED ABOUT THIS BEFORE, BUT I PERSONALLY BELIEVE AN IFQ SYSTEM IS THE BEST ANSWER FOR THE ENTIRE HALIBUT FISHERY. GIVE THE COMMERCIAL CHARTER INDUSTRY A FIXED PERCENTAGE OF THE QNL, SAY BACK TO 2000, AND ANY ENTRANTS AFTER THAT ARE ALLOWED TO BUY IN - JUST AS WHAT HAPPENED IN THE COMMERCIAL LONGLINE SECTOR. I THINK BOTH COMMERCIAL SECTORS SHOULD BE TREATED EXACTLY THE SAME AND SHARE IN CONSERVATION, ABUNDANCE AND EXPENSES. MAKE THE IFQ'S TRANSFERABLE BETWEEN EACH OF THE SECTORS AND WITHIN EACH SECTOR. IF YOU WANT TO GROW YOUR BUSINESS THEN GET A LOAN, BUY MORE SHARES, TAKE THE RISK, AND HOPE THERE'S FISH IN THE FUTURE TO MAKE YOUR PAYMENTS.

HALIBUT IS GETTING TO BE A RICH MAN'S FISH WHERE ONLY CRUISESHIP PASSENGERS CAN AFFORD IT AND THE REGULAR PEOPLE ACROSS THE COUNTRY WONT HAVE ACCESS TO HALIBUT IN THE GROCERY STORES BECAUSE OF LOW SUPPLY & HIGH COST.

THANKS FOR THE OPPORTUNITY TO COMMENT

*Mark Salda*

MARK SALDA SKAGWAY ALASKA

March 25, 2008

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Ste 306  
Anchorage, Alaska 99501-2252  
FAX (907)271-2817

RECEIVED

MAR 26 2008

N.P.F.M.C.

Dear Chairman Olson:

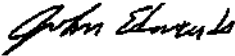
Having previewed the schedule for the April '08 NPFMC meetings, I recognize, as usual, the disproportionate percentage of time devoted to charter concerns and sport-caught halibut harvests. I am shocked that you actually believe the time and resources of the AP and the Council should be allocated to inconsequential sport-harvest concerns. Every sport concern sponsored by commercial fishing interests has been purely rhetorical and unsubstantiated by documentation. Every One! I am equally shocked that your body actually believes your mission should be to attack and restrict any sub-group of the sport fishing public- specifically, those sport anglers choosing to hire transport in order to access halibut.

Each of you occupies an important seat of a critical management body. In the past, the North Council has acted with obvious bias and reckless disregard for the management consequences. This council has been structured completely outside the spirit and intent of the Magnason-Stevens act, and has failed miserably to insure that valuable natural resources are secure. Like the IPHC, this council is fueled by economic concerns of those accumulating great wealth from our resources and not the future of those resources per se. Past council actions have disregarded the Alaska Constitution and its Public Trust Doctrine which preserves these natural resources for the citizens of Alaska. Twice the Federal Court has ruled that commercial fishermen do not "own" this resource or the exclusive "right" to access the resource. Past councils have abandoned their charge of conservation and acted solely as agents of special interest. Rationalization programs, railroaded by the commercial fishing monopoly on the North Council, are prime examples. World recognized economists have labeled the NPFMC's halibut rationalization program as a huge "mistake" which will certainly spell the demise of the resource. Now, in the wake of rapidly declining harvestable halibut numbers (after 12 years of commercial halibut IFQ's), you are seeking to steal the tiny percentage of Sport-caught harvest to cushion the high profit of Longliners a little while longer!

Your efforts and attention should be much more appropriately directed to "commercial" halibut waste. Dr. Bruce Leaman, Director of IPHC, has publicly stated that "in terms of pure numbers, the commercial fishermen kill and waste more halibut than they harvest and sell." The sport harvest is permissive and without negative impact. The majority of sport-caught halibut would have been discarded by commercial fishermen as too small, while even the smallest halibut fillet would have certainly been utilized by a sportsman's family. I urge you to have the courage to mandate video monitoring on all commercial fishing vessels and accurately document harvests.

The Council should cease all attacks on public access to halibut. There is no cause and effect relationship to any current problems related to resource survival. All challenges are rhetorical and totally without merit! As a sport fisherman who accesses his halibut by Charter Boat, I can assure you that indefensible limiting restrictions on the public (any sub-group of sport fishermen, ie. charters clients) will be challenged in Federal Court in the future. My dollars will be offered to legal representation, and my future votes will be cast for a Governor who is not sponsored by the United Fishermen of Alaska, rather for one who respects the Constitution of the State of Alaska and its people.

Sincerely,



John Edwards

To: NPFMC  
605 WEST 4<sup>TH</sup> AVE.  
SUITE 306  
ANCHORAGE, AK. 99501

FROM: Robin Reed  
PO Box 877332  
Wasilla, AK. 99687

RECEIVED  
MAR 27 2008  
M.F. 11:17

March 24, 2008

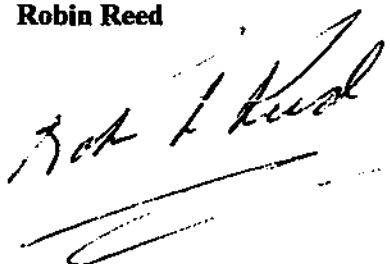
COUNCIL MEMBERS,

I am sending this letter in regards to the charter industry demanding an increase in their GHL. I am sorry but these individuals had ample opportunity to go to an ifq program or limited entry into their industry as did the setline commercial fishermen. They opted to ignore these fixes in the 90's. Now they have reached their allocated share of the guideline harvest levels and act as if this was a surprise regulation. The fact that they want a fixed allocation goes against all good management practices in conserving what is probably the best managed fishery resource in the world. **I THEREFORE URGE YOU TO CHANGE THE CURRENT GHL TO A PERCENTAGE THAT FLUCTUATES WITH THE STOCK ABUNDANCE SO ALL USER GROUPS SHARE IN THE RISK AND REWARD.**

The quota drop this season alone, in conjunction with what appears to be lower prices at the dock is going to probably at a minimum cause a 10 - 12 % drop in my income if not more, especially with the economic problems that are going on in the U.S. at this time. This also makes it much more difficult to make the quota share payments thus reducing net income. I realize not only commercial setline fishermen have expenses, as do the charter operators, **THIS IS A BUSINESS WE ARE ALL IN FOR THROUGH GOOD AND BAD TIMES AND JUST KEEP THE PLAYING FIELD LEVEL ALLOCATE BY PERCENTAGE IN GHL.**

Sincerely;

Robin Reed



Dear NPFMC,

RECEIVED  
MAR 2 2008

I'm writing this letter to express my concern about the charter/commercial issue. I'm a 25 year old, 3<sup>rd</sup> generation out of Sitka, AK who has been investing my hard earned money in 2C halibut. It's becoming more than irritable that the charter fishermen want to capitalize from the resource with no regard for whatever, and whoever they hurt in the process. They are causing hard feelings in peaceful communities. I'm all for conservation, but when my earned quota is being taken away for the better of another fishing group, it's just plain wrong. They claim a one halibut bag limit will drive sport fishers away. Where will they go? Further North where eventually the same problem will occur? One thing charter fishers are not willing to accept is that fishing has it's high's and low's, high's and low's. Anyone who is truly a sport fisherman would rather catch one fish today, than no fish tomorrow. I pray this re-allocation can be resolved before too much damage is done. Thank you for your time.

Jeff Blankenship

*Jeff Blankenship*

Date: 3/25/08

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

RECEIVED  
MAR 25 2008  
N.P.F.M.C.

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate "Kingfisher Charters and Lodge" in Southeast Alaska, and each year, I take 200 people on the trip of a lifetime—the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience—they do not want to backpack, kayak, or drive—they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions

would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,

  
Charles Haydu



March 25, 2008

Chairman Eric Olsen and Council Members  
North Pacific Fishery Management Council  
Anchorage, AK

MAR 27 2008

Dear Eric and Council Members:

I have been a halibut fishermen since 1980. I had some initial IFQ allocation based on 80% of my catch history during the qualifying years and have purchased some additional IFQ in the interim. Over the past two years I have sold a large portion of my IFQ because of the threat of the charter industry to the commercial halibut fishery. I invested this halibut money in a state-managed sablefish fishery. I would have preferred to have continued fishing halibut but it seems that we have been fighting for equity and fairness and getting a deaf-ear - particularly from the State of Alaska representatives, which is highly disappointing. Over 80% of the 2C halibut IFQ holders are Alaska coastal residents and over 30% of these shares have been purchased by Alaskan residents.

I am still highly dependant on my remaining halibut as part of my fishing portfolio. I urge the Council to move forward the analysis with a hard allocation based on a fixed percentage of the Fishery CEY. I think this allocation should not exceed 13%. Any charter use of halibut beyond this allocation should be compensated and must be leased from a willing participant. Tying increases in their future growth directly to their costs, assures that they become careful of the resource and thoughtful in their growth.

Finally, the charter industry must be held to the same standards of accounting and enforcement as the commercial setline fishery in order to provide harvest data for accurate stock assessments and the charter industry must help pay for this accounting and enforcement similar to the commercial setline fleet.

Sincerely,

*Forrest Dodson*  
Forrest Dodson  
F/V Casino

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

MAR 2 2008

Dear Chairman Olson:

On behalf of Cross Sound Lodge I am writing you to express our considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, and the economy of Elfin Cove could be severely harmed. I want to express my concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in 10%-30% fewer anglers which translate to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500.00 per trip, an extremely conservative estimate, since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the loss of these businesses will effect all of the local retail business. Due to the 1 fish limit and the fragile economy this would put our lodge out of business.

Because of high fixed operating costs most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation to allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds-only 8.2% of the average amount of halibut allocated each year by the IPHX to the fisheries off Alaska- is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely  
Cross Sound Lodge  
Elfin Cove Alaska

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

MAR 2 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska, and each year, I take approximately 300 guests on the trip of a lifetime—the ultimate Alaskan fishing adventure. For many this is the only version of Alaska they will ever experience—they do not want to backpack, kayak or drive—they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had 35% cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At minimum, the council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what had already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation

also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry- a vital part of Southeast Alaska's economy- to collapse. Canada and Area 3A are not facing a similar one fish daily limit- what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing Area 2C. At \$500.00 per angler(a very conservative estimate) these reductions would translate into a direct loss of as least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms and boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At minimum, the Council should select as the preferred alternative a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exist today.

Allocating a minimum of 6.05 million pounds- a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska- is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch—forty percent more that the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



Joe Kulavik  
Eagle Charters & Lodge  
Elfin Cove, AK

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

Dear Chairman Olson:

On behalf of the Prince William Sound Charter Boat Association, I am writing you to express our considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, all other charter operators, and the economy of Valdez could be severely harmed. I wanted to express my concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will effect all of the local retail businesses. Valdez is a little different than the charter operators in other parts of the state, in that we have a little less non-resident tourists and a lot more resident fisherman who count on their annual fishing charter to provide them with enough fish for the winter. If a one fish limit were imposed in our region we could expect to see a drop of at least 60% of our business. In Valdez we also have the longest run to catch halibut an average of 70 miles each way. With the price of fuel now and any negative restrictions that may be imposed on us, we would not have very many clients willing to pay for a charter in which they can only keep 1 fish.

Because of high fixed operating cost most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation to would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds - only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska - is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,



Dan Eames  
Pres. PWS CBA

**FORGET-ME-KNOT CHARTERS**

March 19, 2008

North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

RECEIVED  
MAR 20 2008

MORNING

Council Members,

Good fishing to you all! I am a charter operator in area 2C. This is my 12<sup>th</sup> season as Owner/Operator of this small business, providing fishing for salmon and halibut. I also sell State fishing licenses to approximately 400 clients a year. Many years ago, I fished for halibut commercially, back when they had 24 hr, 48 hr, 7 day, and 14 day openings. They told us that our participation would establish our entry level to the commercial fishery. What ever happened to that? I never received any IFQ. Back then, I also did charter fishing with Al Turner, on the vessel Silverlady, when I was not out fishing commercially for halibut. I bought this vessel from Al and have been fishing it solo since 1996, because I thought that I could make a better living charter fishing.

If this council goes along with the proposed 1 fish daily and so many fish annual limit, it will hurt my business. I was recently contacted by a client who wanted to go fishing for a four day charter—two days for salmon and two days for halibut—six persons @250.00 Dollars each. That's \$1500.00 a day. They were ready to book, but when I disclosed that the halibut limit may go down to one fish daily per person, they decided to hold off, because it was not worth it, just for one fish. In addition, under the Council's recently passed Moratorium, that begins in 2009, I will be effectively excluded from Charter fishing for halibut altogether.

If you really think that the sport charter fishery is destroying the Halibut Fishery, then its time to shut down the halibut industry all together. I've heard of halibut being raised With some success in Norway and Japan. Maybe we could learn how, so then we could have halibut for the State of Alaska. Then we could have a State managed sport fishery for halibut. Or maybe you can make a recommendation to give two million two hundred thousand pounds (2,200,000 lbs) to the Alaska Department of Fish and Game annually for area 2C—they seem to have a good program going for this growing industry.

Sincerely,

  
Ivan Leighton

**FORGET-ME-KNOT CHARTERS**

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

MAR 25 2008

Dear Chairman Olsen:

I am writing you to express my considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, and the economy of Ketchikan could be severely harmed.

I wanted to express my concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will effect all of the local retail businesses.

Because of high fixed operating cost, most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation to would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds - only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska - is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,

  
Ivan Leighton



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

MAR 2 2008

Dear Chairman Olson:

I have owned and operated Inlet Charters in Homer for over 20 years and have been commenting and participating in the council process since 1993. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A. The highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits. Adopting an allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

Gary Ault



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

RECEIVED  
MAR 25 2008  
ANCHORAGE, ALASKA

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska, and each year, I take approximately 500 guests on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had numerous cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate for a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**, one of the options the Council is considering, so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations. While 1.9 million pounds is below what the 2C charter fleet has actually harvested in 2005, and would not be enough if the industry continued to grow, we need stability and are supporting the Council's moratorium, which we hope NMFS will put in place by 2010 to stabilize the charter industry.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry -- a vital part of Southeast Alaska's economy -- to collapse. Canada and Area 3A are not facing a similar one fish daily limit--what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules --most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. Adopting a fixed pound allocation at the highest level under consideration by the Council of 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A is the amount that would provide for the continuation of the charter industry in Southeast as it exists today. Allocating 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take 15 million pounds of halibut annually in the form of bycatch – more than twice the amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,

Darell Welk ~ [www.alaskanfishingadventures.com](http://www.alaskanfishingadventures.com)

Mr. Eric Olson and Council members  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 25 2008

Dear Chairman Olson and Council members:

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules. Many of my clients book their trips a year in advance. My business and that of other charter operators cannot significantly increase or decrease capacity from year to year in response to annual increases/decreases in allocation.

Personally, I have a hard time with *any* proposed allocation that is not applied to the entire recreation/sport fishery, simply because I view it as a subtle move to force charter operators into the commercial fishery. Allocations are in pounds, but the charter business centers around clients catching a defined number of fish. I view attempts to compromise this basic fact as trying to put a square peg into a round hole...and trying to shave off the edges of that square peg to force it through! The only sector of the halibut fishery that fishes pounds is the commercial sector.

That said, if we absolutely must work within an allocation, I'd hope that our "allotment" enables charter halibut fishers to fish under the same rules and regulations that **ALL** recreational/sport fishers fish under. This means not only 2 fish/day...but no individual annual harvest limit, no restriction on skipper and crew fish, no size limits, etc., UNLESS these conditions are imposed on the entire recreational/sport halibut fishery.

Another concern is that a fixed allocation does not translate into a fixed number of fish, which is really critical to our business and what recreational/sport halibut fishing is based on. Under a fixed allocation, if average weights go up, then number of fish we can catch may go down. If the average weight drops, we may be faced with "under-harvesting" and trigger actions we may not wish (like creating a lower allocation for us during the next year, opening up a floodgate for new businesses which would further exacerbate the "near shore depletion" problem, etc.).

Another "sticky" point is how allocations individually apply to businesses closing, or new ones forming? Do we follow the model of commercial IFQs that have taken on monetary values? Does an allocation to the halibut charter operation further perpetuate the notion that these fish BELONG TO US (which would be wrong, wrong, wrong!)?

Finally, I'd hope we make a strong point that any allocation arrived at is a stop-gap measure until a final solution is implemented. It should be sufficient to allow halibut charters to operate with the same rules and regulations that apply to other recreational/sport fishers. It should also allow for at least some type of modest growth, primarily in areas that are under-fished and/or underutilized. At the moment, the numbers that seem reasonable are **4.5 million pounds in 3A** and **2.5 million pounds in 2C**. I would remind the Council that an allocation of 7 million pounds falls short of a mere 10 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of by-catch!

Respectfully,

David Goldstein  
PWS Eco-Charters

March 26, 2008

Chairman Eric Olsen and Council Members  
North Pacific Fishery Management Council  
Anchorage, AK

Dear Eric and Council Members:

I am a halibut skiff fisherman with area 2C shares. In the last 2 years we have seen a dramatic reduction in quota allocation. We have agreed to this in the interest of managing halibut stocks to rebuild in Southeast. It is difficult to watch the charter sector call for a greater allocation and disregard the sacrifices we have made to increase abundance of halibut stocks.

I think it is important to send a message that all user groups need to share in the management of the fisheries for the health of all industries. My opinion is that halibut charter sector should be fixed to an abundance-based percentage of the total allowable catch.

If some charter operators feel they need more fish to catch, a lease option would be a reasonable mechanism to meet demands. Simply reallocating harvest rights is not fair and would be damaging to those of us that bought our quota.

The 2008 season will be short because of our reduced quota which gives us more time to advocate for sound management practices. I would urge the Council to consider all sides of this issue and keep the sustainability of our industries in mind.

Thank you.



Terry Perensovich  
Sitka, AK

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax:(907)271-2817

MAF

Dear Chairman Olson:

We are Dennis and Rene Cook, we own and operate a Bed and Breakfast and fishing charter business in Sitka, AK.

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. We operate a charter business in Southeast Alaska, and each year, we take approximately 225 clients on the trip of a lifetime—the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience—they do not want to backpack, kayak, or drive—they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts us in. We have had three, four party group cancellations this year and more unreserved days for 2008 than usual. I feel it is due to the pending NMFS decisions on halibut bag limits, along with the slowed economy. People will spend their money where they are guaranteed they will get the most for their dollars. None of us like to play a guessing game with our vacation time and money.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting an allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the

Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,

Dennis Cook  
Rene' Cook



March 25, 2008

North Pacific Fishery  
Management Council  
Eric Olson, Chairman  
605 West 4<sup>th</sup> Ave., Suite 306  
Anchorage, Alaska 99501-2252

MAR 25 2008

Re: Agenda Item C-6 Halibut Charter Management

Council Members,

I own a small charter service in Ninilchik, Alaska. I have been in business for 20 years. Thank you for the opportunity to express my opinion concerning the upcoming Council action on Initial Review of Charter Halibut 2C/3A Catch Sharing Plan analysis.

Because of no industry entry controls since 1997 when the GHL was created I feel a new allocation is pertinent to the survival of our industry. The established GHL was based on 125% of the harvest amount. The reasoning for this amount in 1997 has as much necessity now as it did then. Certainly the Council should provide a sufficient allocation that allows for growth as well as providing for latent capacity due to the lack of entry controls leading up to the moratorium date of December 2005. The potential that the moratorium will meet Secretarial approval, could be delayed or even denied places much more pressure on the GHL as it exists today as there are no limitations to entry into the guided halibut industry.

An allocation adjustment should be relative to the most recent charter halibut harvest data available allowing for anticipated growth up to the implementation of a long term solution. If the Council takes no action in regards to latent capacity in the interim, our industry will require a larger GHL for stability. The options in the analysis for allowing charters to lease halibut from the commercial halibut industry bear burden on long term fully developed charter businesses only. A new entrant who is less then fully developed can grow freely within the GHL, as the GHL becomes more restraining the fully developed charter businesses will be forced to acquire more access. It makes no sense to force this burden on to long-term fully developed halibut charter businesses alone.

In the analysis it is identified that there is potential need for implementing separate allocation decisions and separate management requirements based on the separate needs in IPHC areas 2C and 3A. It is my opinion that now is the best time to implement separate actions that take into account the indifferences between these 2 areas. What is presumed workable in area 2C is not acceptable in area 3A. The data is area specific and it would be wise to make that distinction now in regards to the allocation and management measures being considered. One example would be that it is my understanding that the

P.O. Box 39547, Mile 137.3 Sterling Hwy. South, Ninilchik, Alaska 99639  
<http://www.deepcreekfishing.com> [fishward@acsalaska.net](mailto:fishward@acsalaska.net)  
(907) 567-3518 (year round) toll free: 1-888-324-3518



Charter fleet in area 2C is supportive of a fixed allocation whereas here in area 3A there is much support for a 50% fixed and 50% floating allocation which would give some added opportunity when stocks are in higher abundance. This also affords to "Share the Gain" "Share the Pain" concept. When stocks are in decline, management measures (tools) would be used to keep the fleet within the GHL. It is my opinion that a 1.9 mlb fixed allocation or higher is acceptable in area 2C whereas a 4.15 mlb allocation, 50% fixed, 50% floating is acceptable in area 3A. Other items concerning the indifferences between these 2 areas would be to consider that area 2C caters to cruise ship and lodge dependent clientele and area 3A is more dependent on the Alaska resident for clientele. These Alaska residents that patronize the halibut charters in area 3A have an expressed expectation to return home with sustenance. Bag limit and associated restraints will affect them more in area 3A.

In the analysis I have concerns for the lack of information on the assessment of the quality of information within the analysis as required by the Quality of Information Act. There are multiple instances throughout the analysis that states a lack of information or the information required is outside the scope of the analysis. I would suggest this lack of information would make it difficult to make an informed decision. What is the purpose of the analysis? The lack of economic impact information will lead to a blind decision and after 15 years dealing with this I would ask the Council to develop this lack of data before final action.

I have one final concern. The lack of understanding of how the common pool harvest allows some charter companies to expand their historical harvest within the pool but forces charter businesses that are fully developed to carry the burden of leasing commercial IFQ (GAF) or forego traditional business volume. The analysis offers no understanding of how this common pool approach impacts the harvest of some charters while it allows harvest opportunity growth to others. If there is any concern for the fair impact within the charter sector it would require the analysis to explain the full impact within this management regime until a comprehensive long term solution is implemented.

Thank you for the opportunity to express my views,

Most Respectfully,

Captain Tim Evers

Fishward Bound Adventures, Big Valley Lodge & Cabin Rentals, Deep Creek Sport Shop



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

MAR 2

Dear Chairman Olson:

Sportfishing is one of Alaska's most valued-added resources. I operate Alaska Wildrose Charters in South-central Alaska (3A), and each year, I take approximately 500 clients on the trip of a lifetime "the ultimate Alaskan fishing adventure". They come here for the experience, but most of all they come to fish for Halibut. Alaska's coastal communities depend on this economic resource for survival.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet **that will exist under the charter moratorium plan** that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. **A fixed allocation also ensures that I don't need to spend the next ten years testifying before the Council, NMFS, and the State, and they won't have to devote time and resources to annual changes in halibut regulations.**

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Area 3A is not facing a similar one fish daily limit—**what is to stop sport fishermen from going to 3A to obtain two fish and pushing it over the quota?** The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other

charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully, Frank Casey

Alaska Wildrose Charters  
POB 343  
Clam Gulch, Alaska  
907-252-4525

**Van Saun Charters  
PO Box 39622  
Ninilchik, AK 99639  
(907)567-3547  
vscharters@hotmail.com**

March 25, 2008

MAR 25 2008

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Ave. Ste 306  
Anchorage AK 99501-2252

Dear Eric,

I am writing in regard to the on going (16 years now) Charter Boat Halibut Allocation Issue.

In 1993 when the NPFMC first began action against the Charter Fleet we questioned why the approximately 5 million pounds being caught by anglers aboard charter boats was an issue, given the fact the NPFMC was allowing approximately 15 million pounds By-Catch to be thrown over the side dead. This fish had no economic benefit to Alaska and was a total and complete waste of a valuable resource. At the time the NPFMC told us they were working on cleaning up those fisheries responsible for By-Catch and therefore it was not an issue they would address with us.

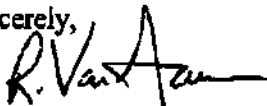
Since that time no "cleaning up" has occurred. Twenty percent of the over all catch is still thrown over the side dead. This is all done to the benefit of just a few very large and very lucrative companies with little if any benefit to the people of Alaska. How much longer can this go on?

The Charter Fleet is the center attraction for tourists who spend hundreds of millions of dollars in Alaska every year. The halibut caught on Charters benefit thousands of businesses, employ tens of thousands of Alaskans, and allow rural coastal Alaskan communities to thrive.

With due respect, our entire community, including commercial long liners, feel the time to address the issue of By-Catch is long over due. It is a complete tragedy to restrict the minority who benefit so many while allowing big businesses, who benefit so few, to do so much damage.

I ask that you please take to heart the magnitude of this issue and do what is right for the fish, the people of Alaska, and the future of our tourism industry by leading the NPFMC to clean up By-Catch. The Charter Fleet needs recognition for its value to Alaska and greater consideration by the Council.

Sincerely,



Capt. Rod Van Saun  
Owner Operator  
Van Saun Charters

March 24, 2008  
Mr. Eric Olson  
Chairman NPFMC

CONCLUSION

True Alaskans are being forced to give up their fishing rights and livelihoods to support the non-Alaskan factory trawl fleet that contributes little or nothing to Alaska's economy. This hardly seems better than the foreign draggers of past years or the high seas gill-netters from an Alaska citizen's point of view.

I am encouraging the NPFMC to do the right thing and set a reasonable and stable GHL for sport/charter caught halibut of 2 million pounds for 2C and 4.2 million pounds for 3A; reverse the assumption based reallocation of halibut biomass from 2C to 3A until some accurate scientific data actually exists to warrant this process; and take immediate action to greatly reduce the trawl caught bycatch, which is killing millions of juvenile halibut and salmon.

Thank you for your consideration,



Jeff Wedekind  
President, Chinook Shores Inc.  
Ketchikan, Alaska

CC:  
The Honorable Governor Palin  
Cora Crome  
Senator Ted Stevens  
Senator Lisa Murkowski  
Representative Don Young  
Carlos M. Gutierrez, Secretary of U.S. Department of Commerce  
Condoleezza Rice, Secretary of State

# CHINOOK SHORES INC.

*Southeast Alaska Fishing and Waterfront Lodging  
119 Potter Road - Ketchikan, Alaska 99901*

March 24, 2008

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

Dear Chairman Olson:

## BACKGROUND

I have lived in Southeast Alaska full time for the last 20 years. I first came to Ketchikan as a deckhand on a salmon tender at age 14. I spent the next 15 years working on salmon seiners and long lined halibut, black cod and brown crab from areas 2C to 4B. I was set on buying a SE Alaska limit seiner & permit and planned on using the boat to fish halibut and black cod as well. But not only was I cut out of the IFQ process that year, my current long-line job was in jeopardy because I didn't have any IFQ's to contribute to the boat.

At this point I fell back on a construction engineering degree and went to work for a large construction company in Ketchikan. I worked for this well established company for ten years building roads and harbors all over Alaska but after 43 years of being in business this SE Alaska company (South Coast Inc.) went bankrupt.

I didn't want to leave SE Alaska so I supported my family taking on any work I could find and then seized an opportunity to develop some family property and build a fishing lodge. My family and I have been operating this fishing lodge in Ketchikan for three years and are finally starting to show a profit. We have a total capacity of 24 people and operate two halibut/salmon charter boats and 4 self-guided salmon fishing boats. We also take pride in the fact that all of us who profit from this lodge are also year round residents of Ketchikan.

## ECONOMICS

There are many people in my situation who after the mills closed and forests shut down, turned to tourism and charter fishing as a new way of life. Salmon and halibut fishing is the number one activity drawing overnight tourists (fly-ins) to SE Alaska. The majority of the charter fishermen and small lodge owners live in Alaska and the money spent with us remains in our communities sustaining our economy.

I have spent a second mortgage and my life savings on our lodge and now the proposed 1 halibut limit in 2C is threatening its existence, clients who have heard the roomers have already told me that they will fish in Canada or 3A where they can catch 2 halibut/day should we be reduced to a single fish limit. Unlike commercial fishermen we don't sell a product, we offer a service so the fewer fish we are able to catch the lower the price we are able to demand (supply & demand economics doesn't work for us). We also cannot easily shift our fishing effort from one area to another as commercial fisherman can. Because of this, if we are to remain in business we require a stable GHL. Most of our clients purchase their trips one or two years in advance so planning for the future is crucial. A moving GHL simply doesn't allow this, and that's why I am asking you to consider a stable GHL which allows for growth and more closely

March 24, 2008  
Mr. Eric Olson  
Chairman NPFMC

MAR 27 2008

matches the 2005 moratorium control date for our fishery. Our communities in Southeast Alaska have been economically devastated over the last 15 years from the loss of the timber industry and the economic hit from farmed salmon. Our rebound through tourism is finally bringing people back but taking another direct hit on the number one tourist attraction of SE Alaska would once again set our sensitive local economies in a tailspin.

### REALLOCATION

It seems illegitimate that the reallocation of fish from 2C to 3A be of such magnitude that the 3A quota is virtually unchanged while in 2008 area 2C loses 27% of it's CEY from 2007 and over 40% from 2006. There is a definite shift of the quota from 2C to 3A since 2006 with little or no scientific data to back up this decision. Since 1996 halibut stocks are down in each respective area by over 25% and instead of proportionately reducing the CEY in each area only 2C was reduced so 3A could maintain their CEY, which is 8% higher than in 1996 even though the exploitable biomass in 3A is 26% smaller according to IPHC published data. These reallocation decisions are based on an eastward and southward migration of halibut, which has been common knowledge for decades but only now seems to be of interest for this purpose.

It appears that fishing halibut in the gulf is in part an interception fishery similar to that of migrating salmon, however, under the new model IPHC is recommending to concentrate the catch effort in a central location with no actual scientific data that this is beneficial for the stocks or the fishery. It is definitely not beneficial to the fishermen in areas 2A,B&C that some of these halibut will eventually migrate to. It hardly seems fair that the sport/charter fishermen of area 2C should burden the fate of this new modeling system.

### BYCATCH

It seems the massive bycatch of trawl caught halibut (the largest halibut interception fishery) is being discarded as a necessity to maintain the huge trawl fleet with no consideration of the effects on the Alaskan commercial and sport fishermen other than to reduce their quotas and GHLs.

In 2006, 9.075 million net pounds of halibut were lost as bycatch in the trawl fisheries alone. Using 4 pounds as the average weight of these halibut, approximately 2.3 million individual halibut were lost due to this fishery in 2006. The average weight of a halibut caught in the IPHC directed fishery is 27 pounds. (IPHC Report of Assessment and Research Activities 2000 at p.77) Therefore, even assuming these fish would suffer natural mortality of 50% the potential overall loss of these fish to the directed IPHC fisheries could be as high as 30.6 million pounds ( $2.3/2 * 27$ ) or more than 1/2 of the total IPHC harvest quota for all areas in 2008!

The IPHC, however, assumes a loss of only 1.7 pounds to the directed fishery from 1 pound of bycatch this would still amount to a loss of over 1.5 million pounds or 25% of the total IPHC harvest quota for all areas in 2008 and twice as much as the charter industries GHL. These numbers simply do not lie and when compared fish for fish instead of pound per pound the bycatch is astonishing. No matter how you analyze it, if the average size of a halibut caught in the IPHC directed fisheries is 27 pounds and the average size of a halibut caught in the trawl fisheries is 4 pounds, the trawl fishery is likely to catch as many or more halibut as bycatch than the directed halibut fisheries will be allowed to catch in 2008!



March 5, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252  
Fax No. (907) 271-2817

Dear Mr Olsen:

I am a charter boat operator in Sitka, Alaska, and am commenting on the Council's agenda item C-6 Halibut Charter Management.

The guided sport industry can only function with a fixed pound allocation. The fixed pound allocations, before the Council for analysis, are insufficient to accommodate the charter fleet as it will exist under the moratorium, set at December 9, 2005. I suggest the Council add for analysis a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A. This will provide for a two fish bag limit, no in-season changes or closures, a season of historical length, plus address latent capacity, military participation and community quota entities.

The Council also needs to request economic data on the guided sport industry, to move forward. The Council cannot afford to make an allocative decision and address stability, without knowing the economic impact of the Council's decisions on the guided recreational fishing industry.

The recreational fishing industry, both guided and unguided, has always been conservation-minded. If the IPHC deems the existence of a conservation emergency, such that halibut quotas for all users, in all areas off Alaska, must be significantly reduced, I have no problem with the IPHC adjusting bag limits across the entire recreational fishing sector to achieve reductions in harvest and protection of the resource.

Keeping conservation in mind, and struggling for a 2 million pound allocation of halibut for Area 2C, I think it would help to reanalyze halibut wastage by the longline fleet (totalling over a million pounds annually), and halibut bycatch by the trawl fleet (12 to 16 million pounds annually.)

Again, I urge the Council to analyze a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A, as the guided sport allocation must be sufficient to sustain our industry and the communities we live in. Thank you for considering my comments.

Sincerely,

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

Greg Kain/Owner  
Kain's Fishing Adventures, inc.

**Don Beeson**  
19931 Grant Circle  
Eagle River, AK 99577

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

**RE: HALIBUT FISHERIES**

Dear Mr. Olson, Chair,

I have been involved in Alaska's fish processing industry for most of my lifetime (1966-2000). I'm well aware of the issues of allocative battles throughout this state, particularly in Cook Inlet. To foster socioeconomic stability of coastal Alaska, it is imperative that all commercial interests/sectors share in conservation of the resource and are managed on a level playing field.

The charter and setline sectors must be managed the same way with separate accountability (SA). This would protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. Those charter or setline operations that wish to increase their operation would need only to purchase or lease QS.

My family mainly accesses the halibut resource directly through fishermen or from the local grocery or restaurant. I implore you to make the GHF a percentage that fluctuates with abundance so all sectors share in resource conservation. I support the Council providing charter operators with the opportunity to lease QS, investing in the resource and their future just as the setline fishery has.

For the benefit of all Americans, users, and the resource, I urge you to proceed forward with implementation of a long-term solution that will put setline and charter sectors on the same playing field with equitable, fair rules based on sound biology and resource conservation.

Respectfully,



Don Beeson

Plant Manager, Icicle Seafoods (Retired)



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 2 2008

March 26, 2008

Dear Chairman Olson:

My name is Suzi Daniels. I own Ripple Cove Charters in Gustavus, Alaska. We are in area 2C. I have two sportfishing vessels and have been in business since 2004. Each year, I fish just under 100 guests. I have one lodge now (my second to open in August) and in prior years, have employed two LOCAL captains and several part-time LOCAL lodge/kitchen employees. Sport caught fish are one of Alaska's most value-added resources. This year, over 25% of my RETURN clients are NOT booking due to the proposed four-fish annual and one fish daily limit. I have reduced my help to one captain and will do most of the lodge support myself in response to this reduction in business. Like many other charter businesses, my clients are serious fishermen and are not interested in hiking, kayaking, or sightseeing. In fact, the majority of them come to Gustavus and have never seen Glacier Bay because they strictly want to fish. They have shared with me that they can't justify the expense of an airline ticket and the fishing trip for the few halibut they will be allowed to keep. It's funny that no one really complained last year when the limit was two halibut daily, where one had to be under 32 inches. They are just looking at it like as if their fishing trip will be reduced by 50%. During silver season, where I have seen the greatest number in regular rebookings, we can augment the fishing day with time salmon fishing. During the remainder of the summer I could only augment the day with king salmon fishing at Deer Harbor or rock fishing about ¾ of the way to Deer Harbor but this is a 2.5 hour run for me each way. If I tried to make this trip each day I would surely go out of business within a month. Gustavus is a small town. My reduction in business is already having an impact on the 350 residents (- 2 jobs). If I go out of business, another one of the 350 residents will lose their job.

The charter moratorium, if implemented, will likely put half of the Gustavus fishing fleet out of business, since many of the businesses popped up in 2006 or 2007. In fact, as the proposal is currently written, one of my boats will be out of the bottom fishing business. The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount

that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. **IT HASN'T BEEN IMPLEMENTED YET AND PEOPLE IN GUSTAVUS ARE ALREADY LOSING THEIR JOBS.** Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities. **THE ECONOMY IS IN BAD ENOUGH SHAPE ALREADY AND PEOPLE ARE STRUGGLING TO MAKE ENDS MEET. WITHOUT JOBS, WHAT ARE THE LOCAL GUSTAVUS RESIDENTS TO DO?**

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

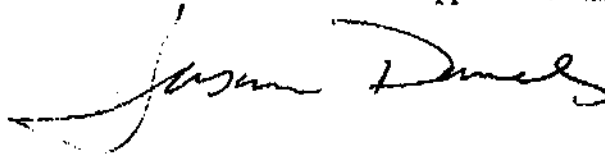
Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of BYCATCH – forty percent more than the minimum amount the charter industry is seeking to stay in business. **THIS DOESN'T MAKE SENSE!!! COMMERCIAL FISHING DOLLARS SPEND ONCE. SPORTFISHING DOLLARS SPEND MANY TIMES OVER.** My clients buy liquor at the local liquor store owned by 3 Gustavus residents. My clients spend at the local gift shops owned by local Gustavians. My clients fly from Juneau on small airlines that employ Gustavus pilots and desk representatives. All of these people rely on the many Gustavus charter businesses, not

commercial fisherman, for their jobs. I am asking that you please allow our clients to catch two halibut per person per day, without an annual limit. Most fish for five days max. The moratorium will put the majority of the fleet out of business. Please support limits this year and during the moratorium that will allow those of us remaining to stay in business so that we may continue to employ the local Alaskans that work in a variety of fields to support the sportfishing industry.

Thank you for your consideration of my letter.

Respectfully,

Susan Daniels/owner Ripple Cove Charters LLC

A handwritten signature in black ink, appearing to read "Susan Daniels". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Kenneth & Dea Duffus

20441 Ptarmigan Blvd.  
Eagle River, AK 99577

MAR 5 2008

March 26, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

**RE: ALASKA HALIBUT FISHERY**

Dear Mr. Olson, Chair,

Our family has been involved in catching fish for the world's consumption since Alaska's halibut fishery derby days. Also, our family holds multiple salmon permits. Like a 3-legged stool, the fishing industry and coastal economies rely on stable, well-managed individual fisheries to stand and prosper. We have just recently completed construction of a new vessel for \$1,000,000.00 that is planned to partially work as a halibut longliner and we need stability in this sector!

To foster socioeconomic stability of coastal Alaska, it is imperative that all commercial interests/sectors share in conservation of the resource and are managed on a level playing field. The charter and setline sectors must be managed the same way with separate accountability (SA). This would protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. Those charter or setline operations that wish to increase their operation would need only to purchase or lease QS (Quota Share).

**Please do not make management decisions that will make the halibut setline fishery economically unstable with open allocation to the commercial charter operators. We implore you to make the GHL a percentage that fluctuates with abundance so all sectors share in resource conservation. We support the Council providing charter operators with the opportunity to lease QS, investing in the resource and their future just as the setline fishery has.**

For the benefit of all Americans, users, and the resource, we urge you to proceed forward with implementation of a long-term solution that will put setline and charter sectors on the same playing field with equitable, fair rules based on sound biology and resource conservation.

Respectfully,

  
Kenneth & Dea Duffus



# Deep Creek Charterboat Association

P.O. Box 423—Ninilchik, AK 99639

**President**

Rod Van Saun  
367-3547

[vschaun@2boatmail.com](mailto:vschaun@2boatmail.com)

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**Member-at-Large**

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367-3663

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March 25, 2008

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Ave. Ste 306  
Anchorage AK 99501-2252

Re: Agenda Item C-6 Halibut Charter Management

Dear Chairman Olson,

The Deep Creek Charterboat Association (DCCA) represents 50 Charter Boat Businesses in Ninilchik, Alaska. On average, members of DCCA have been in the Halibut Charter Industry over 12 years. The intent of this letter is to express concern about measures the NPFMC is threatening to take against our industry without sufficient analysis of the situation.

In 1997 the Council passed the Guideline Harvest Level. However, the council failed to implement any controls on growth in the industry. As a result of new growth the charter fleet is now very close to the GHL.

In December of 2005 the NPFMC passed a Moratorium on new entrants. This moratorium is still going through the process with the NMFS but is scheduled for completion this year. Once the Moratorium is implemented there will be a cap on the number of boats in the charter boat fleet. It has been reported that as many as 25% of the existing fleet will not qualify under the Moratorium. Yet currently the fish those non qualifiers are catching is being counted against the entire fleet. DCCA members are confused as to why this issue has not been addressed in the Analysis.

DCCA respectfully asks the NPFMC to secure analysis on the following issues:

- 1) How many boats will qualify for under the Moratorium Guidelines?
- 2) What will the exposure be for maximum possible fish that qualifying group would land?
- 3) How many fish will be required to allow that fleet to continue to fish within traditional seasons and bag limits?
- 4) How many fish will be needed to accommodate the CQE Permits the Council has set aside?
- 5) What will be the economic impact to the Charter Fleet and Coastal Alaskan Communities if each of the proposed measure is taken?
- 6) Under the Moratorium what will be the potential growth of Charters that were running part time during the qualifying years? Will growth in the part time sector once again push the Charter Fleet over their allocation?



## Deep Creek Charterboat Association

With proper analysis the Council may find fish caught by the post moratorium fleet will fall with or close to the current GHL and leave no need for any future action.

Decisions made without proper analysis will cause long term financial harm to over 1200 statewide Charter Businesses and thousands of other small businesses that depend on the tourism industry. This would be an irreversible tragedy!

Alaskan Coastal Communities depend on the attraction sport fishing for Halibut. The number of people and businesses affected by decisions by the NPFMC on Halibut Charter Management is sufficient to justify complete analysis. The members of Deep Creek Charterboat Association respectfully ask the Council to give attention to this matter.

Sincerely,

Rod Van Saun  
President  
DCCA



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska, and each year, I take approximately 450 clients on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had several complaints and cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting an allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to consider a **fixed allocation of at least 2.3 million pounds in Area 2C and 4.5 million pounds in Area 3A**. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

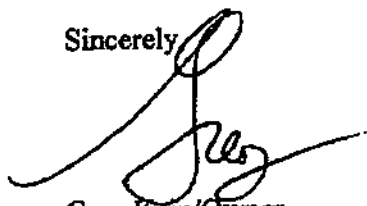
The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. The Council should select a fixed pound allocation at least 2.3 million pounds for Area 2C and 4.5 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you,

Sincerely



Greg Kain/Owner  
Kain's Fishing Adventures, inc



**BRENT M. WESTERN**

2500 Autumn Drive  
Anchorage, AK 99516  
Email: bmwfish@alaska.net

March 24, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

MAR 27 2008

VIA FAX

**RE: CHARTER HALIBUT**

Dear Mr. Olson, Chair,

My family has fished Alaska's waters since the 1960s and we depend on the commercial halibut fishery for over 50 percent of our annual income. We have invested heavily in Individual Fishing Quota (IFQ) because of the stability promised by the government. We represent and provide access for the silent majority of American consumers who enjoy eating halibut and cannot afford to or are unable to catch their own dinner throughout all our great states!

I originally qualified for a small amount of IFQ and have since mortgaged my house to purchase additional IFQ. This IFQ represents 90% of my quota and I'm still paying for it—not only to the bank, but also through open charter reallocation. Is this fair? I most emphatically and certainly say NO! This open reallocation is like getting robbed every year.

I have always paid my way in my business ventures and I would do the same if I decided to enter any business enterprise, including halibut chartering. Seeing that I do have a 50-Ton Master License. In fact, with the passage of the Charter IFQ program on December 8, 2001, which would create a more stable industry I had planned to augment my operation to involve halibut sport charters. All along believing in the process, and now the rug has been yanked out beneath my feet.

Rescinding the previous passed Charter IFQ was a very unfortunate and unfair decision. Changing the rules of the game right in the middle has definitely effected my business plan and in turn has let the Johnny-come-latelies who cried and whined their way to have this council change the established rules and place a moratorium on new entrants.

In 1983 the Secretary disapproved a proposed commercial halibut moratorium because it would not have resolved the basic problem of overcapitalization in the halibut longline fishery (Fed. Reg. Vol. 57, No. 233/Thurs. 12/03/1992 57131). This seems to be exactly the same scenario we currently now face with halibut sport charters.

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I find it very disheartening that most charter operators are still demanding an increase in the Guideline Harvest Level (GHL). Charter operators claim that the economic hardship imposed by the pending one halibut bag limit will be devastating. Many are also asking for a fixed allocation, refusing to share in conservation of the resource. Many of the same charter operators consider it unfair that they should have to lease Quota Share (QS) in order to catch more halibut, calling their service the public's access to the public's fish.

What has occurred to the 2C and 3A setline fishery has been more devastating! The setline fishery has abided by the sound principles of conserving the resource, not taking but buying additional quota to augment operation while all along providing access to the America consumer. I guess the charter operators want the whole cake and to eat it too.

The charter and setline sectors must be managed the same way with separate accountability (SA). This would protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. Those charter or setline operations that wish to increase their operation would need only to purchase or lease QS.

**Please do not make me financially insolvent and take my livelihood away by giving some of my hard earned QS to a charter operator. I implore you to make the GHL a percentage that fluctuates with abundance so all sectors share in resource conservation. I support the Council providing charter operators with the opportunity to lease QS, investing in the resource and their future just as I have.**

For the benefit of all Americans, users, and the resource, I urge you to proceed forward with implementation of a long-term solution that will put setline and charter sectors on the same playing field with equitable, fair rules based on sound biology and resource conservation.

Respectfully,



Brent M. Western

(IFQ Owner / FV Roulette)

**TONY WESTERN**53320 Lindgren Court  
Kasilof, AK 99610

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

**RE: CHARTER HALIBUT**

Dear Mr. Olson, Chair,

I have fished Alaska's waters since the 1960s and I depend on the commercial halibut fishery for over 50 percent of our annual income. I have invested heavily in Individual Fishing Quota (IFQ) because of the stability promised by the government. The hundreds of other longliners and myself represent and provide access for the silent majority of American consumers who enjoy eating halibut and cannot afford to or are unable to catch their own dinner throughout all our great states!

I originally qualified for a small amount of IFQ and have since used the colatral in my house to purchase additional IFQ. I have worked hard through rough seas and have risked my life and hard assets to make the life I have now. However through the open annual reallocation of the setline halibut resource to the charter sector, all my rewards to the risk that I took is being taken away. Is this fair? I most emphatically and certainly say NO! This open reallocation is like getting robbed every year.

I find it very disheartening that most charter operators are still demanding an increase in the Guideline Harvest Level (GHL). Charter operators claim that the economic hardship imposed by the pending one halibut bag limit will be devastating. Many are also asking for a fixed allocation, refusing to share in conservation of the resource. Many of the same charter operators consider it unfair that they should have to lease Quota Share (QS) in order to catch more halibut, calling their service the public's access to the public's fish.

What has occurred to the 2C and 3A setline fishery has been more devastating! The setline fishery has abided by the sound principles of conserving the resource, not taking but buying additional quota to augment operation while all along providing access to the America consumer. I guess the charter operators want the whole cake and to eat it too.

Halibut Charter  
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Page 2 of 2

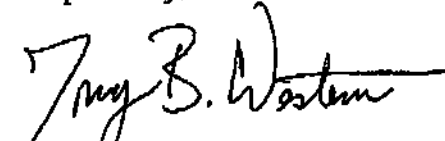
The charter and setline sectors must be managed the same way with separate accountability (SA). This would protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. Those charter or setline operations that wish to increase their operation would need only to purchase or lease QS.

I have always paid my way in my business ventures and I would do the same if I decided to enter any business enterprise, including halibut chartering. This council must create a level playing field for all sectors.

**Please do not make me financially insolvent and take my livelihood away by giving some of my hard earned QS to a charter operator. I implore you to make the GHJ a percentage that fluctuates with abundance that all sectors must share in resource conservation. I support the Council providing charter operators with the opportunity to lease QS, investing in the resource and their future just as I have.**

For the benefit of all Americans, users, and the resource, I urge you to proceed forward with implementation of a long-term solution that will put setline and charter sectors on the same playing field with equitable, fair rules based on sound biology and resource conservation.

Respectfully,



Tony B. Western

(IFQ Owner / FV Roulette)

Kirt Western  
6005 More Lane  
Anchorage, AK 99504

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

**RE: CHARTER HALIBUT**

Dear Mr. Olson, Chair,

My family has fished Alaska's waters since the 1960s and along with the American consumer, Alaska's coastal communities and my family—we have all benefited from the stability of the IFQ program.

The charter and setline sectors must be managed the same way with separate accountability (SA). This would protect the resource, create economic stability and allow economics decide reallocation without constant allocation battles. Those charter or setline operations that wish to increase their operation would need only to purchase or lease QS.

I have always paid my way in my business ventures and I would do the same if I decided to enter any business enterprise, including halibut chartering. This council must create a level playing field for all sectors.

**Please do not make my family financially insolvent and take our livelihoods away by giving some of our hard earned QS to a charter operator. I implore you to make the GHQ a percentage that fluctuates with abundance so all sectors share in resource conservation. I support the Council providing charter operators with the opportunity to lease QS, investing in the resource and their future just as I have.**

For the benefit of all Americans, users, and the resource, I urge you to proceed forward with implementation of a long-term solution that will put setline and charter sectors on the same playing field with equitable, fair rules based on sound biology and resource conservation.

Respectfully,



Kirt J. Western  
(IFQ Owner)

Mike Anderson  
4640 Shoshoni Drive  
Anchorage, AK 99516

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

RE: THE ALASKA HALIBUT LONGLINE FLEET IS MY ACCESS

Dear Mr. Olson, Chair,

As a lifelong Alaskan, who doesn't have the intestinal fortitude to catch my own fish—I rely on purchasing my fish from the store, restaurant or directly from the fisherman. I understand that this council is considering management decisions that will affect my access to the halibut resource.

Therefore for the benefit of my family and all America's consumers, I urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will allow myself continued access to this great tasting and nutritious protein through those who work vicariously for all of us—the Alaska halibut longline fleet.

Respectfully,



Mike Anderson

P.S. - IN FACT, THE LAST TIME I WENT ON  
A CHARTER IT COST MY FAMILY \$1200. -  
WE ALL GOT SICK & ONLY CAUGHT  
2 HALIBUT!

Laura Marcucci  
7020 Arnold Ave. C  
EAFB, AK 99506

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

MAR 25 2008

VIA FAX

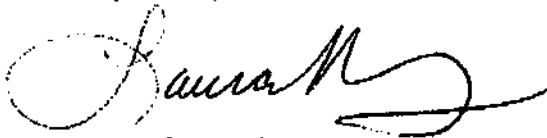
**RE: THE ALASKA HALIBUT LONGLINE FLEET IS MY ACCESS**

Dear Mr. Olson, Chair,

**My family relies on purchasing my fish from the store, restaurant or directly from the fisherman. We love seafood and eat it around 3 times per week. As a military family we move around a lot and unfortunately, we are moving from Alaska this spring and therefore will need more than ever to access Alaska's excellent seafood of halibut, salmon, etc.... through commercial fishermen.**

**We understand that this council is considering management decisions that will affect my access to the halibut resource. Therefore for the benefit of my family and all America's consumers, We urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will allow my family continued access to this great tasting and nutritious protein through those who work vicariously for all of us—the Alaska halibut longline fleet.**

Respectfully,



Laura Marcucci

Ruby Frasier  
3736 McCain Loop  
Anchorage, AK 99503

March 25, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
NPFMC FAX: (907) 271-2817

VIA FAX

RE: THE ALASKA HALIBUT LONGLINE FLEET IS MY ACCESS

Dear Mr. Olson, Chair,

**Due to the time and costs of halibut charters, I rely on purchasing my fish from the store, restaurant or directly from the fisherman. I love seafood and eat it on a regular basis. I understand that this council is considering management decisions that will affect my access to the halibut resource.**

**Therefore for the benefit of all America's consumers, I urge you to proceed forward with implementation of prudent management measures based on sound biology and resource conservation that will allow myself continued access to this great tasting and nutritious protein through those who work vicariously for all of us—the Alaska halibut longline fleet.**

Respectfully,

  
Ruby Frasier





www.sitkasecret.com • info@sitkasecret.com

March 5, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252  
Fax No. (907) 271-2817

Dear Mr Olsen:

We are commenting on the Council's agenda item C-6 Halibut Charter Management. The guided sport industry can only function with a fixed pound allocation. The fixed pound allocations, before the Council for analysis, are all insufficient to accommodate the charter fleet as it will exist under the moratorium, set at December 9, 2005. We suggest the Council add for analysis a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A. This will provide for a two fish bag limit, no in-season changes or closures, a season of historical length, plus address latent capacity, military participation and community quota entities.

The Council also needs to request economic data on the guided sport industry, to move forward. The Council cannot afford to make an allocative decision and address stability, without knowing the economic impact of the Council's decisions on the guided recreational fishing industry.

The recreational fishing industry, both guided and unguided, has always been conservation-minded. If the IPHC deems the existence of a conservation emergency, such that halibut quotas for all users, in all areas off Alaska, must be significantly reduced, we have no problem with the IPHC adjusting bag limits across the entire recreational fishing sector to achieve reductions in harvest and protection of the resource.

With conservation in mind, and asking for a 2.3 million pound allocation of halibut for Area 2C, we think it would help to reanalyze halibut wastage by the longline fleet (totaling over a million pounds annually), and halibut bycatch by the trawl fleet (12 to 16 million pounds annually.)

Thank you for considering our comments.

Sincerely,



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

Dear Chairman Olson:

Dear Chairman Olsen:

On behalf of the Ocean House Inn I am writing you to express our considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, and the economy of Homer could be severely harmed.

I wanted to express my concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will effect all of the local retail businesses. We run almost 5000 clients thru our business each summer and over 82% of our guest come here to fish. The impact of such a loss would most likely mean the end of my business. Therefore I am urging you to please think of the economic hardship it would bring to our community.

Because of high fixed operating cost most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation to would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds - only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska - is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,



Larry J. Goode  
Ocean House Inn  
1065 Krueth Way  
Homer AK 99603



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
**Fax: (907)271-2817**

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a vacation house rental and many of my guests are here in Homer for the chance to catch a sport caught halibut. Many Alaskan communities have come to depend on this economic resource for survival.

Now the fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately there has been a noticeable lack of studies to document this economic impact.

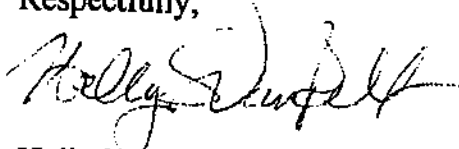
The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I firmly believe that the Council is pursuing a myth that is built on a house of cards, specifically, the separation of the recreational fishermen into 2 different classes. I'm writing to advocate that the Council expand its options for analysis. I would like to see the council request an analysis for the management of the recreational halibut harvest as a single group, managed under one set of rules. Simplicity has always been a wise course of action to take. Regulating the recreational halibut fishery as a single group regardless of whether you happen to have the good fortune to own a boat and have ready access to a fishing site will eliminate a large number of the problems that you currently find yourselves wrestling with.

In absence of common sense, I feel that the Council is shortsighted in not having a request in place for a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

More importantly, the Council in it dogged pursuit of the concept of treating recreational fishermen differently will continue to battle the problems that arise from this discriminatory treatment. You will find yourselves running out of fingers with which to plug all of the leaks in the dike that you are building.

Thank you for reading my letter

Respectfully,



Holly Van Pelt  
Alaskan Cottages  
Homer, AK 99603



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

March 25, 2008  
Mr. Eric Olson  
Chairman  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

RE: Agenda Item C-6, Halibut Charter Management

Mr. Chair, Council Members:

The members of the Petersburg Charterboat Association consisting of 17 businesses operating 25 vessels, relies heavily on halibut during the month of July due to lack of availability of other species. There are no rockfish or lingcod at anytime in our area and we are between salmon runs during that time. The charter industry in Petersburg can not survive on a 1 fish daily bag limit. We need the ability to offer our clients the chance to catch 2 halibut a day in order to market our area and the month of July in particular. If we lose that opportunity, a majority of charter businesses in Petersburg will be unable to survive. There is not the cruise ship traffic or other walk-in tourists we can target to fill in the loss of client demand created by a 1 fish daily bag limit. Our clients are destination travelers specifically coming to our town to sportfish and harvest halibut for their personal consumption.

We respectfully submit the following comments concerning the December 2007 Council Action and Draft EA/RIR Analysis.

The Charter Halibut Management draft EA/RIR and the most recent stock assessments from the IPHC makes clear the halibut resource is healthy and the issue before you is strictly an allocation between two user groups.

The EA/RIR admits to lacking the economic data to evaluate the importance of the charter industry to Alaska's coastal communities or the effects of the management actions proposed. At the same time it dismisses the need for this data because of being "expensive and time consuming". It goes on to suggest that expenditures (economic contributions) in or to local communities are interchangeable between charter and commercial users and that communities would suffer little adverse impact from the Council's action. Where is the data to support that assumption? The incompleteness of the draft EA/RIR is misleading to the Council members and to the public.

While the Petersburg Charterboat Association supports the Council continuing to move forward with management actions to resolve the allocation issue, we feel the following changes need to be made to the existing motion:

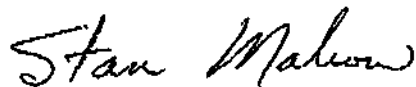
- 1) Based on new information concerning evaluation of logbook reported harvest, additional fixed poundage options between 2.1 million pounds (most current year harvest by logbook data) and 2.6 million pounds (based on the Council's previous formula of 125% of the most recent 5 year average in setting the original GHL) for area 2C. The Council's support of the proposed Moratorium with it's built in potential for increased vessel participation by development of CQE permits, which could increase the number of vessels by as much as 10% in area 2C, warrants consideration of an allocation of at least this level or higher.

2) Replace the stair-step option to the fixed poundage options with a provision to match, in the guided sportfishery, any reduction in the non-guided sportfishery for conservation needs as determined necessary by the IPHC as a result of an overall decline in the halibut biomass.

Element 5, leasing of commercial IFQ for use as Guided Angler Fish; this management option should not be considered a "fix" for an inadequate initial allocation to the charter sector. Leasing of IFQs for GAF is problematic, creating yet another set of differential regulations for sportfishers. "Supercharters", those businesses that can afford to lease IFQs to use as GAF, will offer their clients a higher level of access to the resource creating an "exclusive class" of sportfishers. This type of management option will require increased data gathering, reporting requirements and enforcement. Additional problems are the expected high costs to clients associated with leasing as well as lack of availability of IFQs to the charter sector. As proposed, the leasing option does not appear to be a practical component for charter management.

The North Pacific Fishery Management Council has adopted many different management plans for fisheries in Alaska. The Council needs to adopt a management plan that will work while providing stability and viability for the charter industry. A fixed poundage allocation of at least 2.15 million pounds is a step in the right direction.

Thank you for your consideration.



Stan Malcom  
President, Petersburg Charterboat Association

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

Dear Chairman Olsen:

On behalf of Petersburg Fishing Adventures I am writing you to express our considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, and the economy of Petersburg will be severely harmed. I wanted to express my concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will effect all of the local retail businesses. My guests spend \$500 per day, are they going to come back when they only can catch one fish per day? They spend over \$1000 on airfare and stay for 6 days and the proposed regulations will only let them catch 4 fish per year, is this good business? Will they come back?

Example:

1 fisherman  
Airfare (from west coast) \$1000  
Lodging and guiding  
5 days \$3600  
Fish processing  
4 fish @ 30 lbs \$150  
Total cost \$4,750

They get to take home 50 lbs of processed halibut and will have to fish one day without keeping a single fish. The fish they catch will cost them \$100 per lb.

Because of high fixed operating cost most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation to would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska – is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,

Capt. Peter Troy

March 5, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252  
Fax No. (907) 271-2817

Dear Mr Olsen:

My name is Paul FitzGibbon and I am the owner and operator of a charter boat and adjoining vacation rental business in Sitka, Alaska. I also teach Alaska History and Social Studies for the State of Alaska at Mt. Edgecumbe High School. I am commenting on the Council's agenda item C-6 Halibut Charter Management.

The guided sport industry can only function with a fixed pound allocation. The fixed pound allocations, before the Council for analysis, are insufficient to accommodate the charter fleet as it will exist under the moratorium, set at December 9, 2005. I suggest the Council add for analysis a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A. This will provide for a two fish bag limit, no in-season changes or closures, a season of historical length, plus address latent capacity, military participation and community quota entities.

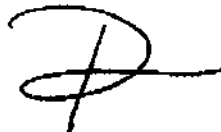
The Council also needs to request economic data on the guided sport industry, to move forward. The Council cannot afford to make an allocative decision and address stability, without knowing the economic impact of the Council's decisions on the guided recreational fishing industry.

The recreational fishing industry, both guided and unguided, has always been conservation-minded. If the IPHC deems the existence of a conservation emergency, such that halibut quotas for all users, in all areas off Alaska, must be significantly reduced, I have no problem with the IPHC adjusting bag limits across the entire recreational fishing sector to achieve reductions in harvest and protection of the resource.

Keeping conservation in mind, and struggling for a 2 million pound allocation of halibut for Area 2C, I think it would help to reanalyze halibut wastage by the longline fleet (totalling over a million pounds annually), and halibut bycatch by the trawl fleet (12 to 16 million pounds annually.)

Again, I urge the Council to analyze a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A, as the guided sport allocation must be sufficient to sustain our industry and the communities we live in. Thank you for considering my comments.

Sincerely,  
Paul FitzGibbon  
Alaska Getaway  
1009 HPR  
Sitka, AK 99835  
(907) 966-3474





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

MAR 2 2008

Dear Chairman Olson:

My name is Darell Welk. I own and operate Alaskan Fishing Adventures, Ketchikan. I am very concerned that a one fish bag limit will reduce the number of guests that we will be able to get to come to Alaska and spend their money in our state.

Since the possibility of the one fish bag limit, I have had an extremely hard time filling the rest of our season. In years past our trips would be full by now. When I have to explain the uncertainty of the halibut bag limit my customers have been changing plans and will be taking their vacations and their money elsewhere.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions

would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,

Darell Welk ~ [www.alaskanfishingadventures.com](http://www.alaskanfishingadventures.com)

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 2 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska, and each year, I take approximately 4 to 6 people on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience, some of my clients are disabled they do not have the option to rent boats and go fishing on their own. When you put a different bag limit for Guided and non-guided anglers you are discriminating against people with disabilities. A sport fisherman is a sport fisherman be it guided or unguided. My clients come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had 30 fishing days of cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

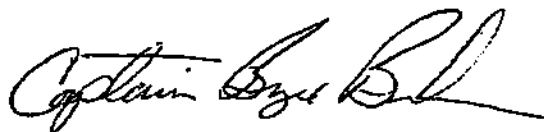
The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of by-catch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



Captain Bryce Brucker  
Big B's Alaskan Fishing Adventures  
P.O. Box 18046 Coffman Cove, AK 99918

ED STAHL  
F/V 'NIKKI MARIE' C/V  
651 DEERBERRY CT N  
KETCHIKAN, AK 99901  
907-247-2481  
[ednmargo@kpunet.net](mailto:ednmargo@kpunet.net)

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

March 17, 2008

Re: Charter Halibut proposals

Dear Chairman Olson:

If your halibut proposals are implemented it will be devastating to many Alaskans. This salt-water guided fishery enjoys the largest resident participation of any fishery in the state. I know your task is daunting as you are the first to take on this huge Guided Sport Fish Industry that helps fuel the economy of Alaska. But I too, feel obligated to fight for what is right. I am not asking for one halibut from the commercial sector but rather for you not to create victims of a faulted 2004 and 2005 log book.

I have been a charter boat owner/operator out of Ketchikan for twenty-three consecutive years. As proposed by your council I will lose my ability to charter for halibut. These are my points:

- My past halibut catches have helped establish today's harvest levels. I am entitled to my portion.
- In the spring of 2002, I was instructed by my A.D.F.G. sport fish biologist that "we don't have to log halibut anymore". This stated with a sigh of relief, and the word 'halibut' stricken from the log ledgers, I took this literally. I did not log my halibut trips from the spring of 2002 through 2005. In 2006 when halibut reappeared in the log ledgers, I started logging halibut again.
- My biologist failed to mention the never before used method of logging halibut *effort* only. This was written only in parenthesis in the instruction section.
- Enforcement Officers did not enforce "halibut *effort*". They too were lost in its obscurity and vagueness and they wouldn't have enforced it even had they known. There is not one citation for not reporting 'halibut *effort*' 2002 through 2005. Yet there are many citations for filling out the log book a few minutes late or not post-dating them soon enough. Contested, 2004 and 2005 log books will not stand in court.
- This never before used method of logging effort only was even kept quiet among fellow charter operators.
- All logged halibut *effort*, 2002 through 2005 is now convoluted with rockfish, ling cod, and shark fishing.
- The N.M.F.M.C. would be awarding halibut permits based on rockfish, ling cod, shark fishing and any other type of bottom fishing.
- There is a huge difference between just bottom fishing and targeting mature halibut.
- A.D.F.G. employees were always aggravated for having to administer the logbook of the federally managed halibut.
- To prove halibut participation, only years where the word 'halibut' was intentionally omitted from the log ledger are being used to qualify for halibut permits.
- Halibut long-liners had the luxury of using the two best of five previous years to establish participation. Charter boats get two years only.
- One halibut in one year kept long-liners in the commercial halibut quota program.
- Four halibut trips in 2004 and four halibut trips in 2005 put charter operators out of their fishery.
- My logbooks show a clear pattern of halibut participation, six to thirteen trips per season, except for the years I was instructed not to log halibut and where the halibut column was deleted.

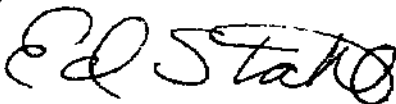
- In 1990 I upgraded to a larger, heavier custom built 30' vessel. My reasoning for this very expensive investment was a safer boat for open ocean crossings to our customary halibut grounds. Removing me from my halibut fishery will place an economic hardship upon my family.
- One party of four, fishing three days salmon, one day halibut, represents \$4,000 to a charter boat. Four such multi-day parties represent \$16,000 lost income to many operators and their families. One halibut trip is significant in our industry. I need approximately twenty-five halibut per season to prevent a 30% loss of my family's income. We need the ability to say "yes, we can take you halibut fishing too."
- Issue twenty-five halibut tags per season to participants like me who fall through the cracks of your process.
- These tags would also cover the halibut we catch while trolling. We have an established legal history of these troll caught halibut. These troll catches have contributed directly to the harvest levels we have today. These catches come out of our GHL. These halibut need to be addressed and awarded to proper recipients. A.D.F.G. specifically instructed captains not to log this effort in 2004 and 2005.
- By making all small time halibut guide permits non-transferable, you are eliminating an entire sector of the guided sport fish industry forever, enabling the large operators to swell even larger as fewer captains will enjoy more fish. This is against the norms of society and it is discrimination. Make all small permits transferable. These smaller operations are legally established fisheries that deserve to continue and flourish same as the larger operations.
- It is wrong for a country to deny its citizens their accustomed jobs, their place in society that enhances their local economy, while maintaining and preserving the utilization of a public resource. The Alaska State Constitution requires that restricting or removing fishermen must be based upon *resource* or to *prevent economic distress* among fishermen. Halibut stocks are healthy; long-liners and charter boats have been enjoying their most lucrative seasons ever. Alaska cannot remove one fisherman from this fishery. You can limit the catch but not the fishermen.

*Article VIII, Section 15 of the Alaska State Constitution – No Exclusive Right of Fishery. No exclusive right or special privilege of fishery shall be created or authorized in the natural waters of the State. This section does not restrict the power of the State to limit entry into any fishery for purposes of resource conservation, to prevent economic distress among fishermen and those dependent upon them for a livelihood and to promote the efficient development of aquaculture in the State. (Amendment approved August 22, 1972 – Effective October 14, 1972).*

- I have no representation on the North Pacific Fishery Management Council.

Council members, there are many of us. We are easy to find throughout the coastal communities of Alaska. Please do something for us. This is your opportunity to do something good for the small operators of Alaska who do the most with the fewest halibut, and such action will not hurt one commercial fisherman.

Sincerely,



Ed Stahl

Cc:

The Honorable Governor Palin  
Carlos M. Gutierrez, Secretary of U.S. Department of Commerce  
Condoleezza Rice, U.S. Secretary of State

Page 2

Ed Stahl 651 Deerberry Ct N, Ketchikan AK 99901



# *Alaska State Legislature*

## **Representative Andrea Doll**

### *House District 4*

Chairman Eric Olsen  
North Pacific Fisheries Management Council  
Delivered by FAX: 907-271-2817

MAR 25 2008

March 25, 2008

Dear Chairman Olsen:

I am writing to express my concern about the Council's allocation of halibut between the commercial and charter fleets that operate off the coast of Alaska. Many of my constituents have contacted me with their concerns over the effects that the proposed halibut limits will have on their charter businesses.

As a result of my constituents' concerns, I have looked into current halibut issues and have a few concerns of my own. Please consider the following the serious economic impacts of your decision when you address halibut limits:

- Halibut limits adopted in 2007 have resulted in a significant decrease of the Charter catch. A single season is not sufficient time to determine whether these limits have been effective. They should be given more time to work.
- With only two years until the Council's recommended Limited Entry Program for charter halibut will likely begin, and with the halibut catch sharing issue now before you, it would not be appropriate to implement any action that would impose economic devastation to the charter sector in one region. The proposed allocation to the charter sector that amounts to one halibut daily or four halibut annually is not appropriate.
- Because of high fixed operating costs, most of the charter industry fishermen are working with a very small profit margin. A 10% to 30% loss of business will have a devastating effect on many charter businesses, with a rebounding effect on supporting businesses, so that it will be difficult for some to continue.

I am encouraged by the fact that several options are available and that the Council and Secretary have latitude when deciding appropriate action. The appropriate action in this case would be to adopt a halibut catch sharing allocation that would allow the charter sector to continue to offer anglers two halibut a day during a season.

Charter catch was significantly reduced in 2007 under rules that still allowed two halibut a day and it is reasonable to expect those reductions will continue this year. With only two years until

Chairman Eric Olsen  
North Pacific Fisheries Management Council

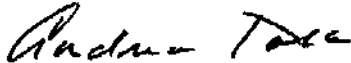
2

the Limited Entry Program will be introduced, and with current regulations already reducing the charter catch, it would have a devastating economic effect on SE Alaska communities to adopt a halibut catch sharing allocation that essentially would limit charter fishing in SE Alaska to one halibut a day or four halibut annually.

The charter fishing industry differs from the commercial fisheries in that it depends on stability and advance notice of rules; most clients book their trips a year ahead. Charter operators cannot significantly increase or decrease capacity from year to year nor can they raise their prices to compensate for less fish.

The Council has adopted many management regimes for fisheries off the coast of Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that will provide certainty and stability for both the commercial and charter sectors.

Sincerely,



Representative Andrea Doll  
Alaska State Legislature

cc: The Honorable Sarah Palin  
Governor, State of Alaska  
Hand-delivered

Carlos M. Gutierrez  
Secretary, Department of Commerce  
Fax: 202-482-2741



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 27 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In South Central Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in South Central Alaska, and each year, I take approximately 600 guests, resident and non resident, on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. South Central Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in South Central Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry -- a vital part of Southeast Alaska's economy -- to collapse. Canada and Area 3A are not facing a similar one fish daily limit--what is to stop sport fishermen from going to either of these areas

to obtain two fish? This would be good for me in the short term, but who's to say South Central wont be next? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



Frank Sanders  
Alaska Trophy Outfitters  
Soldotna, AK  
907.252.7413

# Cordova District Fishermen United

Celebrating 70 Years of Service to Commercial Fishermen in Cordova, Alaska  
P.O. Box 939 Cordova, Alaska 99574 Telephone 907.424.3447 Fax 907.424.3430

March 26, 2008

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 W 4<sup>th</sup> Avenue, Suite 306

**SENT BY FACSIMILE TO 907-271-2817**

## **Agenda Item C-6 Halibut Charter 2C/3A Catch Sharing Plan**

Chairman Olson and members of the Council,

On behalf of the CDFU Groundfish Division I am submitting these comments on the Initial Review of the Halibut Charter 2C/3A Catch Sharing Plan.

CDFU is one of Alaska's oldest fishing organizations and represents the interests of over 300 fishermen and their families in the Prince William Sound and North Gulf Coast region. We have a long tradition of constructive and successful involvement in fisheries policy arenas supporting sustainable fishing practices, fisheries research, seafood marketing, and the economic stability of Alaska's coastal communities.

Although we have concerns about a number of issues in the analysis, we believe that the analysis is adequate overall, and we recommend that the Council make the necessary revisions and corrections before releasing it for public review and final action in October as originally scheduled.

Our primary comments on the analysis are as follows:

**1. The allocation ranges in the analysis are more than adequate.**

The allocation ranges in the analysis include the highest levels of harvest in 2C and greater than that in 3A, the original GHs expressed as a percentage and in pounds, the charter sector harvests associated with the level of effort for the moratorium qualifying year of 2005, and harvest levels from other recent years. Arguing for an allocation greater than that taken with the level of effort during the qualifying year of 2005 undermines the rationale for a moratorium. This range of options was agreed upon by representatives of both sectors in December, and is more than adequate.

We also want to highlight the fact that reallocation has differential impacts on coastal communities. Cordova is a prime example where reallocation does not simply transfer economic activity from one sector in the community to another. There is only one full time charter operator in Cordova; tourism has remained a small component of the economy in

spite of efforts to expand it. Table 58 in the analysis shows that in 2006 the number of anglers associated with trips terminating in Cordova was 616, slightly more than Seldovia (589), but less than other small towns such as Larsen Bay (1,757), Whittier (2,743), and Yakutat (3,201).

Also, Cordova does not qualify as an Amendment 66 community, and therefore is not eligible for either the CQE program or to receive charter moratorium permits. Too big to be a CQE community, but without a charter fleet in the real sense of the word, reallocating halibut away from the commercial sector will only hurt communities like Cordova. The benefits will accrue instead to larger communities – like Seward and Homer – that already have economies with greater opportunities and diversification, lower costs of living, and large established charter fleets.

### 2. The kind of allocation is important.

We have serious concerns about the options for a fixed allocation in pounds. Completely disconnecting the allocation from the health of the resource is a radical departure from the abundance based management that has made fisheries management in Alaskan waters an example of good stewardship in the U.S. This does not foster conservation ethics. It creates a sense of entitlement despite the possible consequences to the health of other fish resources, or access to the resource by other users. We support a fixed percentage allocation based on the original GHL.

It's important to remember that in the "GHL Committee" that was formed by the Council just after the Charter IFQ program was rescinded, the charter sector representatives were adamant about revising the GHL to "stair step up" with increases in abundance. This was at a time when halibut abundance was rising, and benefiting from this increase in abundance was a way to avoid exceeding the GHL, and having management measures imposed on the charter industry. Should the Council select a fixed poundage allocation, we fully expect the charter sector to come back to the Council and ask once again to change their allocation so that it rises with abundance.

### 3. Timely and accurate charter harvest data.

Timely and accurate harvest data is a basic foundation of good fishery management. The SWHS method of collecting charter harvest data is not sufficient for the Catch Sharing Plan because the one year delay in getting final harvest data affects the ability of the Council to either remove or implement management measures in a timely manner. We are concerned that this delayed feedback loop will make it difficult for the Catch Sharing Plan to work successfully, and reference the SSC minutes of the February 2006 Council meetings about the problems it causes.

"Delayed feedback loops exhibit cyclic overshoot and undershoot around the intended target, but control rules can be designed to dampen the oscillation if the system is stationary and deterministic. If the system includes a random element, or a trend or other nonstationarity, management actions will tend to exacerbate cyclic overshoot and undershoot. The upshot of this is that it is unlikely that catches in the charter-based halibut sport fishery can be constrained to intended targets when there is a 1-2 year delay between prosecution of the fishery and generation of data regarding the magnitude of removals and another 1-2 year delay between when the data

are available and management measures are selected and implemented." (SSC minutes, Feb. 2006)

In the analysis, Council staff have provided a discussion of what can be done to streamline the decision making process. However, it would be helpful to both sectors if agency staff can provide further explanation of how the cyclic overshoot and undershoot can be avoided using more detailed scenarios than those described in the analysis.

We also have some concerns about the accuracy of the SWHS data, based on the "Evaluation of the 2006 ADF&G Logbook" report recently completed by ADF&G. This report has a number of implications for the Catch Sharing Plan that we will be prepared to discuss in greater detail at the Council meeting.

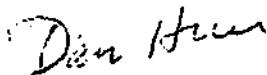
4. Revise the description of the purpose of the proposed action (Executive Summary, p viii).

The analysis states that one purpose is to "(2) design a program to compensate the commercial sector for any future reallocations above the level set at initial action". This sentence seems to be a remnant from a previous analysis that included options for compensated reallocation for the charter sector common pool with specific funding mechanisms. These options have since been removed. The sentence therefore doesn't correctly describe the mechanism for leasing commercial IFQ on an individual basis. We suggest the statement should be rephrased (borrowing from the SSC's February 2006 minutes) to read something like "(2) design a program to allow the lease of IFQ from the commercial to the charter sector, and remove the Council's role as sole arbitrator of allocation between the two sectors with actions taken to benefit one sector resulting in uncompensated costs to the other sector."

I will provide further comments in testimony at the Council meeting, and am available to discuss any of these issues before then.

Thank you for taking these comments into consideration.

Sincerely,



Dan Hull, Chairman  
CDFU Groundfish Division

MAR 15 2008

**North Pacific Fisheries Management Council****Dear Council Members;**

I know you've all heard a lot of "them against us" stories in the last few years, the reason why is obvious. However, I don't see it like that. In my eyes we are all in this together, as a matter of fact, my family's commercial fishing business is very similar to a commercial charter business. My husband and I were deckhands for years, we didn't receive any original issue quota, so when it came time for us to start our own business we were faced with the choice of buying quota or buying a boat, and not being able to afford both, we chose to buy a boat. Since 2000 we have made a business out of "chartering", taking along quota holders who are either unable to or choose not to fish their quota on their own boat any longer. This, along with fishing the small amount of quota we've been able to buy and some summer trolling has allowed us to stay a viable business and live in Southeast Alaska.

So I can understand how the Southeast charter industry feels about having their client's bag limits reduced, because that's what's happened to us in the last two years, 20% in '07 and now 27% in '08. Basically OUR clients have had their "bag limit" cut in half. So to me it's not apples and oranges, it's apples and apples. We're all in this together and it's up to all of us to share the responsibility of conservation. It's a scientific fact that 2C halibut stocks are on the decline, converting the current fixed charter GHL to a percentage allocation that fluctuates with abundance, and insisting that ALL harvesters stay within their allocation is an important step in turning this decline around.

This does not necessarily mean that individuals in the charter sector cannot continue to grow their businesses, the compensated reallocation plan would allow charter operators to invest in their own growth by leasing quota above and beyond their allocation if they so desire, just as individuals in the commercial fleet have the ability to invest in halibut IFQ's.

It's important to remember that the charter and commercial sectors are not the only user groups out there suffering from the declining halibut stock, Local Area Depletion is a very real problem. Southeast is an area where locals fill their subsistence needs by personal use fishing and setting subsistence halibut skates with their small boats in and around the bays and sounds near coastal communities. As abundance drops this is harder and harder to do -

I've heard the argument that guided charter is the "public's right to catch the public's fish", well you know what? I'm a member of the public too, so is my daughter, my husband; the personal use and subsistence fishers that count on being able to put fish in their freezer every year are members of the public, as are the people who buy the fish the commercial fishers supply to the grocery store. We are all members of the public and it is up to all of us to share the responsibility to conserve this public resource, therefore I ask you, as members of the Council, to spread the burden out and resist increasing the Charter GHL in a time when abundance is down and conservation should be our main concern.

Thank you.  
WENDY ALDERSON F/V KATIE J  
Wendy Alderson

MAR 27 2008

3-26-08

P.O. Box 22834

Juneau Ak. 99802

carlp\_05@yahoo.com

N.P.F.M.C.  
605 W. 4<sup>th</sup> St. STE 306  
Anchorage Ak. 99501

Dear Chairman,

Thank you for giving me the opportunity to comment on the Halibut GHL for charter operators, in areas 2C & 3A. I have been a commercial longliner for 28 yrs. I was an original issue IFQ stakeholder, and invested in more IFQ's to further my business of providing quality halibut to the American public. At this time, that investment was a mistake, as I am suffering great financial hardship as a result of my purchase. My 2C quota's have dropped 40% in 2 years, and the value of my IFQ's has also dropped by a similar amount.

I have seen a lot of changes to the management of the Halibut fishery over the years. Commercial halibut fisherman have always been conservators of the resource. We have provided fish to the American public for well over 150 years. It is only recently that the emergence of the Commercial Charter Industry has started competing for the same fish as the Commercial Longliners. There has been a lot of comments from the Charter Industry about their business being the "people's access to the people's fish". But nothing could be farther from the truth. Only a small percentage of the American public have any desire to come to Alaska, and an even smaller number of people that visit Alaska want to fish. And of those, an even smaller number want to fish exclusively for Halibut. So out of a population of 450 million, only 250,000 people may desire to spend the money to come to Alaska, and go halibut fishing. We (commercial long liners) provide quality halibut to the vast majority of American citizens that wish to eat an excellent fish, but may not wish to actually go fishing to catch it. We (commercial longliners) are the ultimate "people's access to the people's fish.

This is not to say that there should not be a Commercial Halibut

Charter industry. Only that this industry should be capped, and regulated just like any other commercial fishery in Alaska. I believe that charter operators should be required to invest in the future of the Halibut resource, just as I and hundreds of other commercial longliners have. And I also believe that there GHL should be fixed to a percentage of the available fish in any area. The continuing practice of the Commercial Charter Fleet of going over their GHL, without compensation to IFQ holders that have invested in the future of the Halibut resource, needs to be stopped.

Thank you for considering my comment's and for your service on the N.P.F.M.C.

Sincerely,



Carl Peterson Jr.  
Carl Peterson Jr.



North Pacific Fisheries Management Council  
Eric Olson, Chair  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Alaska 99501-2252

MAR 21 2008

Chairman Olson and Council members,

I am writing to voice my support for the interim plan (Element 1, Option 1, A) that allows a change to the current commercial charter GHL so that it may fluctuate with abundance.

My name is Scott File. I am 49 years old and have been fishing commercially since I was 10. I grew up in Petersburg, Alaska and now live in Juneau, Alaska. I moor my boat and base all of my fishing operations out of Hoonah, Alaska. I fish commercially in S.E. Alaska for salmon, halibut and sablefish. I have seen many changes in these fisheries over the past 39 years. None of these changes have concerned me more then this ongoing allocation battle over halibut.

It seems that since the IFQ system has been put in place the commercial fishers are expected to do more with less. The quota system has become known as the "incredible shrinking quota" in our household and amongst other fishermen as well.

We believe we are financing the commercial charter industry and the demise of our very livelihood. Our costs have risen every year, but our quota share has not. With the lower quota shares this season we were expecting a higher price, but no such luck. The price has been consistently dropping since the season opened. We are now faced with the highest costs in my lifetime, far less quota and a lower price then the year before. I was dumfounded when AFTER the season had opened I was notified by certified letter that our sablefish quota share was again lowered.

This allocation battle does not just affect the commercial fishers. It has a profound effect on the families, coastal communities, small businesses and other fisheries that are dependant on this fishery.

For myself and other fishermen the longline fishery finances my salmon fishery. Many commercial fishermen use their longline proceeds to pay their federal income tax and start up costs for other fisheries that they are involved in. So that means that when there are quota cuts, it does not affect just one fishery but many.

When we received our quota for this season it was as usual lower than the year before. We knew that this meant we would have to spend less than we expected at the Wrangell shipyard. We are putting off repair projects for longer than we should because every year we make less and less in our longline fishery and our expenses continue to climb at an unprecedented rate.

I know that many charter operators have said that a one halibut bag limit would be devastating to them. Think about the commercial fishermen who have had their quota almost cut in half. I used to have a crew of 5 for the longline fishery, now I have a crew of 2. This has affected not only the coastal communities but the families that live in these communities and the businesses that depend on these families to spend a portion of their fishery earnings.

It is very hard to understand the commercial charters position when they continue to go over their GHL year after year even after being given a higher GHL than the commercial fishers had been given with IFQ implementation. What is particularly hard to swallow is the charter sector is regulated very little, while the

commercial fishermen are regulated to the point of extinction. The commercial charters continue to disregard the GHL and are operating without any fines, forfeitures or jail time which by the way are applied to commercial fishermen.

The most disturbing part of this scenario however, is the unwillingness of the commercial charter sector to share in the resource conservation. Their unwillingness affects not only people who make their living from the sea but EVERY Alaskan. The charter sector seems quite content to continue to over-harvest the halibut stocks and methodically move from one decimated area (2C) to another (3A) and over-harvest there. This is resulting in the re-allocation of quota away from traditional harvesters to mostly non-resident sport charter fishermen and depleting the halibut stocks even further. All the while the resident commercial fishers, local sport and subsistence fishermen are deprived of access to the halibut stocks.

With that I will sum up what I feel about this whole allocation issue. I am trying to maintain a household, run a boat and raise 2 boys. I am not asking for much...just the responsibility for the conservation of the halibut stocks be equally shared by all users groups and that commercial charters GHL fluctuate with abundance. My twelve year-old often wonders if the fishery will even be viable when he is ready to participate. I wonder if there will even be a fishery left for him to participate in. Truth be told I am mad as hell about his whole situation and I cannot continue to take quota cuts at the expense of my family, my business and the crew members that count on these fisheries for employment. If this over-harvesting by the commercial charter sector continues I will not have a fishery to participate in and I will have no choice but to come up to your offices in Anchorage ask you to right this wrong day after day because if

the current trend continues I will have lost a lifetime investment  
and livelihood.

I ask for your support in changing the commercial charter  
sectors GHL to fluctuate with abundance.

Respectfully,

• Scott File.

March 5, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252  
Fax No. (907) 271-2817

RECEIVED  
MAR 2 2008  
ANCHORAGE

Dear Mr Olsen:

I am a charter boat operator in Sitka, Alaska, and am commenting on the Council's agenda item C-6 Halibut Charter Management.

The guided sport industry can only function with a fixed pound allocation. The fixed pound allocations, before the Council for analysis, are insufficient to accommodate the charter fleet as it will exist under the moratorium, set at December 9, 2005. I suggest the Council add for analysis a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A. This will provide for a two fish bag limit, no in-season changes or closures, a season of historical length, plus address latent capacity, military participation and community quota entities.

The Council also needs to request economic data on the guided sport industry, to move forward. The Council cannot afford to make an allocative decision and address stability, without knowing the economic impact of the Council's decisions on the guided recreational fishing industry.

The recreational fishing industry, both guided and unguided, has always been conservation-minded. If the IPHC deems the existence of a conservation emergency, such that halibut quotas for all users, in all areas off Alaska, must be significantly reduced, I have no problem with the IPHC adjusting bag limits across the entire recreational fishing sector to achieve reductions in harvest and protection of the resource.

Keeping conservation in mind, and struggling for a 2 million pound allocation of halibut for Area 2C, I think it would help to reanalyze halibut wastage by the longline fleet (totalling over a million pounds annually), and halibut bycatch by the trawl fleet (12 to 16 million pounds annually.)

Again, I urge the Council to analyze a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A, as the guided sport allocation must be sufficient to sustain our industry and the communities we live in. Thank you for considering my comments.

Sincerely,  
Dustin Ward

From: Dennis Gudmundson <akwildsides@gmail.com>  
Date: Wed, Mar 26, 2008 at 10:46 AM  
Subject: Halibut charter management plan  
To: halibutcoalition@gmail.com, akwildsides@gmail.com

MAR 26 2008

To whom it may concern.

I was issued some quota in the start of the IFQ system, but 90% of it I have purchased. I have been working hard to pay off the dept that these purchases have cost me. In a few years I hope to have these loans payed off that I made over 10 years ago. I can't see how anybody can say that it would be fair to reallocate some of these Quota shares to charter fishermen that I have not even payed off yct !

I believe that all sectors should share in the resource conservation by changing the current GHL to a percentage that fluctuates with abundance. Most of my quota is in 2C where we have taken the brunt of the quota reduction these last 2 seasons due to conservation measures. Last season we saw a lot of small fish that will be ready to harvest in the next few years. It is my hope that the NPFMC will see to it that these fish will have a chance to mature and not be caught by charter operations that have a set allocation that has nothing to do with conservation. It is my hope that they will stay within the guideline percentage that was set up a few years ago.

I fish with my family, my son and daughter are my crew for most of our quota and it is our main source of income. I hope that the NPFMC will make the right choose and rule in favor of conservation of the resource and Alaska fishing families.

Sincerely,  
Dennis Gudmundson  
PO Box 777  
241 Beach Rd.  
Haines AK. 99827

## Fish Kodiak Adventures

PO Box 4296  
Kodiak, Alaska 99615  
[www.fishkodiak.com](http://www.fishkodiak.com)  
Toll Free; 888-568-2882  
(907) 481-2882

March 25, 2008

Mr. Eric Olson  
Chairman, North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave., Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

Dear Chairman Olson:

I operate a charter/fishing guide business in a remote part of Kodiak Island for the past seven years and each year I take approximately 400 fishing guests on the trip of a lifetime, --the ultimate Alaskan fishing adventure. Many days we will fish all day and never see another sport fishing boat. These guests come to Kodiak to fish from other states and countries. Unfortunately most every one of my guests want to catch a halibut on this ultimate Alaskan Fishing Adventure.

I address the North Pacific Fisheries Management Council's current consideration for sport charter halibut allocation. I'm writing to advocate that the Council expand it's options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the local fleet that will exist under the charter moratorium plan that the Council adopted just last year. That amount should be sufficient to allow for a season of traditional length with a two-fish daily bag limit, the same limit the industry has historically operated under for decades without adverse affects of our halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come, a problem our Alaskan children will need to seriously address.

At a minimum, the Council needs to select as it's preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so local charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote needless time and resources to constant annual changes in halibut regulations.

Chairman, North Pacific Fishery Management Council


Page Two.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules— all my clients book their trips a year in advance. The charter industry also differs in the fact that we are not selling fish. We are just providing a platform from which a person can catch halibut. **The same halibut that before the implementation of IFQ's was considered to be a public resource belonging to all Alaskans.** My business cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. This is why a fair fixed allocation is as important.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries of Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries of Alaska to take more than 10 million pounds of halibut annually in the form of by-catch – forty percent more than the minimum amount our local charter industry is seeking to stay in business.

Thank you for your anticipated consideration of my letter.

Respectfully,



Richard D. Baker

Owner/Operator

Fish Kodiak Adventures



From: Kathy Peavey

To: cgutierrez@doc.gov ; cora.crome@alaska.gov ; Todd\_Bertoson@commerce.senate.gov ;  
arne\_fuglvog@murkowski.senate.gov ; dave.whaley@mailhouse.gov ; jim.balsiger@noaa.gov ;

Denby.Lloyd@alaska.gov ; Kathy Peavey

Sent: Tuesday, March 25, 2008 10:13 AM

Subject: Alaska Halibut Fishing family

NPFMC

605 West 4th ave. Suite 306  
Anchorage, AK 99501

MAR 25 2008

To whom it may concern:

My name is Matt Peavey, I am a lifelong commercial fisherman. I have been involved with watching the IPHC guide the halibut resource for the commercial fisherman long before the charter fishermen arrived on the scene. I am dismayed at the way the charter interests are acting over the reduced halibut catch in area 2C. We have taken reductions in the name of conservation and so should the charter fishermen. My daughter and wife along with myself have invested in our future with halibut quota only to see it drastically reduced to satisfy another entity that has not been forced to purchase quota. The loss directly to my family is devastating; current loans due, fuel prices soaring and college tuition increasing and taxes to pay is overwhelming.

While the IPHC has continued the cutbacks on our halibut quota, I don't mind that as long as it is in the name of conservation. However, to do it for the overpopulated charter fishing fleet then I am 100% opposed.

I am writing this letter in dismay at the way in which the charter fleet is acting over the reduced halibut catch for them. A solution that I think is ideal is limiting the charter fishermen to hook and release. The clients would be satisfied with the thrill of the catch.

This is not the first time that our livelihood has been threatened. Twenty years ago this started with the commercial trollers king salmon quota. The charter fisherman went after slices of that quota and are still after it today.

We chose to live in Alaska and support the economy year round. I encourage you to think about the future of my children and their right to grow up to be commercial fishermen.

We insist upon a fair and financial worry free existence.

Matt Peavey -IFQ holder  
Kathy Peavey - IFQ holder  
Katrina Peavey -IFQ holder  
Steven Peavey - Deckhand  
Melissa Peavey - Deckhand  
F/V Anne Louise  
POB 442 Craig, AK 99921  
907-826-3856  
peavey@aptalaska.net

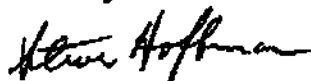
March 25, 2008

To Whom It May Concern:

I am submitting this letter to express my concern about the proposed plans by the NPFMC to implement restrictions on the sport fish charter industry in Alaska based on data derived from the ADF&G Sport Fish Charter logbook program. I am a retired ADF&G staff member who worked for the Department of Fish and Game for nearly 30 years with 18 years of this tenure spent working as the ADF&G Sport Fish Division Area Management biologist in Ketchikan, Alaska. During my tenure as the Area Management biologist, I witnessed a wide variety of changes in the SE Alaska sport fishery including the implementation of the mandatory charter logbook program. Looking back on my career as the area management biologist, I view the Logbook program for the charter industry as one of the more challenging activities assigned to myself and other department staff.

The reason that I feel this is reflected in the nearly yearly changes made by the department in the rules regarding the mandatory logbook and the data that was required to be reported by the charter industry. Despite strong efforts by ADF&G staff including myself to explain the changes as this program evolved through meetings with charter groups, lodges, and individual charter operators, I noticed each year that a level of confusion existed within many charter operators concerning the rules governing this program, the data that was required to be reported on the logbook forms, and the long term use of the logbook information. With this in mind, I want to express my concern about the proposed plan by the NPFMC to use data derived from the State of Alaska Sport Fish charter logbook program for implementing changes in management of the sport fish charter fishery in Alaska.

Sincerely:



Steve Hoffman

Retired

PO Box 7064

Ketchikan, Alaska 99901

(907) 247-7847

mcs123@gci.net

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

MAR 2 2008

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

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror



March

20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAILED  
MAR 20 2008  
N.P.F.M.C.

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The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management



(907) 271-2817  
(907) 269 7461

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

RECEIVED  
MAR 20 2008  
MAY 1 2008

Dear Governor Palin and Chairman Olson:

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Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

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The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror





March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

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MAR 20 2008  
P.F.C.

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Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Ste 306  
Anchorage, Alaska 99501-2252  
FAX: (907)271-2817

Dear Chairman Olson,

Re: Agenda item C-6

As an active member of the Homer Chamber of Commerce, I am very concerned that an inadequate allocation would severely negatively affect the economy of Homer and other Coastal Communities. The B&B's with whom I have spoken state that about 80% of first time visitors to Homer are drawn to Homer because it is "the Halibut Capital of the World" and almost 100% of return visitors come to Homer to fish.

These visitors, including most Alaskans from outside of Homer, depend on Charter Boats to taxi them to catch their halibut. If they are denied access to the resource just because they do not have their own boat or don't feel safe taking their boat in our waters, you are discriminating fishermen who all have equal rights to their resource.

Although a socioeconomic analysis has not been included in the EA/RIR, one can look at the overall importance of tourism in Alaska. According to a Visitor Statistics Program for the State of Alaska conducted by McDowell Group in summer, 2006, there were 672,600 visitors that arrived in Alaska by air or by vehicle. These are the visitors that come to South Central Alaska. They spent an average of \$1350. Per person - Total of \$908 million dollars. Total spending by all visitors IN ALASKA during the summer of 2006 was \$1.5 billion- a substantial impact on Alaska's economy!

It is imperative to consider the economic importance of recreational fishing in Alaska. Therefore, the allocation must be consider a proper allocation of halibut that will carry this industry to the long term solution, at which time a mechanism could be in place to allow for sector allocation shifts, if necessary.

Fixed poundage, rather than fully floating, is essential. Because of the business plan of charter companies and the effects of the "client choice" on where and when to fish, the Charter Sector cannot sustain itself if the allocation goes down. They also cannot absorb the gains if the allocation goes up.

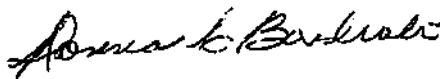
Additional options need to be analyzed before the council decides on its preferred option. Please add an option for: 2.3 million pounds for Area 2C and 4.5 million pounds for Area 3A in order to accommodate the CQE permits and the other provisions for growth built into the charter fishing moratorium program (such as Military Boats treated as unguided recreation fishing, but poundage being counted again the guided recreation fishing sector).

ADF&G has determined that the logbook data is more accurate than the Mail out Survey concluding that the Charter harvests were in fact 16% higher in Area 2C and 28% higher in 3A. Subsequent allocation levels should reflect the elevated ADF&G information.

The Council's motion also includes a temporary provision to allow leasing of commercial IFQs to the recreational sector until there is a permanent long term solution. Such a proposal unfairly favors the wealthy operator because the income generated by a leased fish will not return enough to result in any profit. If the Leasing provision becomes an excuse for an insufficient allocation, the average charter owner will suffer.

Thank you for considering my comments.

Very truly yours,



Donna C Bondioli  
Homer Alaska  
907-235-4114



# UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2820  
(907) 463-2545 Fax  
E-Mail: ula@ufa-fish.org  
www.ufa-fish.org

March 26, 2008

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

LETTER  
MAR 26 2008  
FISH

RE: Charter Halibut C-6

Dear Chairman Olson and Council Members,

United Fishermen of Alaska (UFA) supports the Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Area 2C and Area 3A. We do have some misgiving and questions about the program. The main decision points for the NPFMC on this Catch Sharing Plan is the type of allocation and the amount of the allocation. UFA supports Element 1 – Option 1 – a. (Fixed percentage of a combined commercial and charter allocation and the current GHL).

For a successful catch sharing plan, UFA believes that the following are critical elements for a catch sharing plan.

- A floating allocation that adjusts with the biomass
- Accurate and timely accounting of charter harvest, for both the common pool allocation and the fish that are harvested under leased IFQ's.

### The Catch Sharing Plan

The catch sharing plan takes a small step forward in **addressing a key component of the problem statement by allowing charter operators to lease quota share**. This establishes a mechanism for transfer between sectors but threatens to undermine progress toward sector stability by including options for a fixed charter sector allocation. There is no clear indication that the catch sharing plan will more effectively manage on a real time basis than charter harvest under the GHL. Resolution of this issue must tie both commercial sectors - setline and charter - to resource abundance, implement accurate and timely reporting of charter harvest, and provide a mechanism for transfer between sectors that allows growth through individual investment.

UFA's misgivings about the catch sharing plan (CSP) stem from the June 2007 NPFMC recommendation for 2C management measures, publication of the Proposed Rule, and the charter sector's claims that they had no advance notice of regulatory changes. We feel that the NPFMC recommendation a year in advance is enough notice of possible regulatory changes. If the charter fleet is unwilling to accept the GHJ as being an allocation, then how does this catch sharing plan differ from the current situation where the charter industry fights against every restriction in every management or political forum?

If there is not greater assurance that this allocation will be binding and accepted by the charter industry, it may be necessary to restore the potential for in-season closure of the charter season to the analysis. Short of that, UFA seeks clear definition from the Council that the intent is to establishing a meaningful allocation through this catch sharing plan that allows growth only through individual investment.

**When evaluating the initial allocation**, UFA urges the Council to consider the following:

- Alaska has a history of maintaining resource health through abundance based management. Good stewardship depends on all commercial sectors, charter and setline, having a long-term interest in resource health. Uncoupling the charter sector from abundance will do little to encourage conservation.
- Implementation of the 2008 2C GHJ harvest restrictions and the halibut charter moratorium may result in increased "assisted" non-guided sport halibut harvest. As calculated in the analysis, **granting the charter fleet a fixed allocation translates to only the set-line sector losing quota to accommodate increased non-guided harvest**. This places undue burden on the setline sector.
- The fixed allocation also raises questions about Council priority. If halibut stocks decline drastically, curtailing setline harvest, would the charter sector "fixed" allocation stand while restrictions are placed on subsistence and non-guided sport harvest? While not specifically addressed, the description of the fixed allocation suggests this would be the case. Does that accurately reflect Council priority?
- **An incredible amount of testimony was provided by the charter industry starting in December of 2005 protesting that the current GHJ was unfair because it did not float with halibut abundance**. This argument will again come before the NPFMC with a fixed allocation when the charter industry has to start paying for leasing or purchasing under a long term plan. They will once again claim that it is unfair that the biomass is increasing and that they have to purchase QS instead of benefiting from the increase. For example:
  - In December of 2005, Bob Penney provided a handout stating that the NPFMC should "Apply percentage allocations to all sectors of the fishery," signed by the following organizations of Alaska Charter Association, Cook Inlet Sportfishing Caucus, Recreational Fishing Alliance, Sitka Charter Boat Operators Association, Kenai River Sportfishing Association, Alaska Outdoor Council and International Game Fish Association.



- In the Feb 2006, NPFMC News and Notes reporting on the recommendations by the GHL committee. Recommendation number 3 "Develop options to link the GHL to some measure of abundance as determined by the IPHC for Areas 2C and 3A: a) stair step up to mirror the stair step down currently in regulations; and b) change the GHL to a fixed percentage that floats with abundance and
- In the Final Rule published June 4, 2007 (Volume 72, Number 106, pages 30714-30728) in the summary of comments opposing the proposed rule NMFS states that most of the comments received from recreational anglers were form letters that indicated that the current GHL was not a fair allocation for the sport fishing sector because .. " 4) the GHL should increase stepwise if the abundance of halibut also increases." (page 30717)
- In the development of the last GHL established in law in 2003, the charter sector **wanted a fixed allocation to provide stability and then complained when the commercial industry benefited from increased abundance. Complaints from the charter sector continued until the IPHC announced catch limit recommendations that projected biomass declines. Charter testimony then changed to a demand for a fixed allocation. History will repeat itself under a fixed allocation. It is important to determine an allocation and type of allocation that works for both sectors in times of high abundance and in times of low abundance.**
- Although the charter fleet would like to characterize this as an allocation rather than conservation issue, UFA reminds the Council that underlying every allocation conflict is the long-term need to sustain the resource for the future. All users of the resource that are benefiting financially from access to the resource **should be equally responsible for the health of the resource** and share in the good and bad times of abundance. That is resource conservation.

#### Impacts to the Setline Industry

When considering the initial allocation, UFA urges Council members to remember that the economies of many coastal communities rely heavily on the setline industry. Many of these communities do not have large charter operations working out of their community. **Further reductions in the halibut quota share to the individual quota share holder harms not only that small family business, their crew members and their family, but also the processing operations, the processing crew members, and the supply businesses.**

Had the charter sector received their preferred alternative of a fixed allocation of 1.9Mlbs in 2C and 4.15Mlbs in 3A in 2008, the 2C setline quota **would have been reduced by an additional 16%** on top of the 27% reduction mandated by the IPHC. While the charter sector talks of the "potentially devastating" effects of a one fish bag limit, setline fishermen can document the economic impact of the 27% quota reduction in 2C in 2008, coming as it did on the heels of a 20% quota reduction in 2007. Adding an additional 16% reduction, simply to accommodate a sector that claims it can not adjust to change, would be unconscionable.

While there has been consolidation within the halibut quota share program, most of this consolidation has benefited Alaska by moving quota share into the hands of local Alaskan residents, most of whom reside in rural communities. Alaskan residents hold 81% of the 2C quota share and 56% of the 3A quota share. Most quota holders in both areas hold less than 5,000 pounds. These are small family businesses dependent on access to a healthy, relatively stable supply of halibut.

In summary: UFA supports the catch sharing plan with a fixed percentage allocation that floats with abundance (Element 1 – Option 1 a.) We hope the NPFMC members regardless of their personal opinions about IFQ programs realize that for 15 years the setline industry has been purchasing into this program in order to access and participate in the halibut fishery. These are small family operations in coastal communities where every dollar earned is important. Reductions in quota share harms not only the small family business operation but the crew members involved in the fishery, the processing operations that are wholly dependent upon the fishermen bringing product into the plant, the processing workers and supply businesses.

We understand that this is still just the interim plan and we would like to reiterate the important elements that will prevent this issue from being in front of the NPFMC again and again in the future: 1) an effective abundance-based **allocation** between setline and charter sectors; 2) a market based mechanism to transfer quota between sectors through individual investment; and 3) timely and accurate accounting for halibut catch.

Sincerely,



Mark Vinsel  
Executive Director

My name is Heather Saline and my family and I live in Sitka. In 2000, my husband and I bought D class 2C Halibut quota. In order to do this we secured a quota share loan from the federal government. Since 2006, we have seen our quota go from 9,000 lbs. to under 5,000 lbs, our income from our quota has been cut in half while our mortgage has stayed the same.

Because of the decrease in our income from this cut, we can no longer afford health insurance out of pocket and I have recently been forced to take a job outside the home to supply health benefits for my family even though I am the mother of two small children, with a third on the way. This is tough to take, but what makes it almost unbearable is that while my family is struggling to do what it takes to stay in Sitka and raise a family, despite dealing with the constant financial setbacks of quota cuts, the charter industry continues to go over it's GHL, and then seems to think that they should get rewarded for their overages. In this time of low abundance, when all of us having to tighten our belts in the name of conservation, I can't believe the charter industry is actually asking for an increase in their GHL, especially when they've already been given 125% of their highest existing catch. I'm asking you to please resist increasing the charter GHL, to do so would only reward them for past overages. The only change to the current GHL that should be considered is to convert to a percentage allocation that would change as abundance changes. Also, if the charter fleet really feels they need more fish, then adopting some form of compensated reallocation would give them the opportunity to invest in their business, just as we were asked to do.

My husband and I have chosen to stay and raise our family in Sitka, no matter what it takes. I sincerely hope that commercial fishing is part of our future, as it has been a large part of our life and livelihood for the past 25 yrs. The only way this can happen is if we ALL share the burden in times of low abundance.

Thank you for your time.

Sincerely,



Heather Saline  
PO Box 3183  
Sitka, AK 99835  
747-7889

MAR 7 2008

NPFMC  
605 West 4th Ave., Suite 306  
Anchorage, Ak 99501

March 14, 2008

MAR 17 2008

Dear Council.

I am a halibut longliner and have owned a home in Sitka since 1989.  
The IFQ's I hold were purchased with my hard earned cash.

I applaud the Council for their conservation efforts to protect the resource; however attempting to do it only by taking quota from the commercial fishermen and allowing unrestrained growth in the charter sector catch is a flawed policy. The ultimate end effect of this policy will be the financial destruction of the halibut longliners plus the inability to provide halibut at a fair price to 300 million Americans. This only to feather the pockets of a few thousand charter fishermen and put halibut on the table of their customers and select friends.

**TO CONTINUE TO TAKE MY QUOTA AND ALLOW THE CHARTER FLEET TO CATCH THESE FISH WITHOUT ANY PAYMENT IS UNFAIR AND WRONG!!** The council needs to know that there is a great deal of resentment brewing as a result of this because of the grossly unfairness of the present arrangement.

The one fish charter fisherman limit must be put and kept in place until some other fair and equitable arrangement is in place.

**THE CHARTER FLEET MUST SHARE IN CURTAILING THEIR CATCH ALONG WITH THE COMMERCIAL FISHERMEN AS NECESSARY TO CONSERVE THE RESOURCE.**

Respectfully Submitted,



Norman Sowards  
Bx. 974, Sitka Ak

CC. D.H.F.A



# National Association of Charterboat Operators

P.O. Box 2990, Orange Beach, AL 36561

P: 251-981-5136, F: 251-981-8191

info@nacocharters.org, www.nacocharters.org

**Bobbi M. Walker**  
Executive Director

**Bob Zales, II**  
Panama City Boatman Assn.  
President

**Ed O'Brien**  
Maryland Charter Boat Assn.  
First Vice-President

**Tom Becker**  
Mississippi Charter Boat Captains  
Second Vice-President

**Gary Krein**  
Charterboat Assn. of Puget Sound  
Secretary

**Ron Maglio**  
Michigan City Charterboat Assn.  
Treasurer

**Member Associations :**

Alaska Charter Association  
Beach Haven Charter Fishing Assn.  
Black River Charter Guides Assn  
Cape Cod Charter Boat Assn  
Cape May County Party & Charter Boat  
Captree Boatman Open & Charter Boats  
Charterboat Assn. of Puget Sound  
Chicago Sportfishing Assn.  
Deep Creek Charterboat Assn.  
Destin Charterboat Assn  
Eastern Lake Erie CharterBoat Assn.  
Florida Guides Association, Inc.  
Genesee Charterboat Assn, Inc.  
Golden Gate Fishermen's Assn.  
Homer Charter Assn.  
Islamorada Charterboat Assn.  
Indiana's North Coast Charter Assn.  
Kenosha Charterboat Assn.  
Maine Assn. of Charter Captains  
Marathon Guides Association  
Marco Island Charter Captain's Assn.  
Maryland Charterboat Assn.  
Michigan City Charterboat Assn.  
Mississippi Charterboat Captain's Assn.  
Orange Beach Fishing Assn.  
Panama City Boatmen Assn  
Pennsylvania Lake Erie Charter Captain  
Petersburg Charterboat Assn.  
Port Aransas Boatmen Inc.  
Prince William Sound Charter Boat Assn  
Seward Charterboat Assn.  
Sitka Charter Boat Operators Assn.  
Sportfishing Association of California  
Steinhatchee Charterboat Assn  
Virginia Charter Boat Assn.  
Waukegan Charter Boat Assn.  
Westport Charterboat Association

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

March 26, 2008

Dear Chairman Olsen,

On behalf of the National Association of Charterboat Operators I am writing to express our critical concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, our members, and the economy of Alaska could be severely harmed. We want to express our concern over the effects that possible outcomes will have.

Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers, which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not effect just the Charter Industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will effect all of the local retail businesses.

Because of high fixed operating cost most of the charter industry is working with a very small profit margin, a 10% to 30% loss of business will have a devastating effect, for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation that would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter Industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter Industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska – is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,

*Robert F Zales, II*

Robert F. Zales, II  
President

MAR 26 2008



March 25, 2008

North Pacific Fishery Management Council  
Eric Olson, Chairman  
605 West 4<sup>th</sup> Ave., Suite 306,  
Anchorage, Alaska 99501-2252

Council Chairman,

My name is Robert Ward and I have been a six passenger halibut only fishing charter operator from Homer, Alaska for the past 22 years. My business is very successful and my community receives all my operating expenses locally and my clients contribute to the local communities even more than they contribute to my business. My experience in the council process is extensive beginning in September 1993 on the original Halibut Charter workgroup, a committee participant through the development of the Halibut Charter GHL, the Halibut Charter IFQ committee and I sat on the Advisory Panel for five years. I hope my involvement has never offended anyone, it is just that I care about this issue and I feel you want that kind of input into your efforts. I have been involved in this process longer than most Halibut Charter skippers have been wearing pants with a zipper in the front.

I am here to comment on the Initial Review of Charter Halibut 2C/3A Catch Sharing Plan analysis and whether it is complete enough for a decision to be based on the information it contains and if it is ready to be released to the public.

This analysis has many valid and pertinent points of information on an industry that over the past 14 years this council has watched mature. In recent years this council has taken action that has caused much discontent and upset within the charter industry and in some Alaskan communities while attempting to find the right balance of control and access for my industry. While working around a commercial management plan that allows little opportunity for the other users we have been without options of stability, marketability and future growth. In my experience at the council I have always felt this was the one issue not recognized when the council approved the commercial IFQ plan. I believe we would not be spending so much time and personal financial resources on this issue had the council taken a more visionary approach to the whole halibut user community when deliberating the commercial IFQ program. This is the first time in the history of any regional council that another user group has bumped up against an IFQ'd resource and you must recognize how it looks from this seat. Don't lock us out of a future.

There is no question the halibut charter industry requires a management plan that will continue to provide the diverse economic contribution all Alaskan coastal communities depend on, and resource access is the point of contention that must be resolved with only the resource in mind. There are many ways of looking at the information contained in the analysis but without our complete attention on the halibut nothing else is relevant. I will point out to you the halibut resource is very healthy and your analysis should show this in the same perspective the IPHC coastwide assessment presents. It is only the recent IPHC change in their assessment that has brought area 2C into the perceived current crisis. This is not a conservation issue, it is strictly allocative.

I will also point out to you that this is still the American's resource with only the harvest rights of a floating allocation provided to the commercial longline fleet. The past history of the removals of subsistence, guided and non guided recreational and your own sanctioned bycatch of halibut leaves the commercial allocation what is left and that has always been the major portion. There is no order of law that determines the commercial allocation a priority and I feel this council has turned that fact around. These are American fish and America must be allocated their rightful access, and the American Public chooses to utilize the safe and responsible Alaskan charter boat fleet, don't remove that choice by diminishing their harvest opportunity.

I feel the analysis is incomplete and much of it is out of perspective of the issues stated before. There is sufficient evidence the original basis of the GHL, that being the Alaska Statewide Harvest Mailout Survey, has been underestimating the actual harvest by guided recreational anglers and the duty of the analysis is to present the most accurate and current information available. I recommend this council include the latest logbook information, after all you have required that we furnish this harvest data since 1997, never considering the additional burden this has caused the charter operators, now that it reinforces what we have been telling you since 1993, use it. A new allocation must be recommended for analysis and that amount must be relative to current harvests and the current fleet size you have allowed. Others have offered amounts but your staff can provide the current level of harvest estimates and you should include it for analysis and it must be considered for final action.

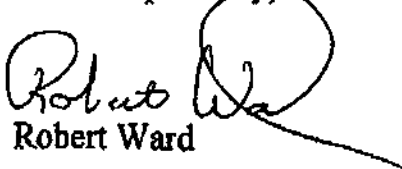
The analysis does not provide current economic impact information for the charter industry which can be closely estimated on the back of an envelope with Alaska Sportfish license sales information, your required logbook harvest data and advertised charter prices, why is there nothing that provides what the loss of business might cost the coastal communities. Even close estimates will provide a better picture of the impact than no information at all. To read the analysis leads one to believe we are discussing a recreational activity with no

economic value, we are an industry with associated costs that benefit every coastal community. This allocation inequity does not just impact the commercial fleet, especially when you consider the additional fisheries most commercial fishermen participate in and their holdings of IFQ in other areas across Alaska and the Bering Sea. I do not participate in any other fisheries outside my 794 pounds of IFQ my wife and I earned under the commercial program. Just for your information we fish it with 2 rods and reels on our charterboat, hardly commercial fishing as you know it, and I use those earnings to attend council meetings. The charter economics support many associated services in every community and this analysis does not even recognize that fact much less quantify it.

The interim plan for the charter fleet is not defined or analyzed for your benefit of knowing how the common pool restrictions will impact the traditional and historical charter fleet more than the recently established moratorium qualified charter. You must realize a charter that has a full calendar of business now and relies on the complete season will be forced to forgo business when the restrictions become constraining. A new charter business will be allowed to increase his portion of the common pool harvest at no expense but as he grows the common pool is used up sooner, forcing the fully developed charter to either forgo business volume or if selected and affordable, lease commercial IFQ's to supplement their historical portion of the common pool to prosecute their traditional customer base. This should be examined and understood because it will show you just how important a sufficient allocation will be. You allowed the new boats in, now provide for them, don't take it from me, their being allowed to enter an industry that you have determined is overcapitalized is your doing, not mine.

I recommend you consider the issues described above and by the other charter participants before you send this analysis out for public review and comment. You are facing an increasing public access requirement and it is your sworn duty to manage the resources of this country for all users, do your obligation honestly and with vision for future resource users.

Most Respectfully,

  
Robert Ward



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suit 306  
Anchorage, Alaska 99501-2522  
FAX: (907) 271 2817

MAR 2 2008

Dear Chairman Olson,

I have owned and operated my charter business since 1995. At the time I started there was a great debate going on about the unknown future of our industry. That debate is still going on today.

I believe it unfair that we are the only group that cannot increase, but only decrease our catch. I think we should be given a fixed rate to at least be on par with the bycatch group. As a business I need to be able to plan in advance what my clients will be able to do as I enter into contract with them at the time they book for the coming season.

I advocate that the council approve an initial allocation using Option 2: fixed pounds, with our 2001-2005 average. This is needed to reflect the increased number of boats allowed to enter the industry after the original GHL was put in place.

Thank you for your time.

Phil Warren  
dba; Comfort Charters  
PO Box 4  
Homer, Alaska 99603  
907 235 1374

*Phil Warren*



# REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

State Capitol  
Juneau, AK 99801-1182  
(907) 465-3732  
(888) 461-3732  
FAX (907) 465-2652

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

*Handwritten:* Received  
MAR 5 2008  
*Handwritten:* Bill Thomas

Dear Council Members,

I write to you today as a concerned halibut fisherman and as the State Representative for House District 5, covering rural Southeast Alaska, Yakutat and Prince William Sound.

I am a Native Alaskan, born and raised in the Haines / Klukwan area. I have harvested halibut for 35 years, and over that time I have seen remarkable changes in the management structure. Halibut is a fully allocated resource that provides a critical economic base for the people of my region. It is this essential base economic activity that keeps the villages of coastal Alaska viable as communities. 80% of 2C quota is held by Alaska residents, and 63% of those Alaskans are from rural communities. Villages in my region depend on the commercial industry for the significant number of jobs and wealth it creates. Furthermore, the Fisheries Business Tax revenue received by local governments helps pay for essential basic services such as education funding, police and fire protection, public water and sewer services, and harbor maintenance.

Over my long career as a commercial fisherman I have gone through the painful process of rationalizing our fishery to prevent the tragedy of the commons. My fellow fishermen with whom I grew up and who are the lifeblood of our communities have gone through the same process. Many have had to take on huge debts in order to continue their participation in the industry and to be able to remain in their home communities. Indeed many others simply haven't been able to continue as halibut fishermen. Collectively, we in the commercial sector recognized that we would have to sacrifice open access to the resource in order to stabilize the industry, improve quality and ensure conservation of the resource. Since then, the growth of the charter sector has eaten away at the commercial quotas, causing considerable hardship for those of us who have long since taken the difficult steps necessary to mitigate our own growth.

With this history in mind, I am very concerned about the fixed allocation options for the charter sector in the catch sharing plan that the Council is currently considering. It is patently unfair to allow the charter sector to have a fixed quota level, while other user groups are allocated quota on a "floating" basis. Other species, such as king salmon, ling cod and rockfish are allocated based on abundance based management. I strongly believe that all user groups should be held to the same standard: when stocks are high, everyone

email: [Representative.Bill.Thomas@legis.state.ak.us](mailto:Representative.Bill.Thomas@legis.state.ak.us)  
webpage: [www.akrepublicans.org/thomas/](http://www.akrepublicans.org/thomas/)

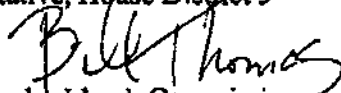
benefits by higher catch allocations, and conversely, in times of lower abundance everyone suffers equally. Abundance based management is the hallmark of fisheries management in the North Pacific. The Council should not depart from that concept in adopting a catch sharing plan for the various users of the halibut resource.

The charter sector must understand that they cannot be held to a different standard than the rest of us. Those businesses should not grow at the expense of those of us whose participation in the fishery has supported the regional economy for decades.

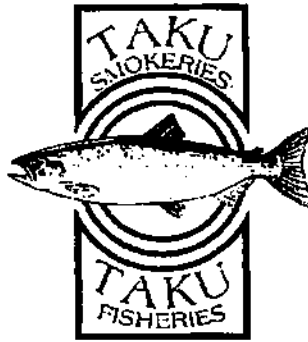
I urge the council to adopt an allocation plan that is fair to all user groups and does not hold one sector to a different standard than the others.

Sincerely,

William A. "Bill" Thomas, Jr.  
Representative, House District 5



cc: Denby Lloyd, Commissioner of Fish and Game  
Cora Crome, Fisheries Policy Advisor, Office of the Governor



JUNEAU, ALASKA

March 25, 2008

North Pacific Management Council  
Eric Olson, Chair  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK. 99501

MAR 27 2008

Dear Mr. Olson,

As the General Manager for Taku Fisheries in Juneau, I am writing regarding the allocation of the Halibut resource to the Sport Charter industry. Our company has bought Halibut from Commercial fishermen since the inception of IFQ's in 1995 and we are a substantial buyer of both 2C and 3A Halibut. Halibut has been 30% of our business the past 13 years and is obviously critical to the continued well being of our business as well as that of our workers and customers.

We, as well as the rest of the Industry have invested heavily in terms of plants, docks, and sales effort in the Halibut business. We realize nothing stays the same forever but we sure do have a strong interest in seeing the Halibut resource stable and viable. We are in agreement with the IPHC that the resource in area 2C is stressed and probably being over fished and needs some relief in terms of lower quotas. We are not in agreement to continually let the sport charter industry exceed its guideline harvest by millions of pounds in the face of Commercial quota cuts of nearly 50% in 2007 and 2008. The sport charter catch in Southeast Alaska (2C) is substantial and to allow this over fishing to continue may in fact jeopardize our business, jobs, and well being.

550 South Franklin Street  
Juneau, AK 99801  
(907) 463-4617

We must jointly share the pain and rebuild the Halibut stocks. We realize that sharing the resource is necessary but so is being a prudent steward of the resource as the Commercial sector has been for the past 100 years.

We need higher quotas and a stronger resource to provide more poundage to run through our fish plants. Higher prices may help the fishermen but the processing industry needs poundage to run through the plants and higher prices does not necessarily translate to a healthy processing industry. We cant recoup the loss of poundage and quotas with simply higher fish prices.

We urge you and the Council to not allow catch increases by the Sport Charter segment of the industry and to cap and reduce their quota and guideline harvest to make it commensurate with the cuts taken by the Commercial sector.

Thank you for your consideration on this matter and feel free to contact me with any questions or comments.

Sincerely,



Eric R. Norman  
General Manager  
Taku Fisheries/Smokeries

Fax 907-271-2817

March

20. 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAR 26 2008

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management



Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 7 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska with 3 boats, and each year, I take approximately 1,300 Fisherman on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had several cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry -- a vital part of Southeast Alaska's economy -- to collapse. Canada and Area 3A are not facing



a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

You just cant take one area such as 2C to a one fish limit without doing to everyone. You are making it so difficult for us in 2C to operate as a successful Charter Boat Operation. People will just go to other places that allow 2 per day. Its not fair that we have great halibut fishing and we are being punished for it. At the very least, please allow us to have an annual 6 fish limit, 90% of all our trips are booked as 5 day trips. If we only have a 4 fish limit, you are cutting off 20% of our business right there! Please consider other options, and let 2C be competitive with the other areas, its only FAIR....

Thank you for your consideration of my letter.

Respectfully,  
Josh Cozby  
Black Rock Charters

# Homer Charter Association

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

March 25, 2008  
North Pacific Fishery Management Council  
Eric Olson, Chairman  
605 West 4<sup>th</sup> Ave., Suite 306,  
Anchorage, Alaska 99501-2252

MAR 25 2008

The Homer Charter Association is a trade association of halibut fishing charter service providers operating from Homer, Alaska. Our membership is made up of companies some of which have been in business for over 25 years providing the general public with access to the halibut resource representing more than 30 companies with more than 40 charter boats. Our boats carry from six passengers to more than twenty eight passengers on daily, multiple day and multiple trips per day fishing voyages. We wish to comment on the upcoming council action on Initial Review of Charter Halibut 2C/3A Catch Sharing Plan analysis. We do not feel it is complete enough to release for public review.

The failure of the council to set industry entry controls back in 1993, 1995, 1997, and 2001 during the original GHL development has created the need for a new allocation. The reasoning for 125% of the harvest amount used during the original GHL decision has even more bearing now as it did before. The council must provide a sufficient allocation that allows for some limited growth as well as providing for the latent capacity now evident due to the lack of entry controls leading up to the moratorium control date of December 2005. From past experience with this council our membership has no confidence that the moratorium will meet prompt secretarial approval, that the moratorium may be delayed or even denied, placing that much more pressure on the GHL as it exists today. The basis for the GHL is now 12 years old and still there are no immediate controls in place to limit entry into the guided recreational industry. This should be explained and made a part of the analysis.

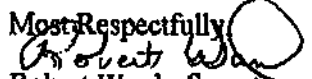
The allocation adjustment must be relative to the most recent harvest amount while allowing for the growth anticipated up to the implementation of any long term solution. As filed in the Federal Register when the original GHL was implemented the council intended to provide some additional growth until a permanent solution was found. This council recinded the only permanent solution that the industry ever supported and now we are back here with nothing to show for it except distrust and more harvest. The decision by this council to provide even more growth within the moratorium in the number of boats allowed for the outlying areas, further justifies the allocation adjustment must sufficiently cover this need. In addition we cannot carry the needs by the military boats when their harvest was never included in the original GHL amount. This needs your correction once and for all and the analysis should address it for your final decision. The original GHL was relative to 1999-2000 time frame because these were the two years most recent to the council's action. This same consideration should be recognized and acknowledged by the analysis and you should indicate if it is still the council's intent in

We find in many places the analysis states a lack of information or the information required is outside the scope of the analysis. How can information that is needed to make an informed decision, and required by law to be contained in an analysis be considered outside the scope of the analysis, what is an analysis for then? What an oxymoron. We feel the total absence of economic impact information on the charters forces the council to make a blind decision and we advise the council to develop this information prior to any final action. The lack of economic information on the charter industry lends to make one believe there will be no economic impact, this is so bias. It should be documented how this analysis meets the requirements of the Quality of Information Act, and if not why.

The change of area biomass assessment modeling by the IPHC has in itself created the allocation crisis in area 2C. When considering the impact in that area and the lack of charter allocation the analysis should point this change out and contain explanation as how the timing of this has come into play. The overall halibut biomass is healthy and the small amount of charter overage can be absorbed with no further adjustments to the commercial IFQ's and no threat to the stocks. If this council can sanction the 11 million pounds of non directed halibut bycatch annually with no concern for the overall biomass then the charter overage should not drive the council's decision on the charter allocation. There are other more politically correct adjustments this council could be deliberating with respect to the halibut resource and this analysis should put this issue in perspective.

Our final concern is the lack of explanation of how the common pool harvest allows some charter companies to expand their historical harvest within the pool but forces those charter companies that are fully developed to carry the burden of forcing them to forgo traditional business volume or leasing commercial IFQ's if so selected as the common pool is exhausted. The analysis does not offer any understanding of how this common pool approach impacts the traditional and historical harvest of some charters (our membership mostly) while it allows harvest opportunity growth to others. If the council has any concern for the fair impact within the charter industry it would require the analysis explain the full impact within this management regime until a comprehensive long term solution is decided and implemented. If this council refuses to take any action on the development of the latent capacity in the interim a much larger allocation (even beyond what is currently analyzed) is required for industry stability. If selected the option for allowing charters to buy or lease supplemental resource will be born by the long term fully developed charter businesses only. A less than fully developed charter business can grow freely within the GHL and as the GHL becomes more constraining only the fully developed charter businesses will be forced to forgo business opportunity or acquire more access. The council cannot force this burden on the traditional fully developed charters alone and the analysis should explore this inequity, and those associated costs.

Once our comments have been addressed in the Initial Review of Charter Halibut 2C/3A Catch Sharing Plan analysis we feel then it could be sent out for public review and a decision could be based on it's contents.

Most Respectfully  
  
Robert Ward - Secretary

## Homer Charter Association

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

March 21, 2008

North Pacific Fishery Management Council  
Eric Olson, Chairman  
605 West 4<sup>th</sup> Ave., Suite 306,  
Anchorage, Alaska 99501-2252

MAR 21 2008

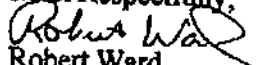
The Homer Charter Association is a trade association of halibut fishing charter service providers operating from Homer, Alaska. Our membership is made up of companies providing the general public with access to the halibut resource representing more than 30 companies with more than 40 charter boats. Our boats carry from six passengers to more than twenty eight passengers on daily, multiple day and multiple trips per day fishing voyages. We wish to comment on the Element 6. Catch Accounting System paper.

Providing the council selects the options which would allow the IPHC Area 2C and 3A halibut charter industry participants to fish within the common pool until the harvest restrictions require implementation, and the charters are permitted to lease commercial IFQ to be converted into GAF for fishing beyond the common pool an accounting system that may require measuring the halibut used in the GAF we see the following issue.

If a charter was fishing under a 1 fish bag limit and they had sufficient leased IFQ converted to GAF, how and who would determine which halibut was from the common pool and which fish was from the leased GAF? The design of two monitoring systems leads to the requirement of the determination of which fish was caught under which program. This will not work in the field and any enforcement of the determination would be an agency nightmare.

We feel to use two monitoring systems is not necessary as the average size of the charter harvest is just that, an average and as there will be a minor amount of commercial IFQ converted to GAF and used in this way it will not be necessary to create a separate monitoring system for the halibut used as GAF.

The enforcement and the monitoring will create more burden than this accounting information could be of value. We advise this separate accounting and monitoring be eliminated from consideration.

Most Respectfully,  
  
Robert Ward

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage Alaska 99501-2252

MAR 2 2008

Dear Chairman Olson:

I realize that the Council is facing important decisions directly related to the sport caught halibut of Southeast Alaska. As a 17 year charter fisherman, with past experience in the troll fishery and long line fishery (prior to implementation of IFQ), my business depends entirely upon my ability to provide a safe and consistent quality fishing experience. The majority of my clients do not intend to "pay for their trip" with the number of fillets they bring back home with them, although if they do they certainly pay a premium for each pound of fish taken back.

I also understand the value and benefit to the consumer to be able to purchase fresh halibut almost entirely year round, so I don't gripe about the affect that the IFQ system has had upon local fishing waters, (prior to the IFQ, most commercial halibut long lining was done where the fisherman had a "sure bet" of taking the maximum amount of halibut in the short amount of time allowed, I fished these openings as a deckhand and remember clearly the same boats that now fish closer to home and at their leisure running quite a few miles and usually to the "outside" waters to be insured a bigger catch, now a days, it is not unusual to see long line buoys in what for many years were areas these boats would not have stopped for.)

Regardless of past changes to the fishery and their direct effect on local biomass, I still average approximately 100 miles round trip to get clients out and away from the local waters so as to avoid "over fished" areas or simply to fish areas where we may not see another boat. I am just now starting to hear feedback from many of client friends who have fished many years with me, seeing restrictions in the lingcod fishery, the Red snapper fishery (more than once I have seen the bays floating with "incidental" Red snapper carcasses and marveled at how those fish, released from a long liner, could have provided a sport angler with a great memory) and of course the King Salmon fishery, it is not good. Should the NPFMC further restrict the Southeast Alaskan sport charter fisherman by reducing the sport caught halibut to one fish, it will have a devastating affect on my business directly. We (my family and I) live year round in Ketchikan, our boat *stays here*, unlike many of the commercial boats I see arriving in the spring and going home in the fall. My boys are fifth generation Alaskans, and whether they choose to commercial fish or charter fish they still see the value added to one sport caught halibut and the affect taking that away would have to our local community.

I am asking you to not restrict the halibut limit to one fish per day in S.E. Alaska, but rather, if restrictions must be made, to instead limit the sport caught halibut in area 2C to 1.9 million pounds, insuring the economic importance that a consistent sport charter halibut fishery provides to the communities in S.E. Alaska.

Thank you for your service and many hours of consideration in these matters.

Sincerely,

Ray Kolean  
6339 Mayo Ln  
Ketchikan Alaska, 99901

*Raymond Kolean*

**FORGET-ME-KNOT CHARTERS**

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

RECEIVED  
MAR 2 2008  
MORNING

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.


The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on

client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror how the commercial fleet is managed. A fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A will provide certainty and stability for both the charter industry and the commercial industry. It will also ensure that the State, the North Pacific Fishery Management Council, NMFS, and the commercial and charter industry participants won't have to devote significant time and resources to annual changes in halibut regulations.

Thank you for your consideration of this letter.

Respectfully,

Name	Company	Signature
IVAN Leighton	Forget Me Knot charters	

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAR 20 2008  
FEDERAL

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The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror





March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAR 20 2008

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## TROLLER POINT FISHERIES, INC.

F/V Ocean Oasis  
1120 E Huffman Road; Suite 24-306  
Anchorage, Alaska 99515  
907-344-1866

March 26, 2008

North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501  
907-271-2817 fax

To Whom It May Concern,

I am an IFQ holder of both 2C and 3A halibut. As a fisherman, my family relies on the harvest of the halibut IFQ for the long term. We have purchased nearly our entire quota. This brings me to my question for you; as an owner of an asset that I have purchased are you ready to give me some of your home or vacation land or what ever you have purchased or are paying for? Because I want more, but don't feel I should have to pay for it. I, my wife, and both of our children have purchase quota, the kids have been paying for theirs and plan to use their revenue to pay for college in a couple years. We have played by the rules and demand conservation by all user groups that includes the charter boat operators and customers. A percentage based charter quota is the only fair thing! And if they want or need more than the historical allocations they need to put up or shut up.

Mark Hofmann  
Dianna Hofmann  
Kyle Hofmann  
April Hofmann  
F/V Ocean Oasis

MAR 26 2008

March 23, 2008

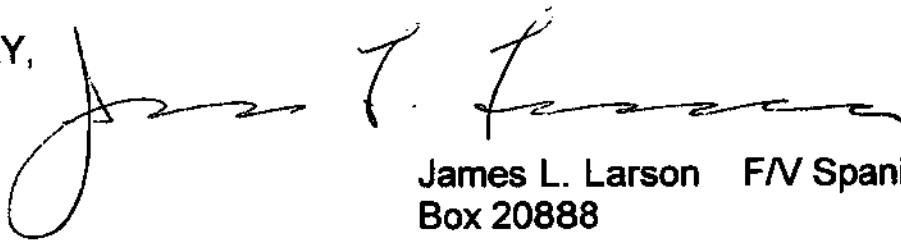
NPFMC  
605 West 4th Avenue, Ste. 306  
Anchorage, Alaska 99501

MAR 2 2008

Dear NPFMC:

I am a 2C-D longline halibut fisherman in Southeast Alaska and I have continually tried to build up my harvest by purchasing small blocks of quota share to expand my business. I have done this by taking fishing profits and reinvesting them with the assistance of my local bank in obtaining more quota share. Each year I find my available harvest eroded by the uncontained growth of the Halibut Charter fishing industry. There is always uncertainty in fishing but it is awfully difficult to make financial decisions when the resource you are targeting has a harvesting sector(Charter boats) that is allowed to expand beyond any traditional level. I have serious bank payments in order to operate my business. It's way past time for the Charter Boat industry to stop whining and accept the reality that limits on their harvest is a biological and economic necessity. If the Charter industry is a viable enterprise they should have to make the same hard economic decisions I have made to operate and expand my business. No one likes restrictions on their business enterprise but when it is based on the exploitation of a finite resource there is no other option. Please put this matter to rest by establishing a limiting structure for the Charter industry that will allow me to stay in business and the Charter industry to operate at their traditional harvest percentage in a framework of fluctuation based on abundance. I support establishing an opportunity for the Charter industry operators to lease existing quota share to allow expansion of their enterprise. Please act in a decisive manner to bring some stability to this industry. It's time for the Charter industry to stop hiding behind the ridiculous veil of being sportsmen and come to the table as any other commercial user group. If the industry is so viable there should be nothing to fear in operating on an equal footing with longliners. We are both commercial users of the resource and quota share will migrate to the most viable sector.

SINCERELY,



James L. Larson F/V Spaniard's Bay  
Box 20888  
Juneau, Alaska 99802

To The NPFMC.

I have been a commercial halibut fisher since 1981, Halibut continues to be me and my family's main source of income, having very little quota share issued originally I have mortgaged my home several times to purchase quota.

obviously I oppose any of my hard earned quota share being taken away and given to the charter sector.

instead allowing charter operators an opportunity to lease quota share would be an investment in the resource and their future, as I have said.

all sectors of the halibut resource should share in the conservation by changing the current GHL to a percentage that fluctuates with abundance.

George Kirtz

MAR 2 2008  
MOBIL

MAR 2 2008

3/23/08

Craig, Ak.

To Whom It May Concern

13 years ago I was allocated a small percentage of the halibut quota that I earned fishing in the commercial longline fishery in area 2C. That quota share over the years has remained the same as the poundage from it has fluctuated up and down according to biomass. It started out at 1300 lbs rose to as high as 1800 pounds and has steadily dropped to just over 900lbs for this year. It represented about 10 to 15% of my fishing income over the years. Now its looking like it is going to disappear entirely due to the fish grab being attempted by the commercial charter industry. It's past time for this to stop. The charter industry must be held accountable for their catch of the halibut quota.

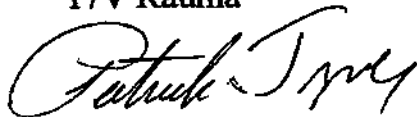
Therefore I would like the council to hold the charter industry to their GHL as recommended by the IPHC. I would also like them to adhere to a GHL based on abundance, just like the commercial longline fishery is required to do. If they want to lease quota shares from longline fishermen that's fine. If they want to purchase quota that's okay too. But this constant pressure on the council to just keep handing them a portion of the longline quota has got to stop.

I have already lost enough, but not nearly as much as some of my peers who have lost 10's of thousands of dollars over the past few years. The council seems to have put this off long enough, so make your decision! This is what I would like to see as well as every other longline fisherman I've talked to.

Sincerely yours,

Patrick Tyner

F/V Rauma



NPFMC  
605 West 4<sup>th</sup> Ave., Ste 306  
Anchorage, AK 99501

MAR 2 2008

My name is Steve Merritt. I live in Craig, Alaska and am a life long Alaskan. My entire income comes solely from commercial fishing. I have an IFQ share of halibut and depend on it heavily. When I was awarded my IFQ, I had not owned my own boat long enough to take advantage of all the qualifying years. I had two zero years figured in with the five qualifying years. I had just purchased a fiberglass troller and I was \$100,000 in debt. I, of all people, should have opposed the IFQ program. Because I knew my desperately needed income would go down because of it. But I did not. I had faith and trusted the IFQ creators, believing that it was the best way to manage this resource. They were right and I have survived the initial hardship of the new IFQ program. Now I find, with the explosion of the charter fishing industry, that the creators of the IFQ program are threatening to reallocate some of my halibut shares to them. The Secretary of Commerce and the North Pacific Fisheries Management Council are these creators. IN 1863 the United States Congress created the Home Stead Act. They did this to facilitate economic development of this country, using one of the few resources they had in abundance, unsettled land. Farmers and the like were given 160 acres of land to own and make an economic asset for their country. They did that. The land was developed and the country took advantage of the developing economy. When more settlers appeared on the scene and there wasn't any more land left to distribute, this government kept their agreement with the original homesteaders. They did not start carving and taking the land away from these farmers. In order for these new settlers to acquire land they had to buy or lease it from these homesteaders. Because of this, these two groups of people live side by side in harmony today. Those that bought and leased the land from these homesteaders had a sense of legitimacy to the land they now lived on. By the same token the homesteaders themselves felt this same legitimacy toward the new settlers because they had been paid for their land. The Homestead Act was abolished by the congress in 1977. It was deemed somewhat of a success, with the major blemish on it being that the railroad companies acquired a major part of the land using the act.. It still holds today that if someone wants a piece of the land given to the homesteaders, they have to buy or lease it from the original owners ancestors.

The IFQ share you have given me is my 160 acres. I trusted the NPFMC when they created it . You have obviously learned from the Homestead Act, because when you created the IFQ program, you made provisions to keep the railroad companies of the fisher world from getting too much of it. I am concerned whether or not you remember how to treat the new settlers of the fishing world (i.e. charter fisherman) . Please do not go back on your word and carve my land from me. These two groups of people will never live side by side with any sense of legitimacy toward one another if you do that. The commercial fisherman will never respect the NPFMC or the entire process if you violate your given word.



The allocation options before you will test you on your ability to keep your word. .. First, the option of a fixed number of pounds at sufficient amount to keep a 2 fish daily bag limit puts the charter harvest way over their current allocation. In order to accommodate this, you will have to take more halibut from the commercial sector. You will violate our agreement if you do that.

You will hear how any option that forces the charter clients to a one fish limit will cause total financial ruin and hardship. They speculate that a one fish limit would cause cancellations from anywhere between 30 and 50 percent. Speculate is the key word here. Then charter operators paint their operation as being on the very brink of bankruptcy and this would put them in the red. They eagerly tell you about their speculation of lost clients. You don't hear much about the fact, that for every cancellation, it opens the possibility for a different client to fill the spot. And they don't mention that most of them required a deposit fee for the charter and it is forfeit if the client cancels. They don't want you to think about their chance to recoup the loss. Most of these deposits are between 30 and 50 percent of the cost of the charter. If someone cancels, they get 30% of their fee and they didn't even have to go. There is also the possibility that someone else will fill the vacancy. So there are serious misconceptions and misrepresentations involved in their financial ruin argument. They say these all these things to persuade you to look at this issue from any point of view other than that of what your congressional predecessors would have. It is a desperate attempt to get you to violate your given word to the commercial fisherman that the land given to him will be his until he sells it.

The only options you can support without violating the core ethics of your IFQ program are the following.

- 1, Allow charter operators to lease quota shares from the commercial sector. This option gives the charter operators the ability to attain a two fish bag limit for their clients on an individual bases.. It also gets them to semi participate in the IFQ program which is the ultimate solution in my opinion. They will have to pay for it just like the new settlers paid the homesteader.
2. Adopt a GHL that fluctuates with abundance of the stocks. It is the only fair way to manage this resource between these two groups of people. The financially motivated user groups of this resource should share the pain of the conservation of it.

I think it's possible that the charter fleet could have an abundance based allocation and the amount be set high enough to get a 2 fish bag limit out of the deal. That means they will take fish from me to accomplish that. Again, anything like that shreds the authenticity and respectability of your predecessors and their agreements. Please if you value this process and respect it you must keep your word given to the commercial fisherman. Sincerely,

Steve Merritt  
Box 332  
Craig, Alaska 99921

*Steve Merritt 3/27/03*

F/V Kayleigh Ann  
The Short Family  
Joe, Gwynne, Kayleigh & Matthew

MAR 23 2008

March 23, 2008

Dear Chairman Olsen and Members of the Council,

My name is Joe Short, and I am a 3<sup>rd</sup> generation commercial fisherman who has lived in Petersburg for the last 30 years. When IFQ's were initially issued, I was allocated 22,000 lbs. of 2C quota and have since purchased 30,000 lbs. to supplement my income. I have two children who fish with me and also own IFQs. My wife Gwynne and I raised Kayleigh and Matthew to be self-sufficient and they both use income generated by commercial fishing especially halibut to help pay for their college education.

My family has chosen to live and work year-round in Petersburg, one of Alaska's greatest working waterfront communities. By living in Petersburg year-round we contribute to the local economy by mooring 2 boats in the harbor. We spend on maintenance between the 2 boats approximately 40-45 thousands a year at the shipyard and machine shops. We own our home, and we are still making payments to one of the local banks on Halibut IFQs we purchase with a balance of \$180,000. Our extremely active commercial fishing fleet is a source of great pride for our town, but the recent decline of our halibut quota due in part to the charter halibut fleet has created instability in Petersburg. **As a commercial harvester and long standing member of the Petersburg community, I urge the council to hold the charter halibut fleet to the current GHL.** Any allocation higher than the current range would be rewarding a sector for consistently exceeding their quota. As a harvester (and personal use/subsistence user) I feel that this practice is wrong, and will encourage sectors to fight with one another.

This year at the IPHC meetings I was amazed (shocked) at the charter sector, with all the science presented on the Halibut stocks and the commercial sector willing to endure the hardship of another 27% cut on top of last years 24% cut, the charter sector did not once mention conservation, all they were concerned with was the economic hardship on their members. Well we have a lot of young fishermen that have financed IFQ's with the Federal Loan Program that are fishing them now & are hoping to just break even. Thank you for your time and consideration.

Sincerely,



Joe Short

Captain, F/V Kayleigh Ann

My name is Matthew Short and I am a 4<sup>th</sup> generation commercial fisherman who has lived in Petersburg for 20 years. I fish with my father on his boat, the F/V Kayleigh Ann and I have purchased IFQs. I have saved my state dividend money and purchased IFQs with it to help pay for college and as an investment in my future. I presently have a Federal loan halibut IFQs for \$160,000.00. I plan to graduate from college and move back to Petersburg but the existing fight between the commercial and charter halibut fleet has me worried about my future as a harvester. Because the charter fleet a relatively new sector is not being held to their GHL and is growing rapidly and asking for a reallocation from the commercial sector. There are millions of dollars of financed IFQs in the commercial sector, a large portion of young fisherman like myself. With a reallocation this would more than likely put us out of business. Thank you for your time and consideration.

Sincerely,

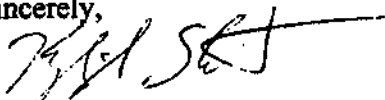


Matthew Short  
Crew, F/V Kayleigh Ann

My name is Kayleigh Short, a 4<sup>th</sup> generation commercial fisherman who has lived in Petersburg for 22 years. I fish with my father on his boat, the F/V Kayleigh Ann. While growing up I saved my permanent fund dividends as well as my income from commercial fishing and was able to purchase IFQs. This has been an investment to help finance my college education as well as contribute to the family business. I plan to graduate from college and move back to Petersburg, but the existing fight between the commercial and charter halibut fleet has me worried about my future as a harvester. With resent quota cuts, I am already struggling to pay for my college education.

I am not only concerned about the economic effects of this fight but also the survival rates of the halibut. If the charter fleet is not faced with more strict regulations and enforcement of these regulations, there will soon be no stock left for anyone. Currently, regulations on charter fisherman are not being enforced with consequences. As a result further restrictions are being put on commercial fisherman. Soon there will no longer be a halibut fishery, which means my family and myself will be out of business; left in debt with no source of income. Thank you for your time and serious consideration of the consequences to commercial fisherman and the halibut fishery if the charter fleet is not regulated.

Sincerely,



Kayleigh Short  
Crew, F/V Kayleigh Ann

Halibut Coalition  
PO Box 22073  
Juneau, AK 99802-2073  
(425) 949-1810msg (206) 260-9111efax  
[halibutcoalition@gci.net](mailto:halibutcoalition@gci.net)  
March 26, 2008

MAR 2 2008

Chairman Eric Olson and Council Members  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501

Dear Chairman Olson and Members of the Council,

On behalf of the Halibut Coalition, I submit the following comments and recommendations on Agenda Item C-6: Halibut Charter Management.

It is important to consider the problem statement and the stated purposes of the proposed action:

*"The absence of a hard allocation between the commercial longline and charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities that are dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood."*

The purpose of the proposed actions is to (1) create a catch sharing plan that would set an initial allocation between the two sectors and tighten the timeline between an overage and a management response and (2) design a program to compensate the commercial sector for any future reallocations above the level set at initial allocation. Along with restrictive control measures that were considered by the Council separate from these proposed actions because the GHL has been exceeded in Area 2C each year since its implementation in 2004, the proposed sector allocations are intended to stop the de facto reallocation from the commercial sector to the charter sector for each area.

When the Council rescinded the charter IFQ program in 2005 there was a commitment that this action would not result in re-allocation while a different long-term solution was being developed. Likewise in 2006, the Council unanimously voted to maintain the GHL as published in the Federal Register until superceded by a long term solution. The range of alternatives is incomplete in that the current GHL of 931,000 lbs is not reflected in either the fixed poundage options or the stair step options.

#### Element 1 – Initial Allocation

In reading the problem statement and the purpose of the proposed action the Halibut Coalition supports **Alternative 2, Element 1 Option 1, sub-option a or c**. The Coalition firmly maintains that the GHL, or a number below the GHL, translated to a percentage

that floats with a combined Fishery Constant Exploitation Yield (CEY), continues to be the only defensible starting point for the initial allocation. In 2000 the Council established the GHL as the upper bound on charter harvest and included a 25% quota bonus above historic high charter harvest levels; subsequently the Council committed to managing to the GHL until a long-term management strategy is implemented. When the quota program for the commercial fishery was established the average qualifying halibut fishermen received 80% of their recent harvest numbers—and had to buy their way back to pre-program levels. The charter fleet should not be rewarded for exceeding its GHL: Sub-options b and d allow credit for overages in the charter fishery and should not be moved further forward. The 13.1% allocation is also appropriate based on recent management actions: the 2008 charter GHL is equivalent to 13% of the 2C Fishery CEY and is also the average of the last three seasons (2006-2008).

Option 2 and option 3 are unacceptable because they are based on a fixed poundage. The current status of the halibut stock should be enough evidence of the negligence in this approach. At the June 2007 Council meeting there was widespread disbelief that the charter GHL would decline to 930,000 pounds in 2008. The stocks are in decline, the IPHC has changed their understanding of the stock size and the stock distribution, resulting in the lowest quotas for area 2C in nearly 2.5 decades. Fixed poundage is not an acceptable management strategy and also decouples the benefits of resource stewardship from the user group. Given the great strides made in ecosystem management and fisheries conservation it is puzzling that a fixed poundage quota is under consideration by the Council. We recommend dropping Options 2 and 3 of Element 1 from the analysis.

#### **Element 2 – Annual Regulatory Cycle**

The Halibut Coalition supports Element 2 in that an allocation overage would automatically trigger a regulatory process and that any underages would accrue to the benefit of the halibut resource (and ultimately to both the commercial setline and charter industry through increased future biomass).

#### **Element 3 – Management Toolbox**

The Halibut Coalition supports the use of a management measures to hold charter industry catch to their allocation. We believe that the first three tools under Tier 1 should be required regardless of catch level relative to the charter industry allocation. Commercial setline fishermen may not retain catch while conducting their fishing businesses and it is reasonable to prohibit charter skippers and crew from retaining catch while conducting their fishing businesses.

#### **Element 4 – Timeline**

This element is strongly tied to Element 6 – the catch accounting system. Clearly there needs to be a more responsive system for management action. A four year period is grossly inadequate for responsible fisheries management. Our understanding of stock condition in area 2C dramatically changed over a 2 year period – responses must mirror

these important assessment changes. The Staff have identified several possibilities for streamlining the regulatory timeline such initiating action based on end of season numbers, tiering off previous analysis, and moving to final action in one meeting using tier 1 or 2 management measures. The HC supports these efforts to streamline the process and notes that this proposed process is similar to the one used to manage the salmon, rockfish, and lingcod sport fisheries.

#### **Element 5 – Supplemental, individual use of commercial IFQ**

A stated purpose of this amendment is to “*design a program to compensate the commercial sector for any future reallocations above the level set at initial allocation*”. The supplemental, individual use of Guided Angler Fish should be a market-based system that provides the charter fleet with the same opportunities to make long-term investments in the resource and their own businesses as was created through the establishment of the halibut/sablefish IFQ program. The starting point for the market-based system should be the current GHF translated into a percentage of the combined directed commercial setline and charter industry GHF (13%). The mechanism for transfer should allow transactions between willing buyers and sellers, and must attach costs to increases in charter harvest or other sectors dependent on the halibut resource will suffer. Finally, the Coalition urges the Council to take care not to undermine critical provisions of the halibut QS program, and to ensure charter harvest is effectively monitored and accounted for in the future.

The Halibut Coalition cautions that localized depletion is more likely with increased charter catch near coastal communities and any leasing system should be limited to the total amount of fish that can be harvested near communities. ADF&G halibut harvest per unit of effort from Sitka indicates a 47% decline in HPUE between 2003 and 2007; in Craig the decline was 58% between 2002 and 2007 (Tersteeg and Jaenicke 2008). Localized depletion is affecting all halibut harvesters, including charter clients.

The Halibut Coalition recommends changing item 3B to require the use of area specific average weights (i.e. Sitka average weights for GAF assigned to Sitka charter operations, Prince of Wales average weights for GAF assigned to Craig charter operations). The data in the analysis (figure 11, figure 12 etc) indicate significant differences in average weight between ports within a management area and these specific data should be used for more accurate catch accounting.

#### **Element 6 – Catch accounting system**

The recent report by ADF&G evaluating logbook data compared to SWHS and creel data is informative (Meyers, S. et. al. March 24, 2008). The Halibut Coalition supports the use of the logbook data and the creel data to document charter industry halibut catch instead of the SWHS. However, the creel sampler should count all of the halibut landed for every interview conducted. Currently only a subset of interviewed trips have associated, documented fish counts. Also, the creel sampler should collect the charter logbook at the

time of interview as this will serve as verification of accurate reporting at the time of landing, similar to a processor fishticket in the commercial setline fishery.

**Item 3 should require, instead of recommend, that lengths be taken from all fish that are part of the GAF landings and this information should be used to determine the average weight of GAF fish by area.**

### **Effects of Alternatives**

The Halibut Coalition does not support the statement that the "proposed alternatives to the status quo would neither affect harvest levels and fishing practices of individuals participating in the charter halibut fishery nor the health of the halibut stock". Any further reallocation of halibut from the commercial setline fishery to the charter industry reduces the knowledge of actual harvest. The SWHS, the logbook data, and the creel program all have different estimates of halibut harvest for the charter industry and in some cases these differences are highly significant. This has real and negative implications for accurate stock assessment as fishery removals is a critical element of any stock assessment.

The Halibut Coalition also disagrees with the statement that there is "insufficient data to evaluate whether groundfish stocks may be affected by the proposed alternative". In area 2C the charter industry exceeded their allocation of demersal shelf rockfish (DSR). The Board of Fisheries intended this allocation to provide for historic bycatch needs of the halibut charter industry without allowing expanded use of that resource by the charter industry. Any increase in charter industry allocation of halibut is likely to increase bycatch of DSR.

### **Economic Impacts of Alternatives**

There is a lot of discussion of "demand" in the charter industry sections of the analysis yet no parallel section for the commercial setline fishery. As has been made abundantly clear by past Council testimony of CEO Tom McLaughlin of Seafood Producers Cooperative, there is a huge, unmet market demand for commercial halibut. There are active fishing businesses that are eager to expand their business (in some cases just to keep even with past production) and many qualified crew members who have been unable to acquire quota given the limited supply. Any reallocation away from the commercial setline fishery not only reduces individual quota holders' income but reduces the revenue generated by processing facilities and markets, and creates a situation where it is difficult to continue to compete in the international marketplace.

### **Summary**

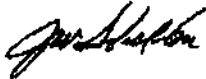
In closing, the Halibut Coalition supports moving the amendment forward for final action in October but requests that the options for a fixed poundage allocation or a mixed percent and fixed poundage allocation be removed, and the fixed percentage allocation be revised to include the 2008 status quo (0.93 million pound charter industry GHL). The

supplemental, individual use of Guided Angler Fish should be a market-based system that provides the charter fleet with the same opportunities to make investments in the resource and their own businesses as was created through the establishment of the halibut/sablefish IFQ program. The starting point for the market-based system should be no more than the current GHL translated into a percentage of the combined directed commercial setline and charter industry GHL ( $\leq 13\%$ ). The mechanism for transfer should allow transactions between willing buyers and sellers, and must attach costs to increases in charter harvest or other sectors dependent on the halibut resource will suffer. Finally, the Coalition urges the Council to take care not to undermine critical provisions of the halibut QS program, and to ensure charter harvest is effectively monitored and accounted for in the future.

Coalition members will be available at the April meeting to provide more specific recommendations on the analysis and analyzed alternatives.

Thank you for the opportunity to comment.

Sincerely,



Jev Shelton for the Halibut Coalition



March 5, 2008

Mr. Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ave, Suite 306  
Anchorage, AK 99501-2252  
Fax No. (907) 271-2817

Dear Mr Olsen:

I am a charter boat operator in Sitka, Alaska, and am commenting on the Council's agenda item C-6 Halibut Charter Management.

The guided sport industry can only function with a fixed pound allocation. The fixed pound allocations, before the Council for analysis, are insufficient to accommodate the charter fleet as it will exist under the moratorium, set at December 9, 2005. I suggest the Council add for analysis a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A. This will provide for a two fish bag limit, no in-season changes or closures, a season of historical length, plus address latent capacity, military participation and community quota entities.

The Council also needs to request economic data on the guided sport industry, to move forward. The Council cannot afford to make an allocative decision and address stability, without knowing the economic impact of the Council's decisions on the guided recreational fishing industry.

The recreational fishing industry, both guided and unguided, has always been conservation-minded. If the IPHC deems the existence of a conservation emergency, such that halibut quotas for all users, in all areas off Alaska, must be significantly reduced, I have no problem with the IPHC adjusting bag limits across the entire recreational fishing sector to achieve reductions in harvest and protection of the resource.

Keeping conservation in mind, and struggling for a 2 million pound allocation of halibut for Area 2C, I think it would help to reanalyze halibut wastage by the longline fleet (totalling over a million pounds annually), and halibut bycatch by the trawl fleet (12 to 16 million pounds annually.)

Again, I urge the Council to analyze a 2.3 million pound allocation for Area 2C and a 4.5 million pound allocation for Area 3A, as the guided sport allocation must be sufficient to sustain our industry and the communities we live in. Thank you for considering my comments.

Sincerely,

*Jill Hashiguchi*  
PO Box 2626  
Sitka, Alaska 99835

MAR 2 2008

March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAR 20 2008

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror





March 26, 2008

Chairman Eric Olson  
 North Pacific Fishery Management Council  
 605 West Fourth Street, Suite 306  
 Anchorage, Alaska 99501-2252

MAR 26 2008

Dear Chairman Olson,

SEAGO (South East Alaska Guides Organization) currently represents over eighty charter fishing vessels and operators who conduct guided sport fishing for halibut and other species in Southeast Alaska waters. Our members have reviewed the draft documents EA/RIR associated with the upcoming April Council meeting agenda Item C-6 Halibut Charter Management and respectfully make the following comments and requests for your consideration.

SEAGO members have made substantial investments in vessels and lodging operations in Southeast Alaska over the past years. The social and economic value of these investments to the coastal communities of Southeast Alaska has not been properly assessed in the documents that have been prepared to date by Council staff. The impacts of the proposed actions on the charter operations will be substantial depending on what final action the Council chooses, but the informational foundations are not adequate. The EA/RIR informs the reader that the economic data is needed, but then says it is outside the scope of the analysis. A MacDowell Group study of the charter industry's economic impact in the Sitka area cited a figure of over \$30 million annual contribution to the local economy. We would suggest that the Council ask the State of Alaska to provide the staff and pursue appropriate funding to gather and analyze the data which is needed to make a fair and rational decision on this issue.

The members of SEAGO request that the council add an additional option for area 2C: Fixed poundage of 2.1-2.6 million pounds. We believe that the latent capacity and Community Qualified Entity permits that are mandated by the Council's action on the charter fishing moratorium currently under review by the Secretary of Commerce can only be accommodated by a higher fixed allocation to area 2C. Our members also request that the Council add an additional option for area 3A: Fixed poundage of 4.5- 5.0 million pounds. The recent study completed by the ADFG of the logbook charter halibut data shows that the present options may not reflect the current harvest of halibut. We believe it is appropriate that an analysis be completed using the best available information.

We are concerned that the analysis is biased in regard to assuming that the Secretary will impose a one fish daily bag limit for 2C and that the charter operators in 2C can maintain and attract new clients under this proposed reduction. In order to remain competitive in their markets, our members require a halibut season of historical length and the two fish daily bag limit, which is currently sustainable without causing a conservation concern.

SEAGO does not believe the proposed leasing of quota shares program is a viable option to provide for the future maintenance of the charter halibut sport fishery, but we would be willing to study alternatives which may be identified in this review process.

The recent actions of the International Pacific Halibut Commission have resulted in a redistribution of fishing effort and availability of halibut resources to our operations and to the IFQ quota participants, but the immediate impacts have not been fully identified within the current analysis. The analysis needs to fully explore what other options and tools the Council could pursue to buffer the short term economic dislocation/hardship to IFQ and charter halibut participants.

Many of SEAGO's members have made large investments in shore side lodging which is necessary to conduct their destination charter

fishing operations. We would like the Council to recognize that moving these facilities is clearly not a viable option. The Council should also recognize that these owners would not be able to afford the development of other facilities in new locations.

The primary issue before the Council is to establish what level of allocation to the charter halibut industry will be required to insure a thriving and consistent charter halibut industry that continues to make substantial contributions to the economies of Alaska's coastal communities. The Council should recognize that the charter halibut industry's present usage of halibut is considerably less than that which the Council routinely allocates as by catch to insure the continuation of the very important Bering Sea and Gulf of Alaska ground fish operations.

We ask that the Council review our needs for a sufficient allocation as a component of maximizing the economic benefits of the total halibut resource available for extraction, and not to view our request as merely a taking from the IFQ commercial quota.

We look forward to working with the Council family to insure that the Halibut Charter Management concerns are appropriately addressed,



Tom Ohaus  
Acting Chair, SEAGO

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
By Fax

Re: C-6 Charter Halibut Management

Dear Chairman Olson:

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a **fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year.** That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 possible new permits in Area 2C and 91 possible new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch. I fully understand that amount of bycatch is needed for the viability of a billion dollar trawl fishery. However, if it is legitimate to allow that amount in order to preserve one fishery, should not there also be consideration for a small amount - only 60% of the amount allowed for the trawl bycatch - to be set aside to maintain a viable, stable charter industry?

Respectfully



Patricia L. Seaman, Operations Manager



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MAR 2 2008

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info@alaskasbestlodge.com

March 25, 2008

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

Re: C-6 Halibut Charter Management

Dear Chairman Olson:

For the first time in the long history of the Charter Halibut issue, the charter industry is at last united in what it needs from the Council. You will hear all of the salient points in written and oral comments in the coming week, however it all boils down to stable and predictable seasons which can be provided by the two basic needs of the charter industry as repeated for over a decade in documents from the Council and other agencies:

1. A 2-fish daily bag limit with no other restrictions;
2. A season of historic length.

**There is only one way of providing those two basic needs: An allocation in fixed pounds at a level that will accommodate the charter fleet as it existed on the Control Date of December 9, 2005, plus the additional burdens written into the Moratorium/LEP such as the CQEs, the Military Recreational fleet, and the predicted latent capacity. Of course there should be a conservation consideration that would kick in, in the event of a collapse of the stocks. That can be worked out.**

I have been involved in the charter halibut issue for at least 18 years, beginning at the IPHC several years before the debate ever arrived at the North Council in 1993. I have served on all three Charter Halibut committees at the Council and innumerable work groups. **We are so close to a solution! My one fear, after all these years, is that we will not get it right.**

**We are not talking about a lot of fish here. Probably a few hundred thousand pounds, (certainly less than a million pounds) over the current harvest will stabilize the charter fleet under the Moratorium/LEP for the foreseeable future. That's not even as much as the IPHC "gave" to the Canadians and Area 2A last January...just for the asking! And when you stabilize the charter fleet you stabilize the entire halibut fishery and the coastal economies that have grown up around them...and this endless conflict, that we are all so weary of, finally, goes away. The analysis needs to be expanded to include the options for additional fixed poundage needed to accomplish this.**

Let's see if we can - finally - get this done, and done right.

Respectfully,

  
Larry "Mac" McQuarrie

[www.alaskasbestlodge.com](http://www.alaskasbestlodge.com)

*"We've been doing this awhile"*



Dear N.P.F.M.C. members,

My name is Kay Laird and we have three grandchildren and two sons in law who spend alot of hard earned money to buy I. & Q.s to commercial fish.

Regardless of the recreation enjoyed by charter fishermen the business is very much a commercial endeavor. Since that is the case the owners should also invest in the future of the industry by buying I. & Q.s.

Commercial fishermen are held accountable for pounds caught so some kind of monitoring of the charter boats is also essential. One halibut bag limit for clients is reasonable if it is enforced.

I trust you to make wise decisions to guarantee fish for all the fishermen in the future.

B. Kay Laird  
111 Finn Alley  
Sitka, Alaska 99835

MAR 21 2008  
M.P.F.C.

MAR 2 2008

March 25, 2008

Chairman Eric Olsen and Council Members  
North Pacific Fishery Management Council  
Anchorage, AK

Re: Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Regulatory Area 2C

Dear Eric and Council Members,

In the commercial fishing industry there are many variables and there are many risks. However, one thing is sure. Conservation of our resources is absolutely necessary for sustainability. Conservation and sustainability takes management. Through management and effective enforcement of these principles, the commercial fishing industry has sustained. We need to manage all users groups and hold them to the same standards. The charter fishing industry needs to be held accountable for their actions and given the necessary tools for a successful, sustainable fishery that stays within their allocation. To do this we support changing the GHIL to an allocation with a direct correlation with growth and decline of the halibut biomass. We support a charter industry allocation of 13% of the 2C Fishery CEY. This is equivalent to their original GHIL (which gave 25% for growth), and is also equal to the recent 3 year average percent of Fishery CEY and the 2008 percent of Fishery CEY.

If growth is necessary in the charter industry, allow them to lease quota share so that the cost of their growth is paid by them and not at the expense of the commercial fleet. Quota share costs money and the commercial fleet has invested heavily in this federal program. Uncompensated reallocation will destroy many commercial businesses and increase the tensions between these two sectors.

We ask the Council to remember that the purpose of this amendment is to reduce tensions in coastal communities by setting a hard allocation and designing a program that compensates the commercial sector for any future reallocations.

Thank you for the opportunity to comment.

1 Kelsey Skardahl

2 Luis Small F/V Kelly Marie

3 Jon Skardahl

4 Kasper Harvey

5 Bill Baker F/V DUNG

61 John Be F/V The Chaser.

Petition Letter

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March 25, 2008

Catch Sharing Plan between Halibut Charter and Commercial Area 2C

- 6 ~~Warrell Ormrod~~
- 7 ~~Jeffrey Harker~~ F/V ~~JACKPICK~~
- 8 ~~Allen Co~~ Deck hand
- 9 ~~Charles Y. Bowring~~ F/V ~~SITKA BUCK~~
- 10 ~~Ray M. Gouker~~ Sitka Resident
- 11 ~~Mike Harrison~~ Superintendent
- 12 ~~Roger West Jr.~~ F/V ~~Seri D03~~
- 13 ~~Ben Crow~~ Crow Ent.
- 14 ~~Travis Miller~~ Sitka Resident
- 15 ~~David Johnson~~ F/V ~~Nor'wester~~
- 16 ~~Jesse Pepper~~ F/V ~~Coral~~
- 17 ~~TASON ANDERSEN~~ F/V ~~SEA HAWK~~
- 18 ~~ASHLEY BAHET~~ Sitka Resident
- 19 ~~Cory Welsh~~ SITKA RESIDENT
- 20 ~~Patrick Curran~~ Patrick Curran Captain
- 21 ~~Mike Doyle~~ Mike Doyle F/V ~~Coral Lee~~
- 22 ~~Shawn Davis~~ Shawn Davis F/V ~~Coral Lee~~
- 23 ~~Ocean Mays~~ Ocean Mays F/V ~~Coral Lee~~
- 24 ~~Nick Nekeferoff~~ F/V ~~Coral Lee~~
- 25 ~~MICHAEL J. MAYO~~ 2808 SAMUEL GREEN ST. Sitka
- 26 ~~Cale Ludtke~~ Cale Ludtke F/V ~~Coral Lee~~
- 27 ~~Frank Balovich~~ Frank Balovich F/V ~~Carol~~
- 28 ~~Susan Doherty~~ SITKA RESIDENT

Petition Letter

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March 25, 2008

Catch Sharing Plan between Halibut Charter and Commercial Area 2C

- 29 Walter J. Boalman F/V CHRISTOPHER K
- 30 W. B. Best F/V MOONLIGHT
- 31 William A. Dalh F/V YANKEE
- 32 Roger D. Buttram F/V ESCAPE
- 33 Andrew Elam F/V ROZETTA
- 34 Jumpkins F/V CUSEY POINT
- 35 Susan E. Young F/V ed swick
- 36 Thomas Pano F/V Leeward
- 37 Boat Young F/V Spun
- 38 Stephen Elgins F/V Bertha R
- 39 John Hock F/V Doris
- 40 Robert Sellers F/V TANYA
- 41 Carl Olson F/V odyssey
- 42 Morgan Wallace F/V Odyssee
- 43 Bruce H. Wallace F/V EDISSE
- 44 Jamie H. Elbert M/V wave walker
- 45 Jim Vink F/V FreyJA
- 46 John P. Swanson F/V Logan T.
- 47 Bill Lee F/V Jennifer Lee
- 48 Crystal Buckmaster T 9100
- 49 Keith Mott Deckhand
- 50 Jana Shuffell Sea Dog
- 51 [Signature] F/V JUANITA C

Petition Letter

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March 25, 2008

Catch Sharing Plan between Halibut Charter and Commercial Area 2C

Take Sturrock F/V Erin K

Lyndsey Jensen F/V Erin K

Matt Marinkovich F/V Discovery

Michael Michaelson F/V Discovery <sup>Box 809</sup> PART TOWNSHIP

George Gertsen F/V Discovery 5727 144<sup>th</sup> ST SE. Everett WA 98201

Roald Pedersen F/V Discovery

Brett & Helle Brett & Pella

Crosby Helton

Scott K. Salvo Sitka Bx 3183 SITKA AK

Adam B. McLeod Sitka Resident

Matt Strommer Matt Strommer Sitka

Jake LaDuke Jake LaDuke Commercial Deckhand

Darren LaDuke Darren LaDuke Sitka Resident

Julianne Strommer Julianne Strommer Sitka Resident

MAR 2 2008 3/22/08

Mr. Eric Olson, Chair  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Ste 306  
Anchorage, AK. 99501

Dear Chair Olson,

I am writing to comment on the Halibut Charter Catch Sharing Plan. My name is Jeff Farvour, and I am a crewmember on a 46' longline boat in Sitka, AK.

Currently, I am trying to purchase some 2C Halibut quota because I would like to spend the rest of my life commercial fishing for halibut out of my home, Sitka (some think that I am crazy). I am struggling with the idea of investing so much, just to have it reallocated to the charter industry. A good portion of my income used to be made by commercial longlining halibut in 2C, but I have seen my paycheck diminished from the reduced catch limits in our 2C halibut quota. I see the quota reductions as a responsibility to resource conservation that is necessary for all user groups to support. I believe that this will ensure that all user groups and consumers will be able to enjoy Alaska halibut in the future. Some speculate that reduced catches bring higher prices, but we have yet to see that, nor should we depend on that assumption.

I support Alternative 2, Element 1, Option 1a as an allocation for the charter sector. I believe that all users of the halibut resource need to have limits that are connected to abundance-based management. If there were a need for even more halibut for the charter industry, I would support a lease program that allows a limited amount of IFQ halibut to be leased by the charter fleet.

An important reality to consider in this issue is localized depletion. The localized depletion problem around Sitka is growing and I am sure that it is significant in other communities as well. The amount of tensions here in Sitka continue to grow and I really don't see it getting any better until we get a handle on the newest business of high-impact resource extraction, the charter sector.

Thank you for the opportunity to give input on this issue.

Sincerely,



Jeff Farvour  
Sitka

March 26, 2008

Chairman Eric Olson and Council Members  
North Pacific Fishery Management Council  
Anchorage AK

MAR 27 2008

Dear Eric and Council Members

I began commercial fishing in Alaska in 1996. The recently implemented IFQ program was still being met with skepticism from many. Fisherman who were not originally issued quota were especially frustrated with the prospect using capital to purchase a right that other were issued. I have watched as that system has been proven a successful management pool of a limited and changing resource.

Last fall I purchased my first block of halibut quota. I leveraged what capital I had to purchase a small block of 2C halibut. I plan on continuing to invest in the halibut fishery to build a future for my young family. When I borrowed money to purchase my pounds. I understood that the resource was not infinite or static. I accept that quotas will be adjusted to protect the resource. Owning a quota share that varies with the biomass and management decisions has propelled me into political involvement. Stakeholders who are involved in the political process are an essential component to sustainable fisheries.

I urge the council allocate the halibut catch in all user groups based on the changing biomass of the resource. If the halibut charter industry is issued a static volume of fish to harvest, they will be exempted from political involvement. The fisheries need every stakeholder active in the sustainability of the resource. If all halibut harvested in Alaska are accounted for and managed there will be plenty of opportunity for all business who depend on this resource to succeed.

Stephen Rhoads  
Sitka AK  
f/v Bertha R



March 26, 2008

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

FAX: 907-271-2817

Dear Chairman Olson:

Kenai River Sportfishing Association would like to comment on the upcoming NPFMC discussion of Halibut Charter Management, Agenda Item C-6.

We have reviewed the *Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Regulatory Area 2C and Area 3A – Environmental Assessment / Regulatory Impact Review / Initial Regulatory Flexibility Analysis* and offer the following thoughts. The problem statement that was adopted by the Council reads:

*The absence of a hard allocation between the commercial longline and charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities that are dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.*

We note that the problem statement is not based upon biological conservation or comprehensive economic analysis considerations. The IPHC management takes into consideration biological data, and the EA/RJR points out that comprehensive economic data is not available for analysis at this time.

In light of the fact that deliberation by the NPFMC for the issue of halibut charter management is therefore not for biological conservation or economic consideration, we request that the initial allocation for the halibut charter sector be sufficient such that it allows the existing fleet (under the moratorium) and angler experience to be robust in nature. As current harvest allocations for longline and bycatch allow for a robust nature to exist in these various commercial seafood sectors, we ask that the same consideration for adequate harvest allocation be provided to the halibut charter industry and the anglers it serves.

*Dedicated to preserving the greatest sportfishing river in the world, the Kenai.*

PO Box 1228 • 224 Kenai Ave., Suite 102 • Soldotna, Alaska 99669

Phone: (907) 262-8588 • Fax: (907) 262-8582 • www.kenairiversportfishing.com • E-mail: info@kenairiversportfishing.com



It is important that the initial allocation to the halibut charter sector be sufficient for the current charter fleet to accommodate current angler demand and meet the current angler expectation of reasonably priced trips to harvest two fish per day. If an adequate initial allocation is provided to the halibut charter sector to ensure its current robust nature, then a fair mechanism can be established for transfer between sectors that has a high likelihood of success.

If, however, the initial allocation shortchanges the halibut charter sector and provides inadequate to ensure the current robust nature of this important industry, then the likelihood of success for any subsequent action on transfer mechanisms between sectors will be greatly reduced. We support the Council's desire to provide stability for those industries that make use of halibut resources, if it is done in a fair and equitable manner.

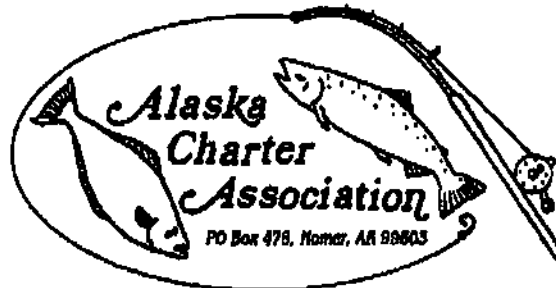
We therefore ask that Council actions towards this end be done so that the current demand of anglers seeking to use charters at reasonable rates to harvest halibut (for an opportunity of two fish per day) is met. We support Council actions that provide for a robust halibut charter fleet (for both charters operators and anglers), which then can be a successful basis for a fair mechanism of transfer and stability between sectors.

Thank you for your consideration on this important matter.

Respectfully,



Ricky Gease, Executive Director  
Kenai River Sportfishing Association



"To preserve and protect the rights and resources of Alaska's Sport Fishermen."

March 26, 2008

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 26 2008

Dear Chairman Olson:

In response to the call for testimony on the pending Council's meeting agenda item C-6, Halibut Charter Management, the Alaska Charter Association (ACA) respectfully submits the following comments.

First, the Alaska Charter Association is a statewide organization that represents over 180 members and associate members. Our mission- **"to preserve and protect those fishing rights and resources necessary for the Alaska charter fleet to best serve the recreational fishery."**

Our comments are made against a backdrop recognizing that the coastwide halibut resource is in excellent condition, and the proposed actions that may be taken by the Council relating to charter halibut management are done to allocate the resource between competing sectors, and has nothing to do with conservation of the resource.

The ACA wishes to remind the Council that the charter fleet exists to serve recreational anglers, both nonresidents of Alaska, as well as Alaskan residents. The fleet believes that all American anglers have equal right to their resource, and that any allocation program needs to ensure equality for all resident United States anglers.

The Council, in its deliberations, is setting forth the Council's policy on coastwide halibut resource utilization. The ACA desires an appropriate balance in sector allocation be established which will maintain a healthy longline fleet, a healthy trawl fleet, and a healthy recreational charter fleet. All three are important economic contributors to our economy. The allocation (6.45M#) suggested later in this document will allocate less than 8.75% (percent) of the coastwide exploitable halibut resource to guided recreational fishing. This reasonable use of the halibut resource will allow the Alaskan recreational charter fleet to

continue to fill its historic role in the State's economy, while maintaining a very healthy commercial fleet.

With respect to the draft EA/RIR, the ACA views this document as an incomplete analysis since it has yet to include the economic analysis of the proposed action on the Alaskan sport charter fleet. It appears that it is a forgone conclusion that what may be the economic consequences of the Council's action on the charter industry is of little or no concern to the Council and therefore does not warrant adequate analysis.

The ACA has consistently testified before this Council for the inclusion of a complete socioeconomic analysis that will clearly define for the reviewing public and the Council, the possible impacts that will result from Council action. It simply appears to be irresponsible for the Council to take an action without understanding those impacts.

The ACA in its deliberations of the Council's December motion determined that the proposed allocation options are inadequate to meet the needs of the recreational charter fleet. The ACA has taken a position that the allocation should be sufficient to carry this industry to the long term solution, at which time a mechanism should be in place to allow for sector allocation shifts, should that be desirable.

Analyses provided to the Council in April 2007, demonstrated that the appropriate allocation, based on a season of historic length, and the historic 2 fish bag limit would require 2.58M# in Area 2C, and 4.41M# in Area 3A. This was based on ADF&G estimates for 2006 that were later determined to be high.

A similar analysis using actual ADF&G 2006 harvest, and the estimated 2007 harvest, yields a new allocation of 2.3M# to carry Area 2C through 2011. Similarly a 4.5 Million pound allocation for Area 3A (where there is a projected 9% biomass increase over the next five years) is in order to accommodate Community Quota Entity (CQEs) permits, military boat growth, and other provisions for growth that are built into the charter fishing moratorium program. The potential impact of these elements could increase the fleet by as much as 10% in 2C, and 15% in 3A.

The ACA analysis points out the inadequacy of the proposed allocation options that are being considered. The ACA respectfully requests that a larger, sufficient allocation be approved for analysis between now and the October Council meeting.

The ACA requests that the type of allocation in the preferred alternative be a fixed allocation without any stair step provisions. A fixed allocation is the only means of ensuring sector stability. We request this for the reasons listed below.

- A. A sufficient fixed pound allocation will result in long term stability for the charter sector. This allows owners to book well in advance of an upcoming season without the worry of fluctuations resulting from a floating allocation program.

- B. It will allow allocation managers to refine their tools to keep the charter harvest within an acceptable range of the allocation.
- C. Under a fixed allocation, the only annual fluctuation will be the average fish weight. This variation, over a rolling average, should be reasonably stable.
- D. A sufficient fixed allocation ensures that NMFS and the State, not to mention the Council and both commercial and charter fishermen, will not have to devote time and resources to annual changes in halibut regulations.
- E. A fixed allocation protects the industry from modeling changes that the IPHC may make in the future.

A fixed allocation with a stair step provision is not a fixed allocation, as we are eye witness to the deterioration of a "fixed" GHF in Area 2C.

The ACA is aware that the biomass could possibly drop to a dangerously low level. We expect that if this were to occur, the IPHC will adjust bag limits across the entire recreational sector to achieve the required reductions in harvest to protect the resource from over fishing.

The Council's motion includes a provision to allow leasing of commercial IFQs to the recreational sector in order to provide anglers with additional harvesting opportunities. While the concept sounds like a reasonable option, it is not economically feasible. The current lease values of IFQ pounds are such that no one but a very deep pocket can take advantage of this program. Such a proposal unfairly favors the wealthy operator. The average charter operator cannot afford to lease because the income generated by a leased fish will not return enough to result in any profit. Thus, leasing IFQs will not substitute for, or augment an insufficient allocation.

Sincerely,



Robert Howard, President

Post Script: As we walk to the fax to submit our comments, it is being brought to our attention that ADF&G are advising that historic harvests, using logbook data, are 16 & 28% higher in 2C & 3A respectively than determined from the Statewide Harvest Surveys. This being the case, the numbers derived in this testimony need to be adjusted once the impact of the State's input is fully understood

MAR 26 2008

To: Mr. Eric Olsen, Chairman,  
and Council Members of the North Pacific Fishery Management Council

I am Roger Gross, a 34-year participant in the Alaska commercial halibut fishery. The commercial sector has made many sacrifices over the years in the name of conservation. It has not happened without paying a price. Many of us were forced to find work outside the industry or to buy back in, often mortgaging our boat, home, and anything else of value.

I fish Area 2C halibut, exclusively. In the past two years I have seen a 47% reduction in my livelihood. Not only has my annual income been drastically reduced, but the overall value of my QS has plummeted, as well. I cannot afford to have more of my QS being reallocated to a charter operator. I support the Council in providing charter operators with the opportunity to lease QS, investing in the resource and in their future, as I have.

The Area 2C commercial halibut fleet cannot shoulder the halibut stocks conservation burden alone and shouldn't have to. The guided sport sector has never been held accountable for conservation in the halibut fishery. They have exceeded their GHIL 4 years running. Anytime it is even suggested that the guided sport sector stay within their GHIL they scream financial ruin. All sectors must share in resource conservation by changing the current GHIL to a percentage that fluctuates with abundance.

I implore the council to step up to the plate and make the right decision for the halibut stocks. All sectors must be held accountable. We all shared in the gain, now it's time to share the pain.

Sincerely,



Roger S. Gross  
FN Tucee  
172 Libby St.  
Sequim, WA 98382



## Charter Halibut Task Force

P.O. Box 8500 Ketchikan, AK 99901 www.charterhalibut.org 1-877-588-8819

March 26, 2008

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

MAR 27 2008

Dear Chairman Olson:

The Charter Halibut Task Force (CHTF), representing charter fishing operators whose clients catch halibut off Alaska, respectfully submits the following comments about Agenda Item C-6, Halibut Charter Management.

In addressing the issue of halibut charter management, it is important for the Council to keep the issue in perspective. The Council has been working on this issue in one form or another since 1993, and there has been a lot of heated rhetoric. Looking at some basic facts may help clarify the issue and make it easier to keep the real issues in focus.

If you take the catch limits approved by the International Pacific Halibut Commission (IPHC) from 1998 to 2008, the average amount of halibut available to the commercial IFQ fleet off Alaska has been 58.07 million pounds. According to figures reported by the IPHC, from 1998 to 2007 (the latest year for which information is available), the average amount of halibut bycatch taken each year off Alaska is 11.15 million pounds, and the average charter catch of halibut for Areas 3A and 2C combined is 4.71 million pounds. This means that, on average over the last 10 years, the commercial IFQ fleet has been allocated 78.55 percent of the available halibut, 15.08 percent of the available halibut has gone to bycatch, and only 6.37 percent of the available halibut has been taken by anglers fishing from charter vessels.

If you look at the alleged problem, the charter industry exceeding its Guideline Harvest Level (GHL) in Areas 2C and 3A since the GHL was first published in 2003, the sum total of that excess over four years (2004 to 2007) is 1.49 million pounds for Area 2C, and 270,000 pounds for Area 3A. If you assume that measures had been put in place so that the charter fleet was held to the GHL each of those four years, and apply the IPHC's formula for calculating the commercial catch limits that would have been given to the commercial IFQ fleet in the absence of the charter overages, the Council would discover that the sum total of the increased allocation to the commercial IFQ fleet in Area 2C over those four years would have been less than 700,000 pounds - not even 200,000 pounds per year! The combined charter overages pales in comparison to the 4.1 million pounds of additional halibut that the IPHC permitted the Area 2C commercial IFQ fleet to harvest in excess of the IPHC's own fishery constant exploitable yield (fishery CEY) for Area 2C during those same four years.



## Charter Halibut Task Force

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Even if the Council assumes the worst, and retroactively recalculates charter harvests based on the information provided in the just released Alaska Department of Fish & Game document suggesting that logbook data may in fact be more accurate than originally believed, and that therefore the charter harvests were in fact 16 percent higher in Area 2C and 28 percent higher in Area 3A, the ten year total average charter catch would increase from 4.71 million pounds to 5.85 million pounds, and would still be just 7.79 percent of the average amount of halibut available for bycatch, charter, and directed harvest off Alaska (bycatch under this scenario is 14.85 percent and the commercial IFQ fleet would still get 77.35 percent).

Finally, the Council needs to consider what is the proper allocation of halibut that is necessary to keep the charter industry operating in Alaska at the levels set by the Council just last year through its action recommending a charter moratorium. This is the same exercise the Council undertakes each year in determining the appropriate amount of halibut to allocate for bycatch to ensure the successful prosecution of numerous other commercial fisheries off Alaska. The Council does not link its bycatch allocations – which currently account for approximately twice as much halibut as the charter fleet has historically taken – with increases or decreases in the catch allocation given by the IPHC to the commercial IFQ fleet. The same should be true for the charter fleet. The question before the Council is what amount of halibut is sufficient to ensure a “fair and equitable” allocation of halibut to the charter fleet at the level determined by the Council through its moratorium action, not what steps should be taken to reduce charter harvest in order to provide a minimal increase in the value of commercial quota shares.

Now, to turn to the draft EA/RIR that is to form the basis for the Council’s consideration of halibut charter management. First and foremost, the draft EA/RIR makes clear that the halibut resource is robust and in no danger, with the consequence that none of the proposed actions under this agenda item have any conservation impact – this is purely a question of allocating fishery resources between competing user groups.

Second, the draft EA/RIR shows that the primary factor behind the significant reduction in IPHC catch limits in Area 2C, and thus the potential loss in quota share value to commercial fishermen in Area 2C, is not the activities of charter fishing operators or their clients; it is a redistribution of commercial fishing effort from Southeast Alaska fishery management areas to Northwestern Alaska fishery management areas caused by a decision of the International Pacific Halibut Commission (IPHC) to move from a “closed area” assessment model to a “coastwide” assessment model.

Third, the draft EA/RIR and the Council’s own deliberations with respect to its annual decisions to allocate more than 10 million pounds of halibut as bycatch to enable the successful prosecution of other commercial fisheries make clear that sufficient halibut can be made available to maintain a healthy charter fishery off Alaska with a two fish daily bag limit for a season of historic length without additional restrictions.



## Charter Halibut Task Force

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Fourth, the discussion in the draft EA/RIR regarding the expected impact on halibut quota share prices and ex-vessel pricing, which assumes that there will be little overall increase in halibut prices because decreases in Area 2C IFQ catch limits are offset by corresponding increases in the IFQ catch limits in other IPHC areas off Alaska, makes clear that consumers of commercial caught halibut will not be harmed by the IPHC's redistribution of commercial fishing effort or by allowing charter fishing for halibut to continue at its historic levels.

Fifth, while the draft EA/RIR in assessing the potential change in ex-vessel price and quota share value properly recognizes that commercial halibut fishing off Alaska must be considered as a whole, a factor also reflected in the IPHC's change from a closed area to a coastwide assessment model, the draft EA/RIR never provides the Council with a comparison of charter fishing as a percentage of total halibut fishing off Alaska, choosing instead to compare charter fishing to commercial fishing on an IPHC area by area basis.

Sixth, the draft EA/RIR provides no discussion of the commercial halibut IFQ program nor considers how provisions of that program could allow commercial fishermen who are adversely impacted by the IPHC's decision to redistribute fishing effort to mitigate those impacts, and does not provide any information about the number of commercial IFQ holders who are not adversely impacted by the IPHC decision because they hold quota shares in both the areas that are adversely impacted and the areas that benefit from the IPHC's redistribution of fishing effort.

Seventh, the draft EA/RIR provides no discussion or recognition of the fact that charter fishing operators have made significant investments, based on fishing regulations that have remained unchanged for decades, in shore based facilities to service charter halibut clients, and ignores that those facilities are essential to the charter industry and cannot easily be relocated.

Eighth, the draft EA/RIR is seriously flawed in a number of ways: A) it assumes for purposes of the "status quo" analysis that the Secretary of Commerce will adopt the most draconian of the options presented in a recent NPRM – a one fish daily bag limit for Area 2C – even though the Secretary has not yet taken such a step; B) it assumes that the value to the Nation of commercial caught halibut is greater than charter caught halibut without providing any support for such conclusion; C) it assumes that charter and commercial expenditures in local communities are essentially interchangeable and therefore communities would suffer little adverse impact, without any attempt to quantify or support such a conclusion; and D) it acknowledges that there is insufficient economic data available for analysis of the impacts of the proposed actions on the regional and local economies, but then attempts to dismiss the need for such data by claiming that collection of the data would be "expensive and time consuming" and therefore "outside the scope of this analysis."

Ninth, the analytical flaws in the draft EA/RIR result in the Council being presented with a biased and inaccurate picture of the impacts the proposed actions would have on charter fishing





## Charter Halibut Task Force

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operators and their clients, as well as on local and regional economies that depend on charter fishing.

Tenth, the draft EA/RIR never provides the Council with any analysis of the actual benefits, in terms of the amount of additional halibut the IPHC would allocate for commercial harvest and the additional revenue from such allocation, that would accrue to the commercial IFQ holders if each of the options were adopted, leaving the Council and the public with no means of assessing whether the benefits are worth the costs.

In closing, the Council should recognize that the past three years charter harvest records demonstrate that the existing regulations governing the charter halibut harvest are already working to reduce the impact of such harvests on the commercial IFQ fleet. If the Council intends to proceed with making recommendations for further management of charter halibut fishing off Alaska it should:

1) add two additional fixed poundage options for analysis –

A) one set of 2.3 million pounds for Area 2C and 4.5 million pounds for Area 3A in order to accommodate the Community Qualified Entity permits (which permit a 10 percent increase in the number of permits in Area 2C and a 15 percent increase in the number of permits for Area 3A) and other provisions for growth built into the charter fishing moratorium program recommended by the Council to the Secretary of Commerce; and

B) a second set of numbers, to be determined based on further information supplied when recalculations of the actual charter harvest numbers become available based on the logbook data analyzed by the Alaska Department of Fish and Game (assuming the same level of increase as ADF&G found for 2006 applied to the ten year charter catch average discussed above with the same 125 percent increase included in the highest existing option before the Council), my calculations indicate the numbers would be 2.29 million pounds for Area 2C and 5.02 million pounds for Area 3A);

2) replace the existing stair-step sub-option to the fixed poundage options with a conservation clause that would limit the charter allocation to the daily bag limit set by the IPHC for all recreational fishing, so that if the IPHC reduces the daily bag limit for unguided and subsistence fishing in order to protect the resource, the charter bag limit would also be reduced notwithstanding whatever fixed pound allocation is provided in regulation;

3) revise the problem statement to provide equal weight and emphasis to maintaining a healthy charter fishery off Alaska in order to continue to provide public access to this valuable resource;



## Charter Halibut Task Force

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4) collect the economic data necessary to provide an accurate assessment of the costs and benefits to local and regional economies, charter fishing operators and clients, and commercial fishermen of its proposed actions;

5) include in the analysis and options for addressing the revised problem statement adjustments to the commercial halibut individual IFQ program to address the adverse economic impacts of the IPHC's decision to redistribute fishing effort on particular individuals holding commercial IFQ shares that were devalued by that IPHC action; and

6) leave undisturbed the current IPHC treatment of charter harvest removals in order to accommodate annual variations in average fish weight that will cause annual charter harvests to fluctuate around a fixed pound allocation, thus allowing the IPHC allocation algorithms to continue to buffer the commercial fleet from changes in biomass, removals, or allocation policy; and

7) at a minimum, if the Council adopts a preferred alternative for purposes of further analysis, that preferred alternative should be a fixed pound allocation of at least 2.3 million pounds for Area 2C and 4.5 million pounds for Area 3A, without any stair step provision and with the conservation clause described in recommendation 2 above.

In summary, the charter industry should be treated as a valuable fishery in its own right, not as a poor stepchild to the commercial IFQ fleet. Even if the Council adopted the most appropriate of the fixed poundage options proposed above, the combined 7.31 million pound allocation would still only constitute 9.74 percent of the average amount of halibut that has been available for directed commercial harvest, bycatch, and charter harvest off Alaska over the past ten years.

Thank you for your consideration of these comments.

Respectfully,

*E. Comstock*

Earl W. Comstock  
Counsel to CHTF



March 26, 2008

Chairman Eric Olson and Council Members  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

MAR 2008

Re: Agenda Item C-6 Halibut Charter

Dear Chairman Olson & Council Members:

Alaska Glacier Seafoods is writing in support of the Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Regulatory Area 2C and Area 3A with an allocation that is a fixed percentage using the current GIL formula. (Alternative 2, Element 1, option 1a)

Alaska Glacier Seafoods is a processor located in Juneau that purchases halibut, salmon, crab, sea cucumbers, sablefish and other species. We just built a new facility in Juneau partly based on being more accessible to fishermen wishing to unload halibut. Halibut is a key component to our business but reduced poundage severely reduces our gross revenue and affects the price paid for other species to the fishermen.

Alaska Glacier Seafoods believes in the State of Alaska principal of abundance based management and that all should share in the health of the resource. The charter fleet is managed by a fixed percentage allocation in the king salmon, ling cod and rockfish fisheries. Why shouldn't halibut be managed in the same fashion?

Alaska Glacier Seafoods provides employment to 65 employees in Juneau.

The processing sector is tied to the health of the fishermen and fishery resources, please consider our contribution to this industry in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Erickson".

Mike Erickson  
President of Alaska Glacier Seafoods

*Fixed to: 907-271-2817*

**Sitka Charter Boat Operators Association**  
PO Box 2422 Sitka Alaska 99835

March 26, 2008

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

MAR 2 2008

Dear Council Member,

The Sitka Charter Boat Operators Association, representing 54 members, submits the following comments pertaining to item C-6 Halibut Charter Management, on your agenda.

We thoroughly agree with the Council's objective, as stated in the Charter Halibut Interim Measures, "to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit." Unfortunately, the analyses requested in this motion, are NOT sufficient to reach the Council's objective.

To begin with, we believe the Problem Statement is misleading. The conflict between the longline and charter halibut sectors is not a result of the "absence of a hard allocation." It is the result of a misunderstanding about ownership of the halibut resource and the impacts of the guided sport harvest on the commercial harvest. Unfortunately, some commercial fishing proponents incorrectly consider the halibut resource as their property, and any growth of the guided recreational sector to negatively affect their economic well-being. Nothing could be further from the truth. Individual quota share values and ex-vessel earnings have dramatically increased since the GHl was established.

We believe the second sentence of the Problem Statement should read, "Unless a FAIR mechanism for transfer...is established, the STABILITY of the charter halibut industry is at risk." The third sentence insinuates halibut provides "food" for subsistence users, "sport" for charter users, and a "livelihood" for commercial users. For clarification, halibut provide food and sport for charter clients and a livelihood for the charter industry.

In the Management Objectives section, the last two sentences need to reflect that "the Council intends to adjust its management measures as needed to ensure the sport charter sector *targets* its allocation, while maintaining the historic length of the sport season." It is overkill to manage the charter fleet to "*below* its allocation,"

when the IPHC provides a SUFD mechanism which allows the longline fleet to harvest above the CEY, (by 2.9 million pounds for 2008) and allows the trawl fleet a 12-16 million pound halibut bycatch. We support erring on the side of conservation, but erring on the side of conservation needs to apply equally to the longline and trawl fleets, as well.

Under Alternatives for Analysis, the Council is missing a comparative economic analysis for the best use of the public's halibut resource. We must state again for the record, it is imperative that the Council gathers and analyzes data on the economic impacts to the charter industry and coastal communities, prior to making an allocative decision. The use of the GHL to establish an allocation also needs to be analyzed. The original purpose for the GHL, back in the late 1990s, was to prevent a reduction of quota share value, not to set an allocation.

We recommend discarding Option 1 Fixed Percentage and Option 3 50%Fixed/50% Floating, because both options result in a percentage of the CEY, which is not suitable for the guided sport fishing industry.

To meet the Council's objective to provide a two fish bag limit, no in-season changes or closures, and a season of historical length, plus meet the additional needs of latent capacity, military participation, and Community Quota Entities (resulting from the Council's December 2005 sunset date for a charter halibut moratorium), the Council must add for analysis under Option 2, Fixed Pounds:

1. 125 percent of the actual 2005 charter harvest in pounds.
2. 125 percent of the 2002-2006 average charter harvest.
3. 2005 charter harvest with a 2 fish daily bag limit and no size restrictions.

(Please note as this letter is being submitted, we have become aware of ADF&G's latest report on logbook data posted to the Council's website, yesterday. In light of this most recent data being presented by the State, an even higher allocation may be needed.)

Under Option 2, Fixed Pounds, we are against a stair stepping suboption. Stair stepping changes "fixed" poundage to "floating" poundage, which is not acceptable. Assuming the charter industry starts with an acceptable allocation, the Council should analyze the effect of no increase when the CEY goes up, to no decrease when the CEY goes down.

To maintain a stable charter industry, we are willing to give up an increase in pounds in years of high abundance, for fixed pounds in years of low abundance, provided there is no conservation emergency. A "conservation emergency" is one in which the overall halibut biomass decreases such that halibut quotas for ALL areas off Alaska must be significantly reduced. We are willing to reduce our harvest if a conservation emergency exists. (NOTE: The recent IPHC model change has resulted in a large reduction in the Area 2C commercial catch quota, but not a large reduction in the

overall commercial catch quota for Alaska, and thereby does not constitute a "conservation emergency.")

Pertaining to Element 2, Annual regulatory cycle, we do not understand why "an allocation overage would trigger the regulatory process automatically," but an allocation underage cannot do so. Unless, the reason is to penalize instead of manage the charter sector.

While the Council is requesting the IPHC determine a catch-sharing plan, the Council should also request full accountability be applied to the longline fleet as well as the charter fleet. With a history of annual removals of millions of pounds of legal and sublegal halibut wastage by the longline industry, their legal wastage mortality must be applied only to the longline allocation, instead of being deducted from the total CEY prior to determining allocation harvest limits. Longline sublegal wastage is not even included in the total CEY, and this also needs to be applied only to the longline allocation, for full accountability.

Under Element 3, Management Toolbox, Tier 1, we suggest adding one fish any size and a second fish, less than 32 inches or over 60 inches. The sentences regarding "management measures" in this section are the same as those written under Management Objectives and our comments are the same, as well. These sentences should be replaced with "the Council intends to adjust its management measures as needed to ensure the sport charter sector targets its allocation, while maintaining the historic length of the sport season." We also believe guided and unguided anglers deserve equal treatment and Tier 1 measures need to apply to both.

We request the Council remove Tier 2 measures as these measures will severely damage and disrupt the stability of the charter industry.

Under Element 4, Timeline, we support the four-year timeline. We have clients making reservations one to two years in advance. NMFS regulatory announcements made on April 1, with application starting on June 1, does not work for our industry.

Element 5, involving the supplementation with IFQs (or conversion to GAFs), is not financially feasible, even if the charter fleet's initial allocation is acceptable.

Under the catch accounting system of Element 6, we only see a need for item 1, which is the present system of ADFG's logbooks and Statewide Harvest Survey.

And finally, regarding Recordkeeping and Reporting, we understand the objective is to shorten the time it takes for the Council to receive harvest information. Unfortunately, all options listed *quadruple* the charter captain and client's time to record and report the data. All options involve 2 to 4 additional recording efforts, yet fail to replace or eliminate any current recording methods.

If there was a way to shorten the data collection feedback loop, we believe the Sport Fish Division of the Department of Fish and Game, would be using it today. If the NMFS does not want to rely on ADFG processing, a carbon copy of our logbook pages can be submitted by the ADFG, to the NMFS, for their entry.

In summary, we appreciate this opportunity to comment on the initial review of the charter halibut allocation. We commend the Council's objective "to achieve the charter sector allocation without in-season changes or in-season closures in order to maintain, to the extent possible, a season of historic length with a minimum two fish bag limit." To achieve this, the Council must request for analysis the three alternatives we have listed above, under Option 2.

**Before the guided recreational sector will consider exploration of a compensated reallocation program, the initial allocation must be in fixed pounds and sufficient enough to provide stability, and sustainability, for our industry and the communities we live in.**

Thank you, and we look forward to the Council's next meeting on this topic.

Sincerely,



Theresa Weiser  
President

Sitka Charterboat Operators Association

March 26, 2008

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Dear Council Members,

I write to you today as a concerned halibut fisherman who is concerned about the sustainability of the halibut resource if the charter industry is granted a fixed allocation.

The council is instructed to act in a manner consistent with prudent conservation of the resources and to provide sustainable harvests of fishery resources where applicable. The current proposal to create a fixed allocation for the charter industry appears to contradict any notion of sustainability. What happens to the halibut resource under poor ocean survival regimes when the charter industry has a fixed allocation?

In no other fishery does the North Pacific Management Council provide for fixed allocations. In all state and federal fisheries surrounding the state of Alaska, the fisheries are managed to provide for a sustained yield with long-term sustainability the underlying concern. It would be extremely ironic if the charter industry were granted a fixed allocation as the precedent in doing so would undermine the basic premise of sustainability.

In the 1990s, the council adopted specific actions to limit the commercial harvest of halibut and to limit the number of participants. This action wasn't without great hardship for many individuals left out of the fishery. Long-term sustainability of the resource and of the industry was the overriding factor that precipitated the action to rationalize the commercial halibut fishery. Unfortunately, I was attending college and only participating as a crew, thus I did not qualify for any halibut IFQs. The council's actions which created the IFQ fishery seemed to create a stable business in which to invest in. The council also worked with NMFS to create a loan program for people not granted quota originally to purchase IFQs. Through these consistent council actions directed at providing a sustainable commercial fishery, I decided to invest in the Halibut IFQ fishery.

In order to participate, I had to scrape by-often working two or three jobs to generate enough of a down payment which helped secure loans to purchase IFQs. My halibut loans are bigger than some people's home mortgages. Like the charter fisherman, I too have boat and gear payments, a home in Juneau Alaska; and I too struggle to find a way to start and raise a family. Had I known that the rationalization of the halibut fishery would be undone by new participants continually eating away at my IFQs under the guise of the charter industry, I would not have entered into any long-term loan arrangements for Halibut IFQs.



While I have been affected greatly by the recent passivity of the council to regulate the charter industry, it would be duly unjust to provide the charter industry with a fixed allocation. Please adopt measures consistent with the notion of sustainability with regards to the halibut resource and future allocations. Granting a fixed allocation to the charter industry will likely bankrupt my business and destroy any model of sustained yield and long-term sustainable use of halibut.

Sincerely,

Chris Knight  
623 10<sup>th</sup> Street  
Juneau, AK 99801



## F/V Ocean Gold

**Ed & Kathy Hansen**  
**Phone: 907-586-6652**  
**Fax: 907-523-1168**

**9369 North Douglas Hwy**  
**Juneau, Alaska 99801**  
**Email: gillnet@ak.net**

March 25, 2008

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W. 4<sup>th</sup> Avenue, Suite 305  
Anchorage, AK 99501

MAR 25 2008

RE: Halibut Charter - C6

Dear Eric and Council Members,

I support a fixed percentage allocation at the level of the GHL that floats with abundance. If the allocation does not float with abundance we will just be back in front of the Council arguing the allocation issue again when the biomass turns around and starts increasing.

We have been talking to quota share holders in small communities and throughout Southeast, and these huge cuts in the quota has made it impossible already for the smaller QS holder to catch and deliver their halibut. It would cost more to run the halibut to a town that has a processor than would be made by the sale of the fish. Yet, these fishermen have relied on the income from the IFQ's to maintain their subsistence lifestyle. Unless you go their community and talk to them, you will never receive this information.

As far as the rest of the story, you have heard it all.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward R. Hansen".

Ed Hansen

## Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

Website: <http://www.seafa.org>



E-mail: [seafa@gci.net](mailto:seafa@gci.net)

March 26, 2008

North Pacific Fishery Management Council

Eric Olson, Chair

605 W 4<sup>th</sup> Avenue, Suite 306

Anchorage, AK 99501-2252

RECEIVED  
MAR 26 2008  
MEMO

Dear Chairman Olson and Council Members,

RE: Halibut Charter Agenda Item C-6

Southeast Alaska Fishermen's Alliance (SEAFA) supports the current Catch Sharing Plan that is under initial review although we have some concerns. We support, Alternative 2; Element 1, Option 1a.

One aspect of this plan that fully addresses the problem statement is the ability to lease GAF fish in the charter industry and we are fully supportive of this section.

We do have a question regarding Alternative 2, Element 5, E (1). Is the intent really that only a charter operator can convert unused GAF back into commercial IFQ's pounds? As written this would likely be the effect since you can only convert back if the GAF holder qualifies under the commercial IFQ regulations. Alternative language might be:

*(1) GAF holders may request NMFS to convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided that the pounds are returned to the IFQ holder that originally leased the IFQ's to the GAF holder.*

Accurate and full accounting of the charter sector is imperative to maintain a healthy resource. IPHC must have accurate information in order to successfully sustain and maintain a healthy resource. The logbook report has just confirmed the commercial sectors concerns previously commented on about the differences between the logbook data and the SWHS.

SEAFA will provide additional comments at the meeting. We want a chance to listen and determine what the effect of the ADFG logbook report will be to this analysis.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy Hansen', with a long horizontal flourish extending to the right.

Kathy Hansen

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, AK 99501-2252

RECEIVED  
MAR 2 2008

MINNEAPOLIS

Dear Chairman Olson,

I was born in Wrangell in 1951 and moved all over the state with my family until we settled in Haines in 1961. My father was in the Army and worked in communications for all those years.

I have owned and operated a 6-pack charter business in the Haines/Skagway/Auke Bay/Cross Sound areas for over 20 years. I (and/or my family) have also fished commercially, deck-handed commercially, and participated in subsistence fishing for all of my life. For us, it was a necessity and a way of life. We really didn't have too many other options available to us growing up in Alaska in the 50's and 60's, so the tradition continued throughout my lifetime and my son, born and raised in Haines and now age 28, is also a commercial troll permit holder as well as a 6-pack charter operator and boat owner.

I recall the days when fish were a guaranteed commodity. I agree that it has changed drastically. I operated a successful fishing charter business in Haines for many years, but when the commercial IFQ's for halibut were distributed, the halibut virtually dried up in the upper Lynn Canal. One had to go farther and farther away and pretty soon it was disheartening to collect money from a client after fishing for a solid 8 hours and not even getting a bite. Then the King Salmon limits were imposed, and again, aside from the 2-week "run", salmon fishing was never the same as when I was a kid growing up in the upper Lynn Canal. Therefore, I ventured back out towards Elfin Cove and started chartering out there for 8 years. Obviously, the closer one got to the ocean, the better the fishing.

I have had to adjust my business accordingly over the years with the decrease in abundance of fish and the regulations put into place. I changed from a day charter to a week-long liveaboard, leaving from Juneau and cruising to Glacier Bay National Park, Elfin Cove and Pelican, sightseeing, wildlife viewing and fishing along the way. We process our catch right onboard with a commercial vacuum packer and a full size chest freezer on our flying bridge. We pride ourselves in providing a top notch adventure for our clients, complete with comfortable accommodations and our knowledge as lifelong Alaskans in the area. We have a concessionaires permit for entry into Glacier Bay National Park (one of 15 ten-year permits awarded to charter operators in the state). We fill out an abundance of paperwork daily and again, take pride in the fact that we do a good job and follow all state and federal rules and policies. We participate in the USCG 5-star safety vessel program and have been awarded 4 stars (the 5th one is lacking due to the size of our onboard zodiac).

We spend thousands of dollars annually to sell our trips at sportsmen's shows in the lower 48. The number one comment we heard this year at the shows was if Alaska limited the halibut catch to one per day or an annual limit of 4, then potential clients would journey to Canada instead for their halibut fishing. Since there are already King Salmon limits imposed, to further impose strict halibut limits will deter the tourist from coming all the way to Alaska, when they could easily go to Canada on the road system and catch more fish. While I agree that something must be done, let's not jeopardize charter industry in Alaska due to over-conservative measures.

I am bothered by some of the proposed dialogue for future regulations and policies that could be imposed on the charter industry. Data has shown that a sport caught fish is worth much more in dollars than a commercially caught fish for our state. Our clients come in at least one day prior to beginning the trip with us. Some come in several days prior and spend all the time sightseeing in Juneau. Some stay a day or two in Juneau after the trip is over with us. Each client we take spends thousands of dollars to go on our trip, plus airfare, hotel, food and drink in Juneau, rental car in Juneau, entertainment and shopping in Juneau. We sell fishing licenses onboard, pay docking fees, moorage fees, buy all of our food and supplies in Juneau, fuel, repairs and maintenance etc. Our annual permits and licenses, office supplies, concessionaires fees with Glacier Bay, and much more adds up to \$100,000 per year. We are a small mom and pop business but we contribute 97% back to Alaska. Multiply that by the number of charter operators in this state and it adds up to millions of dollars. Our voice may not be as strong as commercial fisherman, but our contributions/revenues to the State are astronomical.

As for charter halibut allocations, I would like to recommend a fixed allocation of at least 2.3 million pounds in Area 2C and 4.5 million pounds in Area 3A. In light of the most recent logbook data being presented by the State, this higher allocation is necessary and only fair to continue to contribute to the State's economy in this industry.

I'd also like to comment on a proposal of the possible retention of halibut carcasses as well as not being able to process when a liveaboard is not in a port for 3-5 days. We often anchor out in secluded coves in Glacier Bay or elsewhere before we arrive at the ports of Elfin Cove or Pelican 4 or 5 days later. The quality of our product will suffer if we can't get it processed in a timely manner. When we drop our clients back off at the airport on the last day of their trip, their fish boxes are ready to go when we hit the dock. They generally have about 30 minutes to get to the airport and get checked in once we arrive at Auke Bay. How are we suppose to deal with processing and freezing if we can't take care of the catch on a daily basis? I feel like we are being treated as guilty until proven innocent regarding our reporting of catch.

Any logical person could look at our log book, match up the estimated poundage with what is in our freezer and be able to tell if we are retaining more fish than we are recording (which we wouldn't do). Maybe you should allow for length of fish to be written in the log books so a total tally can be made in estimated poundage compared to what is being retained?

I thank you for allowing us the due process of commenting on these issues. Please help us stay in business to live year-round in Alaska and continue to help support others financially through our business to live here as well.

Respectfully,

*Craig S. Loomis*

Craig S. Loomis  
First Out, Last In Yacht Adventures

PLEASE COPY DAVID WITHERDELL, JANE DICOSOMO

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**Adventure Charters and Marine Services, Inc.**

**508 Canyon Rd or Slip 4-1-Thomas Basin, Ketchikan, Alaska 99901**

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Small Vessel Towing Assistance

Fishing Charters  
Hunting Charters

March 26, 2008

This letter is sent via facsimile to: (907) 271-2817

MAR 26 2008

National Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Suites 306  
Anchorage Alaska 99501

**SUBJECT: Request for addendum to the Moratorium Guidelines concerning Charter Vessels**

Although the International Halibut Commission has again determined the process for which Charter Vessels will qualify to continue providing Halibut Charters to the Public, I would like to request that further consideration for long term charter vessels who were registered in past years with the Pacific Halibut Commission prior and including the State of Alaska LOG BOOK program to be qualified to fish halibut for hire.

This request for public hearings are in light of the inconsistencies between the State of Alaska Log Book instructions and unintentional misinformation by the enforcement and fisheries divisions that halibut reporting was not under the jurisdiction of the state during qualifying years. Many charter boat operators did not report halibut catch and/or effort in the logbooks, especially when halibut alone were targeted. Please honor this request for public hearings in fairness for all so that these issues can be addressed and long term participants in this industry will not lose their livelihood.

For most Charter Fishing is a Cottage Industry here in Alaska. This industry has far reaching benefits within small communities, lodging, restaurants, air travel, and visitor shopping contribute to the local. 15 years ago the Department of Commerce and Economic Development stated that each sports fish caught contributed to over \$750 of revenue to the state. I don't know what that is today but even looking at old information it is important not to consider that point.

**For myself and others alike may fall trap to the recent rulings by the commission, our Company as well our previous Company (Seldovia Sport Charters & Ecotours LLC. have been providing Halibut Charters for the public for many years. Vessels associated with these companies have been registered with the International Halibut Commission and later with the Alaska Department of Fish & Game when log books were required by the State of Alaska.**

**Our present company Adventure Charters & Marine Services, has been a full time year round operation providing fishing charters and water transportation from Kodiak, South-central, and Southeast Alaska. We are well known even within your council and have testified to you in Anchorage as early in the mid 1990's. We have been consistently active every year in this industry. We urge your council to for the fairness for all to honor this request**

**Sincerely, William Spencer**

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## **Adventure Charters and Marine Services, Inc.**

**508 Canyon Rd or Slip 4-1-Thomas Basin, Ketchikan, Alaska 99901**

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**Fishing Charters  
Hunting Charters**

**March 26, 2008**

**This letter is sent via facsimile to: (907) 271-2817**

**National Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Suites 306  
Anchorage Alaska 99501**

**I think it would be better and clearer for our company to state our position first but I hope you continue to read the rest of this text. The fisheries need to be protected and we need to be fair to all.**

### **Our Position:**

**FOR AREA 2C: TWO HALIBUT PER DAY, NO MORE THAN 6 HALIBUT PER YEAR FOR NON RESIDENTS, CONSIDERATION OF A SLOT LIMIT THAT TARGET MALE HALIBUT FOR CHARTER VESSEL OPERATIONS, AND OVERALL LENGTH LIMIT FOR IFQ HOLDERS TO RELIEVE PRESSURE AND ALLOW LARGER FEMALE HALIBUT TO SPAWN AND REPLENISH DEPLETING STOCK.**

**Our Company as well our previous Company (Seldovia Sport Charters & Ecotours LLC. has been providing Halibut Charters for the public. Vessels associated with these companies have been registered with the International Halibut Commission and later with the Alaska Department of Fish & Game when log books were required by the State of Alaska.**

**Our present company Adventure Charters & Marine Services has been a full time year round operation providing fishing charters and water transportation from Kodiak, South-central, and Southeast Alaska.**

**Adventure Charters & Marine Services the protection of all wild stock, fair resource allocation to both sports fishermen and commercial endeavors as well.**

**Area 2C has already the highest limitations of any other Areas in Alaska. Area 2C limits vessels to six fishing poles in the water where as all other locations in Alaska can have as many poles as paying sports fishermen. In other parts of Alaska have not restricted the much safer and more cost effective "Inspected" vessel where more that 6 passengers are allowed on board to fish.**

**For my region based out of Ketchikan having over 800 square miles of fishing area from Throne Bay right down to the Canadian Boarder there are not more that 25 vessels participating in daily basis halibut charters.**



**Southeast's regulations that already exist present an economic hardship and safety issue to the industry already. Smaller "uninspected" vessels have that are limited to 6 passenger are the standard of this fishery. Larger as well "Inspected" vessels do not have the efficiencies as smaller vessels but do provide greater safety.**

**To further limit the halibut charter boat catch will collapse the industry here in Southeast Alaska. Non Resident Sports fishermen will go out to South-central Alaska, Kodiak, or out in the Aleutian Chain where 2 halibut can be caught daily with no annual limit for less money. Flights into Anchorage and Charter Boat fees are considerable less than Southeast.**

**For my own business, I may have to return deposits to my customers whom have already booked for the 2008 season and will loose further revenue because of these proposed regulations.**

**I do however support a 6 fish limit for the 2008 season only for non residents. I agree that the fishery needs to address the catch issue but one fish per day will cause a collapse of this industry in Southeast Alaska.**

**Sincerely, William Spencer**

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

MAR 1 2000

Dear Chairman Olson:

Please allow me to introduce myself. My name is Ben Ng and I am the owner and operator of ALASKA SEASPORT ADVENTURES, primarily a sport fishing charter operation. I have operated this small business since 1995, starting out in Kodiak and moving my operation in 2000 to Juneau. Let me also add, that I have harvested halibut commercially since 1979 as a crew man aboard several longliners in Alaska, but did not qualify for any IFQ's as a crewman. Sport caught fish is one of Alaska's most valued-added resources and we can all agree that tourist dollars add mightily to our local economy. Now, my clients' fishing experience in Southeast Alaska could be greatly diminished by reducing the daily bag limit by 50%. This will no doubt lead to cancelled bookings and lost revenue for all in our industry.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry - a vital part of Southeast Alaska's economy - to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions

would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

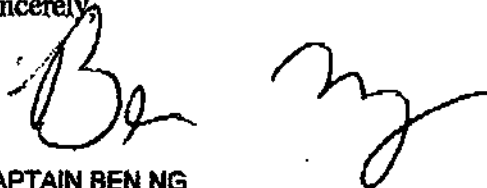
The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today.

Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Sincerely,



CAPTAIN BEN NG  
ALASKA SEASPORT ADVENTURES  
10408 FOX FARM TRAIL  
JUNEAU, AK 99801  
907-790-3154  
907-230-5791 CELL  
907-790-4548 FAX  
BENFISHNG@AOL.COM

March 26, 2008

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

MAR 26 2008  
MORNING

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska. For many of my clients, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished significantly. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

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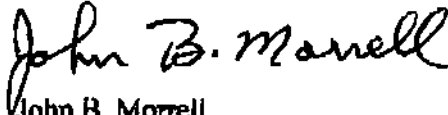
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Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



John B. Morrell  
Sitka Sound Charters of Juneau

**Juneau Charter Boat Operators Association  
P. O. Box 34522  
Juneau, Alaska 99803**

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**Chairman Eric Olson  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252**

3/26/2008

**Dear Chairman Olson:**

The Juneau Charter Boat Operators Association represents some 20 independently owned guided sport fishing businesses located in the Juneau area. Our membership ranges from cruise based charter operators to full service fishing lodges. We are writing to comment on Agenda item C-6 Charter Halibut Management.

**Initial Allocation**

We feel there was not enough analysis done by the Council on the economic impact to charter/lodge operators and coastal communities by reductions and redistributions of catch limits below healthy industry levels due to the allocation options available.

We believe the initial allocation should include an option that reflects a healthy charter industry as represented on the control year of the moratorium. Option 2: c. fixed pounds. 1.9Mlb for 2C is closest to the actual catch on that date (Dec. 9, 2005) However that amount is 3% (52,000 lbs) below the actual catch while Option b. is 14% below and Option a. (the current GHL) is 28% below the actual catch on the control date. As fixed costs are high and rising and the charter fleet can not readily adapt to changes in catch limits should any of these options be adopted it would likely trigger the bankruptcy of some operators in the first year of implementation. This possibility needs to be weighed in the analysis.

If we draw a straight correlation between harvest and operators in area 2C, Option 2:c. would bankrupt 3% of the halibut fleet in the first year while Option 2:b. would bankrupt 14% of the existing fleet, and option 2:a. would bankrupt 28% of the existing the fleet. As many permit holding

***Juneau Charter Boat Operators Association  
P. O. Box 34522  
Juneau, Alaska 99803***

vessels would be part of multi-boat lodge operations, the impact would probably be more severe as the loss of income of one boat could bring the entire operation into bankruptcy. There is no analysis on the economic impact on the entire region should option 2:a, be adopted and there is a 28% reduction in guided sport fishing harvest. We would like to see an analysis of what the economic impact would be to communities where these operators are based for each of these options?

Additionally we would like to see an option included for analysis that makes allowance for CQE that the Council included in the Moratorium. With a potential influx in CQE participants another 10% of the existing industry in area 2C would be shifted away from current community economies. What will happen to large operations like Waterfall when 38% of the current 2C halibut harvest is removed from their potential catch? How will the Prince of Whales economy be affected?

As CQE operators access the allocated resource more existing operators will likely bankrupt. Essentially for every operator that enters under the CQE provision an existing operator must be eliminated or worse the loss will be disbursed over the entire fleet until a tipping point is reached where entire segments of the existing industry will be pushed out by new CQE entrants. We would like to see some analysis of how this shift in effort will impact communities that lose existing businesses?

If in setting an initial allocation the intent of the Council is to preserve a healthy charter industry that contributes economically to the communities where it presently exists then a higher option should be included for analysis that considers the above inevitability. We recommend as a minimum the 2005 charter harvest plus at least 10% in area 2C to allow for CQE or 2.11Mlb. We feel this amount would minimally preserve the status quo of a reasonably healthy charter industry under the terms of the moratorium as passed by this Council.

**Status Quo**

In order for a reasonable analysis to proceed it must use the 2005 control year for status quo. That was the last year of the traditional 2 fish any size, no annual limit, skipper crew retention as well as the control date

***Juneau Charter Boat Operators Association  
P. O. Box 34522  
Juneau, Alaska 99803***

year. That is the status quo. That is the traditional regulation that the guided sport fishing industry has lived under for decades. This is the status quo that our livelihood depends on.

The status quo the EA/RIR uses is 2008 and it assumes that the 1 fish bag limit and 4 fish annual limit will be signed into law. These limits have not and might not be signed into law. By definition status quo is an existing state of affairs. The one fish limit is a proposal; a proposal is a plan for consideration. This is a flaw in the analysis that undermines the very bedrock of the EA/RIR. The status quo of a healthy charter industry is pre 2006, which is clearly demonstrated in area 2C by the drop in harvest brought on by emergency regulations in 2006 (non-retention by skipper and crew) and 2007 (the minnow rule.) Those regulations not only brought a drop in harvest they brought a drop in economic benefit for charter operators. They were not promulgated for resource conservation reasons they were promulgated for the economic benefit of one user group over another. The only reasonable status quo is 2006, prior to regulation modifications that were implemented to reduce the charter catch.

To use proposed regulations that indisputably bring about a collapse to the charter industry as status quo is to concede the charter sector is dead on arrival to the analysis. We feel that the EA/RIR needs to be reevaluated using a healthy charter sector as a model. That model is a two any size fish bag limit, no annual limit, captain and crew retention as it was at the time of the control date in 2006.

**Problem Statement**

If the intention of the Council is to "balance the needs of all who depend on the halibut resource for food, sport and livelihood" as the Problem Statement for *December 2007 Council Action Charter Halibut Interim Measure; Initial Allocation and Future...dated 12/6/07* declares, then it should be as important to preserve a healthy Charter sector as it is to preserve the income of commercial IFQ holders. Both sectors depend on the halibut resource for livelihood. It should be as important to preserve the value of the charter industry to the economies of coastal communities as it is to preserve the value of the commercial fishing industry to these



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same communities. The best possible option is to have both industries thrive.

The EA/RIR says in its Problem Statement that:

(1) Pressure by charter operations may be contributing to localized depletion in several areas.

This statement is vague and unsubstantiated. Many factors contribute to localized depletion including D class commercial halibut boats, the blanketing of migration corridors by the long line fleet and environmental changes.

(2) The recent growth of charter operations may be contributing to overcrowding of productive grounds. Again vague and unsubstantiated; overcrowding is a relative term; to which productive grounds does this statement pertain? According to the IPHC there are no resource depletion issues. Charter halibut operations in 2c have actually declined in recent years.

This problem statement has grown stale and needs to be revised. The arbitrary and unsubstantiated wording needs to be eliminated and the purpose needs to be brought up to date. The EA/RIR assumes the economic benefit of the long line halibut fishery is far greater than the economic value of the guided sport fishing industry to local communities without any recent facts to back it up this premise.

It goes on to state the purpose of this action is to reduce the charter harvest to the GHL. The Abstract states that it examines alternatives intended to bring the charter harvest down to 1.217Mlb, the GHL adjusted for the coastwise assessment model. This action would in effect cut the charter harvest nearly in half from the healthy 2006 model. The IPHC makes it clear that no halibut resource problem exists. Therefore, to cut the charter sector's portion of the historic harvest is purely allocation.

The NPFMC adopted the GHL to address the open-ended reallocation of halibut from the commercial to the guided sport sector and to provide a measure of stability to the halibut industry and coastal communities while the NPFMC develops a long-term plan for the guided sport sector.

This long term plan has taken over ten years and still we labor with it. In that decade the economy of Southeast Alaska has evolved. The timber

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Juneau, Alaska 99803***

industry has faded and been replaced by sport fishing as a major economic force to many communities. To suddenly push the charter sector back to 1995-1999 levels will have an economic impact similar to what the collapse of the timber industry had before. The economic factors that drove the GHL have changed. Now, coastal communities are beginning to depend on charter revenues as much as commercial fishing revenues, in some areas like Prince of Whales Island perhaps more. The GHL solution that may have helped these communities in the early 90s could damage them now.

To bring the guided sport sector back down to the GHL will create an economic hardship which falls short of the Council's stated purpose to "balance the needs of all who depend on the halibut resource."

Cutting the healthy model (2006 harvest plus the growth from CQE built into the moratorium) by nearly 50% will bring a complete collapse of the lodge/charter industry as it exists today. This suggests an effort to sacrifice one user group to the benefit of the other, a far cry from balance. The resultant collateral damage will bring economic hardship to all who work within the charter industry, those who provide secondary services like processing, food, fuel and local transportation, those who bring sport fishers to Alaska and state and community governments that will suffer reduced incomes from license sales and taxes. We feel these issues need to be addressed in the ER/RIR.

The inconsistencies in problem statements, old baseline data for the establishing GHL and the economic impact to communities need to be brought into prospective with 2008 realities. It is myopic to think that holding the charter sector to an arbitrary number based on decade old information is economically OK, even if it precipitates a collapse of the industry. It is like suggesting that the long line fleet should be held to the x-vessel price of halibut in 1995 forever because it seemed like a good price then--irrespective of market conditions in 2008.

**Conclusion**

Regardless of the GHL, the people involved in the charter industry and the communities where these businesses are based rely in the healthy charter model for their economic well being. To suppress the charter industry to

***Juneau Charter Boat Operators Association  
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Juneau, Alaska 99803***

the GHL or to base an allocation amount on a lower than optimal harvest level will bring hardship to the families and communities who rely on the charter industry for their livelihood in real time. These hardships need to be weighed and measured against the benefits of this action. To not carefully weigh the consequences of this action before implementation is poor management, poor planning, and could cause grave and unnecessary economic hardship to the very communities the Council was seeking to protect.

We would like to see the following included in the evaluation:

1. Initial allocation option that represents a healthy charter industry: at least 2.11Mlb for area 2C and 4.77Mlb fixed.
2. Use the 2006 healthy model of the charter industry as Status Quo.
3. Revise the problem statement and the spirit of the analysis to the intent of balancing users rather than reducing the charter based economy to improve commercial based economy. We feel this is fundamental to the Magnusson-Stevens Act and can be done by evaluating the consequences resulting from the proposed allocation options to include economic hardship to the charter sector and to local economies.

Sincerely,



Chris Conder, Vice-President

## Alaska Adventures Unltd. Inc.

Summer (April-Sept): P.O. Box 6244 Sitka, AK 99835  
Winter (Oct.-March): P.O. Box 771328 Steamboat Springs, CO 80477  
Phone: 907-747-5376 E-Mail: [akfish@gci.net](mailto:akfish@gci.net)

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501-2252

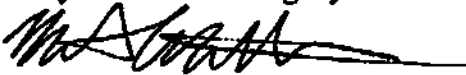
Dear Chairman Olson,

Charter fishing is a valuable industry that provides well paying jobs and millions of dollars to the economies of communities throughout Alaska. The Charter industry needs regulatory stability. Consistent regulations matter to our clients. Bag limits matter to our clients. Our clients typically book their trip and pay at least a 50% deposit 6 months to a year in advance. Their willingness to continue to do so will be hard to ensure in the face of uncertain regulations.

I feel that the fixed pound allocation options presently before the Council are insufficient to accommodate the charter fleet as it will exist under the moratorium, set Dec 9<sup>th</sup>, 2005. We need a fixed poundage allocation that makes sense. We need an allocation that allows the existing fleet to fish a 2 per day bag limit for the historic season. We don't need 3 fish during years of high abundance to ensure our clients come back but we can't count on them coming back for a 1 fish bag limit. Yes, some anglers will come, but due to the high operating costs associated with a charter business, even a 10-15% loss in bookings potentially marginalizes profit to the point it becomes necessary to seriously consider whether or not the business is worth operating.

The charter industry is conservation minded. If the IPHC decides that there is a conservation emergency such that halibut quotas for all users must be significantly reduced, I have no problem with the IPHC adjusting bag limits across all users to reduce harvest and protect the resource. If the charter fleet is facing a 1 fish bag limit because conservation is a concern, I think additional analysis of halibut wastage by the longline fleet (1 million pounds annually) and halibut wastage by the trawl fleet (12 to 16 million pounds annually) is needed.

Thank you for considering my comments.

  
Mike Wallisch

March 26, 2008

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

MAR 26 2008

Dear Chairman Olson:

On behalf of The Juneau Charter Boat Operators Association, I am writing you to express our considerable concern with regulations currently being considered at the next North Pacific Fishery Management Council meeting. The Council is faced with exceptional circumstances when considering proposals to allocate halibut between the commercial and charter fleets off Alaska. Depending on what regulations and measures are ultimately adopted, my business, and the economy of Juneau could be severely harmed. I wanted to express my concern over the effects that possible outcomes will have.

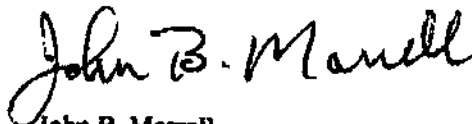
Sport caught halibut is one of Alaska's most value-added resources. National Marine Fisheries Service (NMFS) estimates a one fish limit would result in a 10%-30% fewer anglers which translates to 9,000 to 27,000 fewer anglers in Southeast Alaska. If each angler spent just \$500 per trip, an extremely conservative estimate since many pay twice that per day at lodges, that would be a direct loss of \$4.5 million to \$13.5 million. This does not affect just the Charter industry, this is money that will not go to fuel, bait, and food on the boat, it will not go to hotels, rental car agencies, restaurants, additional tours, and the many souvenir shops, and the losses of these businesses will affect all of the local retail businesses.

Because of high fixed operating cost, most of the charter industry is working with a very small profit margin. A 10% to 30% loss of business will have a devastating effect, which for many businesses it will not be possible to survive.

The appropriate action in this case would be to adopt a halibut catch sharing allocation which would allow the charter sector to continue to offer anglers two halibut a day during a season of historic length.

Alaska businesses need a Charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the Charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2% of the average amount of halibut allocated each year by the IPHC to the fisheries off Alaska – is a reasonable solution. It is the level that most closely matches the charter catch in 2005, the year the Council chose as the control date for the charter fleet moratorium.

Sincerely,



John B. Morrell  
Sitka Sound Charters of Juneau

**Rum Runner Charters**

P. O. Box 210954  
Auke Bay, AK 99821  
907-789-5482



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

MAR 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in Southeast Alaska, and each year, I take over 600 on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has

already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

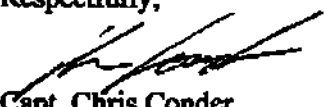
The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska's economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



Capt. Chris Conder  
Rum Runner Charters  
POB 210954  
Auke Bay, AK. 99821



## The Whale's Eye Lodge

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Auke Bay, Alaska

99821

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[www.JuneauAlaskaFishing.com](http://www.JuneauAlaskaFishing.com)

NPFMC

605 W. 4<sup>th</sup>. Avenue

Anchorage, Alaska 99591

3/21/2008

MAR 21 2008

Agenda item C-6

Dear Council Members,

My family and I operate a small fishing lodge on a remote island near Juneau. We started building our lodge in 1986 and opened for business in 1993. Our Lodge caters to from 2 to 6 clients at a time and operates June through August. My wife and I, and my son and his family derive all of our income from our small lodge operation. From the time we began operation our clients have harvested approximately 150 to 200 halibut per year. We have not increased our catch or our capacity nor do we intend to.

I am writing again to ask that the North Council consider an allocation that provides the charter industry enough fish so my family business can survive. After several years in day charters and 15 years of lodge operation we still live with the uncertainty that our income and investment could vanish with a Motion of the North Pacific Fisheries Management Council. We have lived through several attempts at a moratorium, a GHL that was implemented without constraint of new participants, increasing pressures from the commercial industry to curtail growth in the charter harvest and for the last two seasons a one fish limit hanging over our heads like a guillotine.

Through all this we have faced no resource emergencies. Our small family business has practiced what I consider good management. We face no debt issues. We have striven to conduct ourselves in a sustainable manner. We use the most energy efficient equipment we can afford and make use of alternative fuel when we can. We recycle our renewable waste products. We operate within the law and we encourage our clients to harvest only what they need. We contribute to the economy of our community. The only failure I can identify is our failure to present ourselves as worthy of a reasonable allocation from this Council.

As I write this we are waiting for a final decision from the Secretary on the June 2007 Council Motion to restrict 2-C charter bag limits to un-marketable levels based on projections known to have inflated the charter harvest by more than twenty percentage points.



Where fishing is a way of life



I can only judge the intent of this Council from its actions and the actions of this Council so far indicate what appears to be a willful intent to bankrupt long standing lodge and multi day operations to maintain the value of commercial IFQs. I hope I am wrong. I would like to think that balancing the harvest between users is paramount on your minds. I would like to think that a healthy commercial fishery existing along side a healthy charter fleet is the primary goal of this Council in making halibut allocation decisions. I strongly feel that both industries, flourishing, is the best possible option; best for the communities, best for Alaska and best for the prosperity of our children.

If the intent of the Council is to maintain a viable lodge and charter industry in Alaska under the moratorium then it is imperative to consider a healthy charter industry option for analysis. This option needs to represent a full season two fish bag limit, no annual limit, skipper crew retention. I request that a fixed pounds option of 2.2Mlb for 2C, 4.7Mlb for 3A be placed in the fixed pounds menu for analysis.

Thank you for your consideration in this matter,

Rick Bierman

3/26/08

Dear N.P.F.M.C.

I've been halibut fishing commercially in area 2-C since 1975. Since the IFQ program went into effect in 1995 my family & I have purchased 2/3 of the Quota share we currently hold now. The 2007/2008 Quota reductions have been painful to our fishing business, but we support the reductions for conservation sake. We're still making payments on our IFQ's. My kids are going to college on their fishing money so the quota cuts have affected their college funds too.

I don't support Quota share we've bought being reallocated to charter operators. I believe all longliners and charter operators, sport fishermen should share in resource conservation. The current GHL should be a percentage that fluctuates with abundance. I also support the Council providing charter operators to be able to lease QS, investing in the halibut resource as I have done.

Sincerely, Marty Remund

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

Phone (907) 568-2226



# Alaska Longline

## FISHERMEN'S ASSOCIATION

403 Lincoln Street, Suite 237 Sitka, Alaska 99835

March 26, 2008

Chairman Eric Olson and Council Members  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501

Dear Chairman Olson and members of the Council,

On behalf of the Alaska Longline Fishermen's Association (ALFA), I am submitting the following comments on **Agenda Item C-6 Regulatory Amendment for Catch Sharing Plan between the Halibut Charter and Setline Industry in IPHC Regulatory Areas 2C and 3A.**

### The Interim Management Plan

As the Council is well aware, ALFA has participated in efforts to address the uncontrolled growth in the halibut charter sector for the past 15 years. ALFA proposed a number of the elements currently included in the proposed interim Catch Sharing Plan, including quota share leasing opportunities for individual charter operators (crossover proposal) and uncoupling charter harvest from the setline harvest (separate accountability). When the initial draft of the Interim Plan mandated closure of the charter season if the GHL was reached, ALFA joined the work group to develop an alternative less onerous to the charter industry. ALFA stood before the Council with representatives of both the charter and setline industry to express support for some of the elements of the catch sharing plan that are currently before you. ALFA continues to support those elements that address the Council's problem statement, both problem statements specific to this issue and problem statements that have guided development of the halibut charter management plan since 1993.

That said, ALFA's support of the Catch Sharing Plan has been significantly compromised by elements and options that exacerbate, rather than address issues identified in the problem statement—namely uncompensated reallocation of quota between sectors and allocations that uncouple the charter sector from abundance. These options DO NOT address the Council's problem statement; in fact, they do exactly the opposite, promoting instability and further imbalance between "the needs of all who depend on the halibut resource for food, sport or livelihood." (Problem statement guiding this amendment) For reasons discussed in more detail below, ALFA recommends these options be dropped from the analysis.

*Note: Although most included statistics are specific to 2C, these comments have equal bearing on both 2C and 3A.*

**Defining the Problem**  
Element 1-initial allocation

COASTAL MARINE RESEARCH  
fishes, habitats, and fisheries



VICTORIA O'CONNELL  
fisheries consultant

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v.oconnell@att.net

March 26, 2008

Chairman Eric Olson and Council Members  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Dear Eric and Council Members,

I am writing to comment on agenda item C-6: Regulatory amendment for a catch sharing plan between the halibut charter and commercial longline sectors in IPHC regulatory area 2C and area 3A. I am a retired ADF&G groundfish biologist having worked for ADF&G for over 25 years. My comments largely surround the conservation and management needs for sustainable resource management.

I was encouraged to hear Governor Palin address fisheries management in her State of the State address with these words "*We're supporting our tremendous fisheries – for 150 years they have been the economic and social heart of our coastal communities. They define and sustain us, and I will not let politics interfere with management-for-abundance of our largest private sector employer*".

Abundance-based management is the only acceptable approach for sustainable management of resources and Alaska has lead the world in conservation-based fisheries management. It is unacceptable to have options that are not tied to abundance move forward for further analysis. Please remove Options 2 and 3 from Element 1. Under the current stock assessment and the 0.93 charter industry GHL, most of the alternatives under these options exceed this year's GHL. By setting the charter industry allocation to a percent based on abundance they will become more responsible resource stewards and will benefit from this directly. The IFQ system has directly increased the resource stewardship of commercial setline fishermen – this stewardship is unlikely to continue if setline fishermen are penalized because of unregulated growth in a new industry.

I would urge the Council to use the same standards and principles used to manage commercial fisheries for management of the charter industry. This industry has been poorly managed for years, resulting in large over runs of their GHL. It would be a terrible

Victoria O'Connell

2 of 3

precedent to allow this sector to benefit directly from poor management. The industry has been on notice that they were expected to be managed for the published GHL levels and the fact that their catch may have exceeded these levels is not a relevant starting point for discussion of reallocation. The commercial sector clearly has more demand for halibut than their quota but is well managed to hold harvest to their allocation. Do you really want other commercial fisheries to exceed quotas in an effort to have more resource allocated to them? It is almost ridiculous to think the Council would reallocate resource under this scenario but somehow the charter industry is held to a lesser standard than other industries.

Catch accounting is critical to stock assessment and sustainable fisheries management. It is very clear from the recent ADF&G report evaluating the charter logbook program that neither the SWHS nor the logbook program accurately represents catch. I am troubled by procedure to edit the SWHS catch numbers to the bag limit when differences are greater than the bag limit but small, and make an uninformed decision on edits when differences are great. The logbook data provides a timely method of collecting information and is likely to be more valid than the SWHS but only if there is independent verification of that data. Creel samplers should be required to collect all logbook pages when approaching a skipper for an interview and they should be required to count all halibut landed from interviewed trips. If current funding is insufficient for this purpose the charter business should be assessed a fee, similar to the IFQ program, to help pay for enforcement and management of their fishery. I suggest that license holders should be required to legibly sign the back of the logbook page for their trip verifying the catch. This would make logbook pages more similar to fish tickets and tie anglers and guides to the trip. This would also allow ADF&G or NMFS to subsample trips for secondary interviews of clients.

I encourage the Council to read the National Academy of Science Report "Review of Recreational Fishing Survey Methods" (<http://www.nap.edu/catalog/11616.html>). I encourage staff to consider contracting Dr. Lynne Stokes (SMU) and Dr. Jay Breidt (CSU), statisticians who served on this panel, to review and evaluate charter catch accounting.

Finally, please consider the impacts of any increase in charter allocation to rockfish stocks. In area 2C the demersal shelf rockfish allocation was made by the Board of Fisheries to allow bycatch of DSR during charter halibut fishery and is not sufficient to allow increase in harvest. The charter allocation of DSR was exceeded in 2007.

Thank you for the opportunity to comment.

Sincerely,



Victoria O'Connell

March 25, 2008

MAR 25 2008

Chairman Eric Olsen and Council Members  
North Pacific Fishery Management Council  
Anchorage, AK

Re: Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and  
Commercial Longline Sectors in IPHC Regulatory Area 2C

Dear Eric and Council Members,

In the commercial fishing industry there are many variables and there are many risks. However, one thing is sure. Conservation of our resources is absolutely necessary for sustainability. Conservation and sustainability takes management. Through management and effective enforcement of these principles, the commercial fishing industry has sustained. We need to manage all users groups and hold them to the same standards. The charter fishing industry needs to be held accountable for their actions and given the necessary tools for a successful, sustainable fishery that stays within their allocation. To do this we support changing the GHL to an allocation with a direct correlation with growth and decline of the halibut biomass. We support a charter industry allocation of 13% of the 2C Fishery CEY. This is equivalent to their original GHL (which gave 25% for growth), and is also equal to the recent 3 year average percent of Fishery CEY and the 2008 percent of Fishery CEY.

If growth is necessary in the charter industry, allow them to lease quota share so that the cost of their growth is paid by them and not at the expense of the commercial fleet. Quota share costs money and the commercial fleet has invested heavily in this federal program. Uncompensated reallocation will destroy many commercial businesses and increase the tensions between these two sectors.

We ask the Council to remember that the purpose of this amendment is to reduce tensions in coastal communities by setting a hard allocation and designing a program that compensates the commercial sector for any future reallocations.

Thank you for the opportunity to comment.

1

*Kelsey Skardahl*

2

*Marie Marie* F/N Kelly Marie

3

*Jan Skardahl*

4

*Kasper Harvey*

5

*Ellen Brown* F/N DUNCAN

61

*John Be* F/N The Chaser

Petition Letter  
Catch Sharing Plan between Halibut Charter and Commercial Area 2C

March 25, 2008

- 6 ~~Darrell Ormrod~~
- 7 ~~Piphat Hooker~~ F/V JACKPINE
- 8 ~~Allen Ormrod~~ Deck hand
- 9 ~~Charles L. Bowring~~ F/V SHAMROCK
- 10 ~~Ray M. Gouker~~ Sitka Resident
- 11 ~~Mike Harrison~~ Superior Khand
- 12 ~~Roger Reed Jr.~~ F/V Sea Wolf
- 13 ~~Ben Crow~~ Low Ent
- 14 ~~Travis Miller~~ Sitka Resident
- 15 ~~David Johnson~~ F/V Nor'wester
- 16 ~~Jesse Pepper~~ F/V Coral
- 17 ~~Jason Andersen~~ F/V SEA HUNTER
- 18 ~~Ashley Barrett~~ ASHLEY BARRET Sitka Resident
- 19 ~~Cory Welsh~~ Cory Welsh SITKA RESIDENT
- 20 ~~Patrick Cronan~~ Patrick Cronan Captain
- 21 ~~Mike Doyle~~ Mike Doyle F/V Coral Lee
- 22 ~~Shawn Davis~~ Shawn Davis F/V Coral Lee
- 23 ~~Ocean Mays~~ Ocean Mays F/V Coral Lee
- 24 ~~Nick Nekeferoff~~ Nick Nekeferoff F/V Coral Lee
- 25 ~~Michael J. Mayo~~ MICHAEL J. MAYO 2818 SUMMIT CREEK Rd Sitka
- 26 ~~Cale Luduke~~ Cale Luduke F/V Coral Lee
- 27 ~~Frank Balovich~~ Frank Balovich F/V Coral Lee
- 28 ~~Susan Doyle~~ Sitka Resident

Petition Letter  
Catch Sharing Plan between Halibut Charter and Commercial Area 2C

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March 25, 2008

- 29 ~~Walter F. Boelmer~~ F/V Christopher K
- 30 ~~W. B. Best~~ F/V moonlight
- 31 ~~William A. Walsh~~ F/V Yankee
- 32 ~~Roger D. Britton~~ F/V ESCAPE
- 33 ~~Andrew Flam~~ F/V ROZETTA
- 34 ~~Jennifer~~ F/V Cusey Point
- 35 ~~Susan E. Young~~ F/V eldswich
- 36 ~~Thomas P. Poirer~~ F/V Lecward
- 37 ~~Bob Young~~ F/V Spun
- 38 ~~Stephen Elgiss~~ F/V Bertha R
- 39 ~~John Kelly~~ F/V Doric
- 40 ~~Robert Sellers~~ F/V TANYA
- 41 ~~Paul Olson~~ F/V odyssey
- 42 ~~Morgan Wallace~~ F/V Odyssee
- 43 ~~Bruce H. Wallace~~ F/V ODYSSEY
- 44 ~~Jamie McElroy~~ M/V wave walker
- 45 ~~Jim Vitek~~ F/V FreyJA
- 46 ~~John R. Swanson~~ F/V Logan T.
- 47 ~~Del Mc~~ F/V Jennifer Lee
- 48 ~~Crystal Buckmaster~~ T. glen
- 49 ~~Keith Mork~~ Deckhand
- 50 ~~Jamie Shuffell~~ Sea Dog
- 51 ~~\_\_\_\_\_~~ F/V JUANITA C



Petition Letter

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March 25, 2008

Catch Sharing Plan between Halibut Charter and Commercial Area 2C

\_\_\_\_\_ Jake Sturrock F/V Erin K

\_\_\_\_\_ Lyndsey Jensen F/V Erin K

\_\_\_\_\_ Matt Marinkovich F/V Discovery

\_\_\_\_\_ Michael Michaelson F/V Discovery Box 809  
P.O. Box 1001509

\_\_\_\_\_ George Gertsen F/V Discovery 5127 144<sup>th</sup> St SE Everett WA  
98208

\_\_\_\_\_ Ronald Pedersen F/V Discovery

\_\_\_\_\_ Brett A Heller Brett A Heller

\_\_\_\_\_ Crosby Hellaen Crosby Hellaen

\_\_\_\_\_ Scott K. Soline Scott K. Soline Bx 3183 SITKA AK

\_\_\_\_\_ Adam B. McLeod Adam B. McLeod Sitka Resident

\_\_\_\_\_ Matt Strommer Matt Strommer Sitka

\_\_\_\_\_ Jake LaDuke Jake LaDuke Commercial Deckhand

\_\_\_\_\_ Darren LaDuke Darren LaDuke Sitka Resident

\_\_\_\_\_ Juliane Strommer Juliane Strommer Sitka Resident

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MAR 7 2000

Dear N.P.F.M.C. members,

My name is Kay Laird and we have three grandchildren and two sons in law who spend alot of hard earned money to buy I. & Q.s to commercial fish.

Regardless of the recreation enjoyed by charter fishermen the business is very much a commercial endeavor. Since that is the case the owners should also invest in the future of the industry by buying I. & Q.s.

Commercial fishermen are held accountable for pounds caught so some kind of monitoring of the charter boats is also essential. One halibut bag limit for clients is reasonable if it is enforced.

I trust you to make wise decisions to guarantee fish for all the fishermen in the future.

B. Kay Laird  
111 Finn Alley  
Sitka, Alaska 99835

Mr. Eric Olson, Chair  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Sté 306  
Anchorage, AK. 99501

3/22/08

Dear Chair Olson,

I am writing to comment on the Halibut Charter Catch Sharing Plan. My name is Jeff Farvour, and I am a crewmember on a 46' longline boat in Sitka, AK.

Currently, I am trying to purchase some 2C Halibut quota because I would like to spend the rest of my life commercial fishing for halibut out of my home, Sitka (some think that I am crazy). I am struggling with the idea of investing so much, just to have it reallocated to the charter industry. A good portion of my income used to be made by commercial longlining halibut in 2C, but I have seen my paycheck diminished from the reduced catch limits in our 2C halibut quota. I see the quota reductions as a responsibility to resource conservation that is necessary for all user groups to support. I believe that this will ensure that all user groups and consumers will be able to enjoy Alaska halibut in the future. Some speculate that reduced catches bring higher prices, but we have yet to see that, nor should we depend on that assumption.

I support Alternative 2, Element 1, Option 1a as an allocation for the charter sector. I believe that all users of the halibut resource need to have limits that are connected to abundance-based management. If there were a need for even more halibut for the charter industry, I would support a lease program that allows a limited amount of IFQ halibut to be leased by the charter fleet.

An important reality to consider in this issue is localized depletion. The localized depletion problem around Sitka is growing and I am sure that it is significant in other communities as well. The amount of tensions here in Sitka continue to grow and I really don't see it getting any better until we get a handle on the newest business of high-impact resource extraction, the charter sector.

Thank you for the opportunity to give input on this issue.

Sincerely,



Jeff Farvour  
Sitka

March 26, 2008

Chairman Eric Olson and Council Members  
North Pacific Fishery Management Council  
Anchorage AK

MAR 2 2008

MEMPHIS

Dear Eric and Council Members

I began commercial fishing in Alaska in 1996. The recently implemented IFQ program was still being met with skepticism from many. Fisherman who were not originally issued quota were especially frustrated with the prospect using capital to purchase a right that other were issued. I have watched as that system has been proven a successful management pool of a limited and changing resource.

Last fall I purchased my first block of halibut quota. I leveraged what capital I had to purchase a small block of 2C halibut. I plan on continuing to invest in the halibut fishery to build a future for my young family. When I borrowed money to purchase my pounds, I understood that the resource was not infinite or static. I accept that quotas will be adjusted to protect the resource. Owning a quota share that varies with the biomass and management decisions has propelled me into political involvement. Stakeholders who are involved in the political process are an essential component to sustainable fisheries.

I urge the council allocate the halibut catch in all user groups based on the changing biomass of the resource. If the halibut charter industry is issued a static volume of fish to harvest, they will be exempted from political involvement. The fisheries need every stakeholder active in the sustainability of the resource. If all halibut harvested in Alaska are accounted for and managed there will be plenty of opportunity for all business who depend on this resource to succeed.

Stephen Rhoads  
Sitka AK  
f/v Bertha R

# Petersburg Vessel Owners Association

P.O. Box 232  
Petersburg, Alaska 99833  
Phone (907) 772-9323

March 25, 2008

Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
Via Fax: 907.271.2817

## RE: AGENDA ITEM C-6 CHARTER HALIBUT MANAGEMENT

Dear Chairman Olson and Members of the Council,

Petersburg Vessel Owners Association is a diverse group of commercial fishermen based in Alaska. We participate in a variety of fisheries statewide with our foremost interest being the commercial longline fisheries managed by the North Pacific Fishery Management Council. PVOA appreciates the opportunity to comment on the Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Area 2C and Area 3A, agenda item C-6.

*PVOA supports ALTERNATIVE 2, OPTION 1, SUBOPTION A*, which includes a fixed percentage initial allocation based on the current GHL formula (125% of the 1995-1999 average charter harvest) that floats with resource abundance.

### ELEMENT 1- INITIAL ALLOCATION

PVOA supports an abundance-based allocation based on the current GHL formula as it was originally established as that number was calculated by providing an extra 25% room for growth on top of historical harvest. Any GHL above the current GHL is encouraging a sector for exceeding allocation. An allocation based on fixed poundage is unacceptable as it does not promote stewardship for the resource that we are all dependant upon. Each sector needs to be held accountable for the health of the resource and a fixed poundage allocation does not accomplish that.

### ELEMENT 2- ANNUAL REGULATORY CYCLE

PVOA is in support of Element 2 that links and allocation to an annual regulatory analysis of management measures that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). Any underage would accrue to the benefit of the halibut biomass and would not be reallocated leaving halibut in the water and thus contributing to the overall biomass.

# Petersburg Vessel Owners Association

P.O. Box 232  
Petersburg, Alaska 99833  
Phone (907) 772-9323

March 25, 2008

Eric Olson, Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501  
Via Fax: 907.271.2817

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March 20, 2008

The Honorable Sarah Palin  
Governor of Alaska  
P.O. Box 110001  
Juneau, AK 99811-0001

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

MAR 20 2008

Dear Governor Palin and Chairman Olson:

All of us who have signed below are writing you to express our strong support for a fixed annual allocation of at least 1.9 million pounds of halibut in Area 2C and 4.15 million pounds of halibut in Area 3A for charter fishing off Alaska. Sport caught fish is one of Alaska's most value-added resources, and contributes tens of millions of dollars to the economies of coastal communities in Southeast and Southcentral Alaska.

Alaska needs a charter industry with stability. Adopting a fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A would provide for the continuation of the charter industry in Alaska as it exists today. Allocating 6.05 million pounds – only 8.2 percent of the average amount of halibut allocated each year by the International Pacific Halibut Commission (IPHC) to the fisheries off Alaska – is a reasonable solution. It is the level that most closely tracks what charter anglers caught in 2005, the year the Council chose as the control date for the charter fleet moratorium. 6.05 million pounds is far less than the 11 million plus pounds of halibut taken annually by commercial fisheries in the form of bycatch under rules recommended by the Council, and just 10.4 percent of the 58 million pounds allocated on average by the IPHC to the commercial halibut fleet off Alaska since 1998.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Charter operators cannot significantly increase or decrease capacity from year to year to adjust to annual increases or decreases in allocation. They simply can't build more rooms or put more people on a boat they don't have, any more than they can afford to mothball rooms or boats they do have. The charter fleet is also different from the commercial fleet because they do not sell pounds of fish, they sell a fishing experience, which is based on client expectations of the opportunity to catch fish. To remain competitive in the global marketplace, Alaskan charter operators need to reliably offer their clients the opportunity to catch two halibut a day, something they have traditionally been able to do for decades.

The North Pacific Fishery Management Council has adopted numerous different management regimes for fisheries off Alaska. Each is tailored to best meet the needs of that particular fishing industry segment. The Council needs to adopt a management scheme that makes sense for the charter industry, and should not adopt measures simply because they mirror how the commercial fleet is managed. A fixed pound allocation of at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A will provide certainty and stability for both the charter industry and the commercial industry. It will also ensure that the State, the North Pacific Fishery Management Council, NMFS, and the commercial and charter industry participants won't have to devote significant time and resources to annual changes in halibut regulations.





Bryan Bondioli  
P.O. Box 66  
Homer, Ak. 99603

March 26, 2008

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, Ak. 99501-2252  
Fax(907) 271-2817

I own and operate a halibut charter/adventure service out of Homer. I have been a participant in the fishery since 1992 and have made significant investments in my business. I experience an annual expense overhead in excess of 80%. Nearly every dollar I make is reinvested in safety gear or enhanced opportunities for my clients. I take home an annual personal income well below the National Poverty level. I At the time I started my business, and at this time I have a constitutional right to continue what I've built for myself.

I came to Alaska to live a life free of corrupt government and big money control, where I could make what I could for myself and just go fishing in the middle of nowhere and mind my own business. Well, since we know each other, that obviously has not happened. Throughout my involvement in "the process", I have learned how to properly address and testify before the Council. I have always been respectful and courteous, albeit generally poignant. I have really worked hard to work with the Council and not be counterproductive.

In order to fairly and reasonably analyze the "policy" and the options presented for an initial allocation scheme between halibut fishery sectors, it is imperative to review and evaluate the following considerations with respect to substantial negative economic impacts to the charter sector and its

communities, which are dependent on a healthy charter fleet and the tourism it generates, as well as, the safe access such a fleet provides the public to Their resource:

1. The history of GHl "Policy":
2. The affect on and perception of the guided recreational angler.
3. The "Need" and "Problem" for which the proposed action is a "Solution".
4. The DATA which defines and supports, or invalidates the "Need" for action and or the action itself.
5. The Economic Comparisons which justify or invalidate the "Need" or the "Fairness and Equitability" of substantially negatively impacting the livelihoods of the charter operator and causing significant economic hardship to the communities that depend a healthy charter fleet.
6. Viable options which are available and feasible, which are Not in conflict with current and applicable law, which will Not have burdensome and expensive administration and enforcement costs, and will Not have likely significant economic hardships imposed on Either sector or the communities which depend on them.

It all began in Dec .1991. The Council decide to "give away" the right to access a public resource(the Pacific Halibut) in an effort to promote safety at sea (that's ok those guys really needed some extra element of safety).

Immediately the commercially controlled advisory panel ( + 2.5 BILLION dollars of represented commercial interests (20) VS. 1 recreational voice) realized the potential windfall from the public resource and wanted it all before the infant charter fleet became aware of fisheries politics.

In Feb. of '92, a proposal had already been submitted, by the Alaska Longline Fisherman Association, to cap the charter fleet (and the unguided recreational angler), in order to "establish" a "right" to the halibut resource; based on the intent (and stated Purpose and Need) of "minimizing the reduction in QS value"; which was "caused" by "the dramatic and uncontrolled growth of the recreational sector". With the Advisory Panel comprised almost entirely of commercial interests, the concept was welcomed with open arms and they jumped at the opportunity to crush the infant charter fleet. In Nov. of '92, (the director of ALFA) was appointed to the Council and then all the fun really began. (Since that time, there has NEVER been a time when ALFA did NOT hold , at least 10% of the Council and Advisory Panel seats). (note: ALFA represents less than 10% of individual commercial QS holders; and over 90% of the largest QS holders, by volume).

By 1995, the commercial dominated AP and Council had masterminded a scheme to create "policy" before the charter sector and the recreational angler were even aware of fisheries politics. Realizing their plan would be in direct violation of National Standard #5 (of the mandate which dictates and authorizes their authority) which clearly states: "...no measure shall be solely based on economic allocation." (Particularly with respect to... a "give away" program.), as well as the spirit, intent, and 70% of the remaining Standards of the Magnuson/Stevens Act: and realizing the conundrum of legally justifying their action (in the face of such blatant disregard for #5), they brilliantly tossed in a few fishery "buzzwords" and a bunch of fog factor about community stability and socioeconomic well-being etc.

Since that time (with the exception of rescinding the fatally flawed IFQ program), the Council's intent has been to legally manipulate, procedurally circumvent, and politically wrangle to implement a terribly poor, inherently flawed, and, at best, questionably legal "policy". I don't understand why the Council refuses to pursue a management scheme that will be successful, legally founded, and truly "fair and equitable" to ALL users. (and not SOLEY for the exponential economic benefit of the 1129 individual members of the longline sector).

When I first confronted Chris Oliver, while he was speaking, as NPFMC executive director, at the NOAA "empowering communities" Conference quite a few years ago, the question I asked was, what responsibility does the Council have to the public; and how does anyone non-commercial be even recognized. I explained at the time that this question stemmed from my Council experiences when a huge number charter operators had spent hundreds of dollars of their hard earned money to stand before the Council and oppose ANY "unneeded" biologically unfounded GHL action. The Council completely ignored the needs and opinions of the industry and all those who supported them; and went on ahead with no consideration. Chris stated, at the time, that the Council was: **required to act in accordance with the Magnuson/Stevens Act and ALL of the National Standards, and thusly, were required to be responsible and responsive to ALL those that use an/or benefit from the resource; and that the way to be recognized, is to be "involved" in the Council "process"**.

Since that time, I have become absorbed. I have attended nearly every subsequent meeting, nearly every stakeholders meeting; I have submitted my name multiple times for various committees. I have spent thousands of dollars I don't have, and been away from my home for over a hundred days in the last several years. I, and many others, have given up all aspects of life to "participate in the Council 'Process'". (I personally have not been allowed to participate in committees or backroom discussions, because the Commercial (longline sector) controlled "Council Process" does not want to be held to ANY degree of legal or scientific accountability). Still to this day, the charter industry is NOT recognized (except for the small handful, willing to sell out their industry and the recreational angler) as having a valid credible voice. We are merely considered to be an annoying little gnat that stands in the way of the political, not resource based, agenda.

From the time the charter fleet was first bullied into fishery politics, the charter industry has worked diligently in an attempt to prevent future "conflicts" among user groups. This is most recently exemplified by the industry's reluctant willingness to concede to a moratorium with the intent of creating a "freeze" on the fleet size and specifically for the purpose of gathering accurate data to be used in decision making. The industry eventually accepted this measure "in good faith" with the misguided understanding that this Council would collect (or, at least, gather publicly available data<sup>1</sup>), in an unbiased fashion, and then actually analyze comprehensive, accurate, and reasonably comparative socioeconomic and harvest data PRIOR to decision making.

We have repeatedly shown a willingness explore the possibility of an official allocation. We have explained a willingness to accept an official fixed (non-floating) allocation which was sufficient

<sup>1</sup> (McDowell Group report 2006) <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>,  
<http://www.fakr.noaa.gov/ram/ifqreports.htm>,

enough to maintain the charter fleet into the future. An allocation established to provide some stability to the sector. We have been willing to work under these guidelines with the understanding that we want to see the whole (or...some,... ANY kind of (?)) picture, prior to decision making. The Council does not even understand the basic socioeconomic picture and, we (the charter sector and the guided recreational angler) are a valid, economically important user group, and we want potentially economically devastating "decision making" based on some kind of (or ANY) substantive data.

The Council has egregiously ignored its responsibilities to even attempt to collect and present relevant data. Since the Sole stated Purpose and Need for "controlling the growth of the charter sector" (clearly published in the Federal Register) is to prevent the reduction in QS value, it is of critical importance and absolutely mandatory for the Council to present actual real data which reflects the values of QS. It is extremely disconcerting that absolutely 100% relevant DATA, which is (elsewhere) collected and publicly presented, by the Council's own agency (NOAA), has NOT been presented for analysis at ANYTIME or ANYWHERE, and, if fact, has been intentionally concealed.

In addition, the efforts made by the Council to present ANY kind of socioeconomic information, or to even attempt to present some kind of socioeconomic comparison, are Not "fair and Equitable" and are woefully unacceptable. Having been a participant in the 2C 11/27/07 GHJ "analysis" "key informant interview" (9 people) I experienced the extent to which the Council was willing to gather pertinent information. The Scope of the Interview was vastly incomplete, based on the personal opinions of 1.3% of potentially affect operators, (except 1/2 of us aren't from 2C), and not relevant in any way to the Purpose and Need. There was Zero attempt to quantify ANY negative impacts to the charter operator, much less the State, and particularly NOT the communities which are DEPENDENT on a healthy resource and a healthy charter industry. It was purely intended to generate some hogwash in order to create an illusion that the Council was satisfying their legal requirements. It is disconcerting that although we have expressed a willingness to "see the picture", the Council insists on presenting a grade school scribble as a Van Gogh. (Not surprisingly, the current allocation "analysis" lists ZERO, as the number of charter operators and community officials consulted with respect to significant negative economic (or any) impacts).

For 16 years now, our industry has been fighting a problem statement which is based solely, on "achieving the Magnuson/Stevens Standards" and developed because, "the rapid and uncontrolled growth of the charter sector would decrease the value of Commercial Quota Shares".

Our efforts finally brought to light the blatant disregard (by the Council) for the spirit, the intent, and 80% of the National Standards in developing the "charter IFQ Plan", and it was rescinded in 12/05. All of a sudden, NOAA attorneys, NPFMC lawyers, the Council members and Staff started saying that the Magnuson/Stevens Act did Not apply, at all, to halibut. Apparently, according to the Council, that after 14 years, the only applicable legal statute pertaining to restricting or bankrupting the charter sector is from the Halibut Act, which states that allocations Must be "fair and Equitable" to all users. This statement drops the qualification contained within the National Standard which includes: "except that No allocation shall be solely for economic purposes."

With the IFQ plan rescinded, our industry reverts, in theory back to GHJ policy. Which, of course, is based on achievement of the National Standards of the Magnuson/Stevens Act: And the rapid growth of the charter sector reducing the quota share value.

At the time the Secretary of Commerce signed the final GHL rule as "advisory" (not an allocation), the analysis did not even present the INCREASE in Quota Share Value (well over 300%, at the time), which publicly available on NOAA's website. (see attached discussion on GHL "policy").

(99% of these currently presented allocation options are based on arbitrary and capricious GHL policy; and, in addition,..... are based on no definable "NEED" or "PROBLEM" (See attached discussion on the GHL, problem statement, etc.).

Below is the stated purpose for imposing an insufficient and legally unfounded allocation scheme:

viii) - "The purpose of the proposed action is to : (1) create a plan to set an initial allocation (which would), (2) design a program to compensate the commercial sector.....because the GHL was "exceeded"....; And intended to stop the *De Facto* reallocation. (de fac·to : actually existing, esp. when without lawful authority )" (ironically this sounds like the very definition of GHL history and "policy")

The intent on this allocation is to restrict the guided angler harvest (p. ), based on ZERO data(again), to guarantee an artificial market for the sale of Quota Shares (which, of course, are LEASED share-based access rights). There has been ZERO attempt by this Council in 16 years (even though it was a stated concern for GHL "problem since 1993) to gather or even create the illusion of analyzing ANY socio-economic data. Although this Council has repeatedly quoted 2007 McDowell Group studies with regard to Commercial Economics, they have steadfastly refused to admit to recent, relevant, unbiased studies commissioned from the McDowell Group by the Sitka community development and tourism bureau. These studies indicate (when applied to simple mathematics) the potential losses to charter operators and communities to range from the 10's of millions to a Hundred million dollars annually..... Yet this information is not presented.

After countless millions of dollars, and 16 wasted years, I cannot understand why the Council refuses to try to implement a plan which will be successful, and pass legal muster; and insists on using questionable legal wrangling and Council rhetoric to try to create a *de facto* (de fac·to : actually existing, esp. when without lawful authority) reallocation away from the guided recreational angler and those businesses that service them.

2.) Here is a quote from one of my long standing clients, an Anchorage resident, which she submitted for comment of the proposed 2C restrictions in November. It very pertinent, as the Council has failed to recognize the impacts of a speculated 25-80,000 guided recreational anglers; which the Council is considering depriving of the opportunity and right to experience the wonders of the Alaskan ocean.

*"I am a recreational angler. I choose to access my public halibut resource via a charter service. I choose this method of harvesting MY fish because our local waters are among the most deadly in the world. Using a charter service, I know that SAFETY is the first priority, and that those services are required by law to have the necessary equipment to keep me alive in case of a potentially deadly*

occurrence. I believe that the NPFMC, in considering the elimination of my constitutional right to access a public resource, has the responsibility and obligation to use the "best available data" (publicly available, current, and most importantly, extremely relevant) to present for analysis and actually analyze (by definition and NOT Council rhetoric) for the purposes of conservation and science based fishery management. I believe that the Commercially controlled Council and its process has intentionally been remiss and negligent, as well as, arbitrary and capricious, in its attempts to satisfy its political agenda (justification of very poor "policy") of trying to "give away" more of MY public resource; to cover up the evidence that MY public resource should have never been "given away" in the first place. I am sickened that the Federal Government and the NPFMC has not felt it was important to present extremely relevant **FACTUAL** data which is published by its own agency. **THIS REEKS OF CORUPTION TO ME.** With the political mood of this country screaming for the Change in backroom big money politics, it is high time that the Federal Government step up to the plate and **STOP** the "good ole boy" system which has dominated and prevailed in Alaskan fishery "rulemaking".

- In order to implement a successful ("fair and equitable", based on solid legal foundation, and NOT economically devastating) allocation scheme; it is extremely important for the Council to evaluate WHY the Council has failed to previously implement a legally supported allocation; and WHY it has taken 16 years to get back to the initial review stage.

3.) Although the "analysis" states that the Council's intent is to provide, predictability, stability, and the "historical" opportunity to harvest 2 fish per client per day. There is offered discussion that an initial allocation be based only on the "historical" harvest rate (somewhere between 1.2-1.8 fish/client). My personal average is well over 1.9 fish per client. The only time my clients do not catch a limit (of some size) is when my clients only want to retain one fish for dinner and then catch and release for the remainder of the trip. Why should my future clients be penalized because my past clients were "conservation" minded? Why should 2C clients be penalized because the virtually unregulated longline fleet has been detrimental to the traditional sport fishing success rate.

When our clients book a trip, they book with the understanding that they have a legal opportunity to harvest 2 fish per day. They do NOT book under the assumption that they have the opportunity to harvest 1.8, or 1.2, or (as the current maximum allocation option would compare to the number of clients fished in 2006 (in 2C))....1.07 fish per client. Our clients do not sign a contract to catch a specified poundage of halibut! They sign an agreement based on the opportunity to harvest the 2 fish per client per day that THEY constitutionally own!! Our anglers understand and support resource conservation. They also know how to read the publicly available FACTS. If there is NO biological, conservation, or resource impact issues to consider, (and quite obviously, there is not), and there is clearly an "unfair and "inequitable" division of the resource, then there is absolutely NO way in Hell that our clients should not be allowed the opportunity to catch 2 fish each. THAT is all the justification we should need to ask for an allocation which can support our current (moratorium ?) fleet.

This brings me to my next point, the prevailing comment that WE (the charter sector: the smallest, least impactful user of the resource) must be able to defend our requests for survivable allocation options. WHY??? Why are we ever in the position that we must defend the recreational angler's current constitutional right to safely access their resource?? Why must WE defend their right to their fish, OR our right to take them?? It is the Council's obligation and responsibility to defend Their "NEED" to restrict us to an insufficient allocation!! It is Their responsibility of the NPFMC and NOAA to build a LEGALLY defensible justification for their actions!!

1. Pages 15 and 50 of the EA indicates IPHC CEY projections to increase, beginning in 2008, nearly 4 million lbs. in 2C and almost 16 million lbs in 3A by 2013. Certainly, this is not evidence that the guided recreational angler NEEDS to be restricted or that our businesses and our communities NEED to experience real economic devastation.
2. A huge percentage of 2C QS holders also fish 3A (and other areas, which have been afforded up to 80% CEY overages), which is conveniently projected to realize a 16 mill. lbs (@ over \$4/lb) CEY increase. Clearly this does NOT defend the NEED to implement an allocation which is but a fraction of 2 fish per client per day.
3. A large part of The "Problem", is the annualized growth rate of 6.8% (2C) and 4.1% (3A) over the past 11 years in the charter sector.
  - According to page 15 and 50 of the EA, the projected average CEY increase over the next 6 years to be 9.26% in 2C and 9.24% in 3A, with an overall increase to the commercial sector in each area being over 55%.
  - As contrasted to the sole stated GHL "Need" and "Problem Statement" implying a 100% conclusion that is presented on page 46 of this EA.
    - "The percentage of the total halibut harvested by the charter sector in Area 2C shows NO consistent increasing or decreasing trend from 1995-2000. However, from 2001-2006 the charter sector annually increased its percentage of the combined harvest."
    - "In Area 3A, the charter sector percentage of the total decreased from 1995-2000. Their percentage of the total spiked up in 2000 and then decreased through 2002. The percentage was then fairly stable from 2003-2006. (total change in 3A harvest over 10 years was - 10,000 lbs)
4. Table 25, page 58 shows a ten year increase in guided recreational harvest of only, 600,000 lbs. + 350,000 lbs. in 2C and 840,000 lbs + 430,000 in 3A.
  - Compare this to the Six year projected increase to the commercial sector of 4 MILLION lbs. in 2C and 16 MILLION lbs. in 3A.
5. During this whopping "out of control" 10 year increase (a sum total of 1.24 million lbs. + 750,000 lbs.) in guided recreational harvest, the commercial sector has realized:
  - The trawl fleet in Alaska has averaged 12 million lbs of wasted halibut resource annually.
  - The longline sector has been afforded an average harvest of over 58 million lbs, and an undeterminable (yet, no doubt astronomical) volume of "sublegal" "released fish mortality".
  - Individual quota share values have increased in value by 300 % in area 2C and 340% in 3A.
  - Overall quota share values have increased in value by a range of 287% to 444%.
  - Ex-vessel prices have increased by Over 200%.

- Overall ex-vessel earnings have increased (above and beyond 1995 earnings) to a cumulative total of \$108 Million in area 2C, \$325 Million in 3A, and \$911 Million statewide.
- After 16 years of claiming economic hardship at the hands of the charter sector. The longline sector experienced **Actual Losses** due to CEY changes of **ZERO dollars**: And experienced **Actual Losses**, due to the minimal growth in guided recreational harvest, of **ZERO dollars**.

Clearly this kind of economic devastation, over the past ten years, CANNOT defend the "NEED" to further restrict the guided recreational sector beyond a moratorium.

6. Using simple mathematics based on information on page 99 and Table 56(p.99); the average longline vessel (per area) received a gross revenue (for only halibut landings) in 2004 of \$132,698 in area 2C or 3A. This page also indicates that this gross revenue only accounts for 52% of the vessels earnings. As a result, the Average longline vessel had a gross revenue of Over \$265,000.

- Compare the average longline vessel gross revenue from 2004 (which we know continued to increase exponentially) of Over \$265,000, from page 99;
  - with the statement from page 110: "Thus, the average (charter) vessel likely generated approximately \$34,000 in 2C to \$44,250 in 3A in gross revenue." (page 111 actually states \$55,000 , but that is misrepresented as the average, and is ,in fact, the high end of their calculation. )

Again, I (and certainly a court of law) fail to see the Facts and/or Actual Data supporting or defending their "Problem" or "Need", or even marginally justifying onerous and economically devastating restrictions to the guided recreational fleet.

7. Although the EA makes numerous implications and statements, as fact, to illustrate invariable "losses" to the longline sector, and dramatic (and 'damaging' growth of the guided recreational sector. It makes erroneous implications of impact based on GHL "policy" and a biased presentation of facts.
  - For example on p. viii: "The average number of trips per vessel, the total number of clients, the average number of clients per trip, etc., etc....are all at their highest level in recorded data period of 1998 - 2006. "
  - As contrasted by the information provided on page 46 which clearly states: "The percentage of the total halibut harvested by the charter sector in Area 2C shows **NO consistent increasing or decreasing trend from 1995-2000**. However, from 2001-2006 the charter sector annually increased its percentage of the combined harvest." (This is significantly contrary to the analyses which rationalized and have been provided for GHL "policy", and offered as "proxy" for allocation decisions)



- "In Area 3A, the charter sector percentage of the total decreased from 1995-2000. Their percentage of the total spiked up in 2000 and then decreased through 2002. The percentage was then fairly stable from 2003-2006. (total change in 3A harvest over 10 years was - 10,000 lbs)

This information is clearly 100% contrary to the majority of the implications rationalizing restricting the guided recreational angler contained within this analysis and All previous analyses.

The analysis also makes multitudes of assumptions (with no foundation) throughout, which can be exemplified on page xii:

- *"The proposed alternatives would neither affect harvest levels and fishing practices of individuals participating in the halibut charter fishery nor the halibut stock."*
- And page xiii paragraph 4 which states: "client demand is assumed Not to change as a result of a 1 fish bag limit, no skipper and crew fish, and the moratorium."

The analysis then immediately contradicts itself in the immediately following paragraph (and the only time in 146 pages) by stating:

- "...measures like a 1 fish bag limit are expected to have substantial impact on client demand and the number of halibut harvested."
- "Estimates" (in harvest speculative harvest rates Only) include up to a 40% reduction in client demand.

Although the analysis states at the beginning that a "Detailed" analysis of economic impacts was prepared and discussed within text, Any statement or evaluation of economic impacts beyond the "speculated Losses" to the longline sector is absent and Never mentioned.

The analysis is content to repeatedly and thoroughly state that:

- "This information is unavailable.", "An examination of economic impacts to the charter sector is impossible due to a lack of data.", "This information is to 'costly' to 'gather', and outside the scope of this analysis."

The information is publically available on the internet. The McDowell Group Report 2006 which was commissioned by the unbiased Sitka chamber of commerce and the economic development group. In addition to recent relevant data on potential economic losses, there is a great deal of relevant information available for presentation on NOAA's own website.

Attached at the end of this testimony, is A Comparative Analysis of potential economic losses to the longline sector, the charter operator, the State of Alaska, and the communities dependant on the tourism revenue generated by a healthy, stable guided recreational fleet. The attached analysis is based on the Speculative "Losses" to the longline sector which was presented in great length in the 11/27/07 Ea/Rir/Irfa for 2C GHIL measures. The comparison provides a much more detail analysis of the potential economic impacts. The potential loss of clients, and subsequent revenue, is quite similar to the projectable loss of clients which can be derived from the current EA. Below is a simple calculation of annual losses based on the number of current (2006) (Table 57 & 58, pp. 104-105), and calculated relative to "stair-step" (or CEY) reductions, as well as a 40% In client opportunity. Lost revenues

calculated to the charter operator at \$200/ client. Lost revenues to the communities calculated using the McDowell Group avg. halfbut client expenditure of \$1931/day.

**Area 2C potential lost revenue**

<u>15% loss to operator</u>	<u>15% loss (community)</u>	<u>40% loss to operator</u>	<u>40% loss (community)</u>
14,964 clients	14,964 clients	39,903 clients	39,903 clients
X \$200	x \$1931	x \$200	x \$1931
\$2,992,800	\$28,895,484	\$7,980,640	\$77,052,693

**Area 3A potential lost revenue**

<u>15% loss to operator</u>	<u>15% loss (community)</u>	<u>40% loss to operator</u>	<u>40% loss (community)</u>
21,342 clients	21,342 clients	56,912 clients	56,912 clients
X \$200	x \$1931	x \$200	x \$1931
\$4,268,400	\$41,211,402	\$11,382,400	\$109,897,072

Why must We defend our right to continue providing safe access to the Public's resource??

Why must WE defend against having our lives and our businesses destroyed and ripped out from under us at the whim of the longliners, or IPHC, or the Council?

It is the Council who MUST pass some (any, one,...???) test of LEGAL merit!!!

When the time comes for the GHL or any program based on the GHL to be tested by LAW, the "policy" WILL fail. Every aspect of the "policy" (including its publishing , as "advisory") is based on the economic losses to the longline sector. In light of the proven actual DATA and particularly in light of the fact that NONE of this DATA has EVER been presented for analysis of GHL "policy", Despite being published on the NOAA website; there is absolutely no way GHL "policy" will stand up in Court.

Therefore ANY and ALL allocation options which are based on that GHL are NOT on legal foundation and should not even be presented, much less, analyzed or considered as potentially valid. Therefore, the ONLY potentially legally defensible option the Council has offered would be FIXED (Not based on GHL (stair step) 1.9 (2C) and 4.15 (3A).

Considering, that there is ONLY ONE potentially viable and legally defensible option, then that option Should be the low end of the analysis scale; And 2 fish per client per day MUST be included, at least, for analysis to give the illusion that the Council is trying to be "fair and equitable" to ALL users.

I believe this is all the defense we (the charter sector, the guided recreational angler, and the Ak. Coastal Communities) should need, to ask that we are treated with some degree of "fairness and equitability".

I submit to the Council that it add two additional fixed poundage options for analysis –

A) one set of 2.3 million pounds for Area 2C and 4.5 million pounds for Area 3A in order to accommodate the Community Qualified Entity permits (which permit a 10 percent increase in the number of permits in Area 2C and a 15 percent increase in the number of

permits for Area 3A) and other provisions for growth built into the charter fishing moratorium program recommended by the Council to the Secretary of Commerce; and

B) a second set of numbers, to be determined based on further information supplied when recalculations of the actual charter harvest numbers become available based on the logbook data analyzed by the Alaska Department of Fish and Game (assuming the same level of increase as ADF&G found for 2006 applied to the ten year charter catch average discussed above with the same 125 percent increase included in the highest existing option before the Council), my calculations indicate the numbers would be 2.29 million pounds for Area 2C and 5.02 million pounds for Area 3A);

- And replace the existing stair-step sub-option to the fixed poundage options with a conservation clause that would limit the charter allocation to the daily bag limit set by the IPHC for all recreational fishing, so that if the IPHC reduces the daily bag limit for unguided and subsistence fishing in order to protect the resource, the charter bag limit would also be reduced notwithstanding whatever fixed pound allocation is provided in regulation;

C) collect the economic data necessary to provide an accurate assessment of the costs and benefits to local and regional economies, charter fishing operators and clients, and commercial fishermen of its proposed actions;

Finally, the Council needs consider what is the proper allocation of halibut that is necessary to keep the charter industry operating in Alaska at the levels set by the Council just last year through its action recommending a charter moratorium. This is the same exercise the Council undertakes each year in determining the appropriate amount of halibut to allocate for bycatch to ensure the successful prosecution of numerous other commercial fisheries off Alaska. The Council does not link its bycatch allocations – which currently account for approximately twice as much halibut as the charter fleet has historically taken – with increases or decreases in the catch allocation given by the IPHC to the commercial IFQ fleet. The same should be true for the charter fleet. The question before the Council is what amount of halibut is sufficient to ensure a “fair and equitable” allocation of halibut to the charter fleet at the level determined by the Council through its moratorium action, not what steps should be taken to reduce charter harvest in order to provide a minimal increase in the value of commercial quota shares.

The purpose of a successful allocation scheme should be to provide a stable confident platform on which the guided recreational sector can survive (and according to the EA, earn “normal” profits). The purpose of the allocation scheme CANNOT be an indefensible, legally unfounded, “unfair”, and insufficient initial allocation, with the intent of creating a “guaranteed” market for a “compensated reallocation” scheme.

- Current Federal Law and Congressional review of IFQ's Clearly state that Quota Share Holders Lease share-based access rights and DO NOT “own the fish”. Therefore, ANY scheme,

allocation, "compensated reallocation", or otherwise, which is intent "Creating" such an illegal marketplace WILL FAIL.

4.) Any and All action by United States lawmakers and regulators **MUST** be initiated and promulgated in accordance to the **Most Basic Fundamental Requirements for Rulemaking:**

1. The regulatory body **MUST** define a "Problem".
2. The regulatory body **MUST** provide evidence (actual data) which supports the existence and validity of the "Problem".
3. The regulatory body **MUST** illustrate how the proposed action will address the "Problem" and how the proposed action will create a "Solution" to the stated "Problem".
4. The regulatory body **MUST** provide evidence (actual data) that the proposed action will create an effective "Solution" for the stated "Problem".
5. The regulatory body **MUST** be capable of answering the questions which will determine the validity and support for the stated "Need" and "Problem", and subsequently the proposed action.

**"Problem Statement:** The absence of a hard allocation between the longline and the charter halibut sectors has resulted in *conflicts between sectors and tensions in coastal communities* dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, *the existing environment of instability and conflict will continue*. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood."

The Council does Not have a valid "Problem Statement" once again. Action against the Charter Sector specifically, cannot and will not create a valid "Solution" for the undefined problem.

1. How are conflict between sectors and tensions in coastal communities defined?

- Is this defined by the charter sector conducting daily fishing activity which has an insignificant impact on the resource?
- Is this defined by the charter sector providing safe access to a public resource for the food and sport of both Alaskan and non-alaskan United States citizens? (causing an insignificant impact on the halibut resource)<sup>2</sup>
- Is this defined by politically aggressive, well connected, members of the longline sector (ALFA and SEAFA; who represent less than 10% of the individual commercial quota share holders; and over 90% of the largest QS holders, by volume) who are continually and inexhaustibly pestering "policy makers"?
- Is this defined by the NPFMC's inability or unwillingness to "officially" act in accordance with their Constitutional and Congressional mandates, and simply, once and for all, comply with past and current Federal Law which CLEARLY states:
  - IFQ's are a permit! They are NOT ownership rights!!! They are LEASED access rights to harvest a previously (and currently) defined SHARE of the available resource. A specific number of fish are NOT owned by QS holders!!!
- Is this defined by a handful of socially deviant and violent longliners (primarily from ONE community, Sitka) who cannot grasp the concept that They DO NOT Own the Fish?

How exactly has: the absence of a charter allocation caused these "conflicts and tensions"?

How has any harvest of recreational halibut been responsible (cause) for these (conflicts???)?

2. **How is restricting the future growth of the guided recreational harvest going to solve or create a solution for the stated "Problem"?** Charter harvest has an insignificant impact on the halibut resource, as is:

- How is restricting the future growth potential going to result in lessened social discontent? (Restricting the guided recreational harvest WILL ONLY reinforce the misguided belief that the longline sector "OWNS" the halibut resource.)
- Is reinforcing this misbelief going to result in fewer aggressive confrontations on the water? (NO, it will only exacerbate the current malcontent of the longline sector, as they will believe they now have the legal right to defend "Their fishing grounds and Their fish".)
- How is restricting the future growth potential of the guided recreational sector going to solve the social conflicts and tensions, in (primarily ONE) communities, which: Were NOT caused by guided recreational harvest, but WERE, in fact, the direct result of the implementation of the commercial IFQ program, and the lack of clarification (by the NPFMC) that the longline sector, leases share-based access rights, and DOES NOT "own" the resource.

3. ....the environment of instability and conflict will continue.

- Is this statement a promise.....or a threat...? By whom, the longline sector or the NPFMC?
- What evidence (or data) is there to support this claim? What evidence (or data) is there to support or demonstrate that restricting the future growth of the guided recreational harvest by implementing a hard allocation will prevent continuing conflicts and instability?
- This statement, again, fails to define a "Problem", and creating a charter allocation does Not present a "Solution" to the undefined "Problem".

4. ....all who depend...for food, sport, and livelihood.

- This statement fails to define a need for action relative to guided recreational harvest of halibut.
- This statement further implies that recreational anglers are not consumptive users of the resource. It wrongfully implies that recreational anglers fish solely for the "sport" of fishing. The insinuation that "sport" anglers do not use their halibut for food is irrelevant to the proposed action. If the "sport" angler were not eating their fish, they would not be removing them from the biomass, and therefore, restricting the future growth of that user group would serve no purpose for conservation or allocation.

**"Management Objectives:** In establishing this catch sharing plan for the commercial and sport charter halibut sectors, the Council intends to create a management regime that *provides separate accountability for each sector. The management of the commercial sector remains unchanged under the plan*, and new management measures are provided for the sport charter sector."

1. Paragraph one of the management objectives does not address the proposed action as a "solution" to the stated "Problem". Instead it is a completely unrelated tangent.
2. ....intends to create a ...regime that provides separate accountability for each sector.
  - Does NOT define how restricting the future growth of the guided recreational sector is going to achieve separate accountability. (This action, in fact, Can Not)
3. ....commercial sector remains unchanged...
  - Separate accountability cannot even be achieved if the commercial sector remains unchanged.
  - Resolution and prevention of community conflicts and tensions Can NOT be resolved if the commercial sector remains unchanged.
  - Continual and ever increasing encroachment of the unregulated longline sector on traditional sport and subsistence grounds concurrent with the traditional sport and subsistence seasons has stimulated much of the community tensions which will continue to be exacerbated if the commercial sector remains unchanged.

The current allocation plan, as is, Cannot and Will Not, provide Separate Accountability for each sector:

1. The majority of this allocation plan penalizes the guided recreational sector for current and future commercial overfishing. (30-80% commercial harvest allowances in excess of the CEY)
  - *Stair step up and down: the allocation would be increased or decreased in stepwise increments based on a change in the total CEY.*
  - *Element 2 .....take into account the projected CEY for the following year and any overages by the charter sector in the past year(s).*
2. Penalizes the guided recreational sector, and does not hold the commercial sector separately accountable for commercial fishing practices: bycatch, released fish mortality, lack of recorded sub-legal released fish (and accurate subsequent mortality rates), high-grading, and un-stewardly release practices (i.e...use of crucifiers).
3. The current plan allows for the commercial sector (only) to benefit from charter underages. This inherently will cloud the lines of separate accountability between sectors.
4. The current plans allows for substantial cross-over use between sectors, via either leasing or direct use; with no discussion or method for distinguishing the origins and eventual harvest of a particular "sector's fish". This, by its very nature, will prevent the achievement of any Separate Accountability.

**"These new measures for the sport charter sector are designed to address the specific need of the sport charter sector for advance notice and predictability with respect to the management tools and length of season that will be used to achieve the allocation allotted to that sector under the plan. In order to achieve the allocation, it is the Council's intent that management tools and season length would be established during the year prior to the year in which they would take effect, and that the tools selected and season length would not be changed in season."**

1. This paragraph clearly states that the proposed action is designed to achieve the charter allocation.
  - The management objectives of ANY COUNCIL action are mandated to be developing a "Solution" to the stated "Problem". As clearly stated here, Council intent is to achieve an allocation; NOT addressing a "Solution" for the undefined community instability and tension ("Problem").

**"The Council will evaluate its success in achieving the sport charter sector allocation, and specific needs for predictability, advance notice, and season length each year, and will adjust its management tools as needed. In designing this regime for the sport charter sector the Council recognizes that providing advance notice and predictability may result in a charter harvest that does not precisely meet the sector allocation for that particular year. Therefore, the Council intends to adjust its management measures as needed to ensure that the sport charter sector is held at or below its allocation on average over a rolling five-year period. In meeting its conservation mandate while accommodating the charter industry's need for predictability and stability, the Council will necessarily err on the side of conservation in the selection of management tools and season length, with the result that the sport charter sector may not be able to harvest its entire allocation."**

**1. .... evaluate its success in achieving the sport charter sector allocation.....**

- The Council's mandate is to evaluate its success in developing a "Solution" to the stated "Problem"; NOT in achieving a sport charter sector allocation.

**2. .... In meeting its conservation mandate....**

- What is the Council's conservation mandate?
  - To restrict the future harvest potential of the user group which has had an insignificant impact on the Halibut resource (all EA/RIR/IRFA reports concerning charter impacts)?
  - To maintain strict adherence to the CEY? Clearly not, in light of the 30-80% overages (2.3 million lbs. In 2C) allowed to the commercial sector for "economic buffering".

**3. ....the Council will necessarily err on the side of conservation...**

**4. .... with the result that the sport charter sector may not be able to harvest its entire allocation.**

- Particularly with reference to the fact that the recreational guided sector has an insignificant impact on the resource...
- And particularly with reference to the significant CEY overages allowed to the commercial sector as an "economic buffer" (resource conservation???)...
- It is quite clear that that a charter sector allocation is NOT necessary to manage the resource
- And that if an allocation is implemented; it MUST be a "fair and equitable" allocation, of sufficient proportions; and MUST be a fixed poundage!!
- Clearly demonstrates that there is no lawful foundation for either a percentage allocation or a stairstep provision tied in ANY way to the CEY!!!
- Clearly illustrates that there is No need for any guided recreational underages be subject to commercial sweep-ups or to accrue to the commercial sector's economic benefit.

**Alternatives for Analysis**

**Alternative 1. No Action.**

- Unacceptable as it maintains adherence to the legal unfounded (arbitrary and capricious) GHL.
- Does not Solve stated Problem.

**Alternative 2. Establish a catch sharing plan that includes sector accountability**

- Does Not address or provide a "Solution" to the Stated "Problem".
- The majority of the current plan **Cannot and Will Not** be able to achieve community stability and sector accountability.

#### Element 1. Initial allocation

##### Option 1: Fixed percentage.

##### Area 2C Area 3A based on:

- 13.1 % 14.0% 125% of the 1995-1999 avg charter harvest (current GHl formula)
- 17.3 % 15.4 % 125% of the 2001-2005 avg charter harvest (GHl formula updated thru 2005)
- 11.7 % 12.7% current GHl as percent of 2004
- 15.1 % 12.7% 2005 charter harvest

- Guided recreational sector has had an insignificant impact on the resource and has Not contributed to the decline of the biomass in ANY way and should therefore Not be allocated based on a percentage; which is inherently subject to changes in the CEY.
- Guided recreational sector has Not contributed in ANY way to the random changes in policy and methodology at the IPHC and should therefore in NO WAY be subject to those random changes in the CEY. (The ONLY effects on allowable longline harvest have been due to the volume of commercial harvest and IPHC policy changes).
- The guided recreational sector is NOT afforded an excessive "economic buffer" to allow overages of the CEY and should therefore in NO WAY be subject to reduction based on the CEY.
- As unequivocally illustrated by recent Council action (endorsement of IPHC "economic buffering"(2.3 million lb. CEY overage to the commercial sector)); adherence to the CEY is a farce with respect to fisheries management and therefore Any percentage Allocation which is inherently based on floating with the CEY, is purely arbitrary and capricious and not on solid legal foundation.

##### Option 2: Fixed pounds.

##### Area 2C Area 3A based on:

- 1.43 Mlb 3.65 Mlb 125% of the 1995-1999 avg charter harvest (current GHl)
- 1.69 Mlb 4.01 Mlb 125% of the 2000-2004 avg charter harvest (GHl updated thru 2004)
- 1.90 Mlb 4.15 Mlb 125% of the 2001-2005 avg charter harvest (GHl updated thru 2005)

Option: Stair step up and down. The allocation in each area would be increased or reduced in stepwise increments based on a change in the total CEY.

- See comments under Option 1 and Option3.
- Contrary to the stated objectives of balancing the needs of the recreational guided sector and unfairly penalizes that sector. See previous discussion pertaining to the inability to achieve sector accountability.

##### Option 3. 50% fixed/50% floating allocation.

##### Area 2C Area 3A

50% of: and 50% of: 50% of: and 50% of:

- 13.1 % 1.43 Mlb 14.1 % 3.65 Mlb
- 16.4 % 1.69 Mlb 15.9 % 4.01 Mlb



c. 17.3 % 1.90 Mlb 15.4 % 4.15 Mlb

- Guided recreational sector has had an insignificant impact on the resource and has Not contributed to the decline of the biomass in ANY way and should therefore Not be allocated based on a percentage; which is inherently subject to changes in the CEY.
- Guided recreational sector has Not contributed in ANY way to the random changes in policy and methodology at the IPHC and should therefore in NO WAY be subject to those random changes in the CEY. (The ONLY effects on allowable longline harvest have been due to the volume of commercial harvest and IPHC policy changes).
- The guided recreational sector is NOT afforded an excessive "economic buffer" to allow overages of the CEY and should therefore in NO WAY be subject to reduction based on the CEY.
- As unequivocally illustrated by recent Council action (endorsement of IPHC "economic buffering"(2.3 million lb. CEY overage to the commercial sector)); adherence to the CEY is a farce with respect to fisheries management and therefore Any percentage Allocation which is inherently based on floating with the CEY, is purely arbitrary and capricious and not on solid legal foundation.

#### Element 2. Annual regulatory cycle

- Previous Council rationale for implementing harvest restricts on the guided recreational sector was to eliminate the necessity for Council involvement in "charter allocation issues".
- Proposing an annual regulatory cycle which necessitates Council involvement at 4 of the 5 Council meetings is contradictory to previous Council intent.

"The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the payback year. The Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GHL management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward. The Council assumes (and would request) that the International Pacific Halibut Commission set a combined charter and commercial sector fishery catch limit and would apply the allocations between the two sectors that would be recommended by the Council in a type of catch sharing plan to the combined fishery catch limit."

1. The majority of this paragraph directly indicates that the Council has already (prior to initial review) determined an initial allocation to the charter sector which will NOT be sufficient enough to provide ANY predictability or stability to the charter sector.
2. The Council assumption and request of IPHC action indicate the Council's intention to implement an allocation which is of insufficient and inadequate proportions and tied to the CEY as arbitrary and capricious policy.
3. The Council will not revisit or readjust the sector split.
  - This is 100% contrary to any concept of "fairness and equitability".
  - This does not provide the opportunity for fair or equal division of "windfall" increases in available halibut stocks, such as, a dramatic reduction in trawl bycatch which could become available for harvest by other sectors.
4. An allocation overage would trigger the regulatory process automatically....

- This suggests that an initial allocation will not be sufficient to provide for historical harvests of guided recreational halibut.
- This action would be clearly arbitrary and capricious and 100% contrary to any concept of "fairness and equitability" when compared to the excessive "economic buffering" which allows significant commercial overages in the CEY.

### Element 3. Management toolbox.

"Tier 1 measures will be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit."

- If this were actually the case, why is there NO allocation option to analyze 2 fish/ day, which accommodates the current charter sector, as was specifically requested by Greg Sutter and Rex Murphy at the Stakeholders meetings.

"Tier 2 measures will be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation."

- If Tier 1 measures are inadequate to achieve a charter allocation, then the intended initial allocation is woefully inadequate (not fair and equitable) to provide ANY predictability and stability within the charter sector.
- The fact that Tier 2 measures are identical to the currently requested 2C GHM measures, clearly illustrates the Council's intention to implement an insufficient initial allocation; which is blatantly contrary to "fairness and equitability", and therefore, purely arbitrary and capricious.

"Due to the delayed feedback loop in implementation of management measures, management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded.

- Why??? Significant CEY overages in the commercial sector are acceptable.
- What is the legal justification for differential, unfair, and inequitable standards between sectors?

"In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water."

- This illustrates a legal defensible foundation for ONLY ONE potential initial allocation option: A Fixed Poundage allocation of fair and equitable proportions based on 2005 Or 2006 actual Harvest and NOT subject to any changes in the CEY.

Tier 1 management measures include:

- 1 trip per vessel per day
- No retention by skipper or crew
- line limits
- Second fish of minimum size
- Second fish at or below a specific length.

Tier 2 management measures include:

- Annual catch limits
  - 1 fish bag limit for all or a portion of the season
  - Season closure
- Suboption: seasonal closures on a monthly or sub-seasonal basis

- If Tier 1 measures are inadequate to achieve a charter allocation, than the **intended initial allocation is woefully inadequate (not fair and equitable) to provide ANY predictability and stability within the charter sector.**
- The fact that Tier 2 measures are identical to the currently requested 2C GHM measures, clearly illustrates the Council's intention to implement an **insufficient initial allocation**; which is blatantly contrary to "fairness and equitability", and therefore, purely arbitrary and capricious.

Element 4. Timeline. The current timeline for the proposal is as described below. [Staff should discuss what would be needed to implement February Council action for June (the same year)]

- The existence of Example scenarios 1 and 2 (and example years 2007-2009) make presumptions which clearly illustrate the Council's intent to implement an initial charter allocation which is of insufficient and unlawfully founded proportions.
- The timelines are not sufficiently analyzed to demonstrate any degree of "fairness and equitability" or even temporary stability within the charter sector.
- What happens if another overage occurs in the second year; are the restrictions implemented automatically without analysis or do they compound without analysis?
- What happens if there is an underage the second year following an overage? Do the restrictions get lifted automatically or are they enforced in perpetuity (without public comment)?
- If restrictions are implemented in perpetuity or are in effect, when certain criteria are met; the proposed plan is actually "frameworking" which NAOO GC has long since determined to be not on solid legal foundation and circumvents the requirements of public comment.

Element 5." Supplemental individual use of commercial IFQ to allow limited entry permit holders to lease commercial IFQ in order to provide anglers with additional harvesting opportunities, not to exceed limits in place for unguided anglers."

- The existence and extent to which Element 5 is explored CLEARLY illustrates the NPFMC's intent to implement an initial allocation of insufficient (Not fair and equitable to ALL users) volume and based on arbitrary and capricious policy.
- Whether Element 5 is considered to offer a short-term plan or long-term options, the extent to which the concept is explored undoubtedly demonstrates the Council's intent to implement an allocation which does not meet "fair and equitable" standards or even create the illusion of predictability and stability for the guided recreational sector.
- Element 5 does not address or even mention a method or a concern for differentiating between IFQ and recreational allocation after harvest.
- This element does NOT discuss or provide a method for achieving its stated objective of Sector Accountability. With the multitude of potential cross-over fish, it would be 100% impossible to achieve and maintain any means of separate accountability.

Element 6. Catch accounting system

1. "The current Statewide Harvest Survey and/or logbook data would be used to determine the annual harvest."

- Projected harvests and the SHS are NOT acceptable data on which to base an allocation or achievement of an allocation.
  - Only verifiable and certified logbook harvest data is acceptable for the purposes of implementing and maintaining an allocation.
2. "A catch accounting system will need to be developed for the GAF fish landed in the charter industry."
- This aspect is NOT necessary if the Council implements an initial allocation which is "fair and equitable" to All users.
3. "As part of data collection, recommend the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF."
- Logbook length measurements would be perfectly acceptable for the purposes of collecting biological data. This information is, in no way, shape, or form acceptable for the purposes of implementing or maintaining an allocation.

#### Recordkeeping and Reporting

##### *Option 1. Electronic Reporting.*

- Some sort of electronic reporting is just fine.

*Option 2. "Harvest tag. Uniquely numbered harvest tags would be distributed to each GSM permit holder at the beginning of the season and additional tags would be available throughout the season if needed."*

- Harvest tags must be issued to the client and not to the permit holder.

*"The number of harvest tags would be greater than the number of fish allocated to the charter sector for that year (i.e., the tags are not a management tool for restricting or closing charter fishing in-season)."*

- If NOAA is going to issue an excess of harvest tickets, then there is clearly no need to be held within an allocation.
- If NOAA is going to issue an excess of harvest tickets, then there is clearly no reason to implement an initial allocation which is subject to changes in the CEY.

*"When a halibut is landed the harvest tag would be required to be inserted in the jaw and the harvest tag number recorded in the log book entry for the angler license number of the person who caught the fish. When the fish is processed the tag would be removed and mailed in using pre-addressed, stamped envelopes supplied for that purpose."*

- These requirements would cause an unnecessary burden on not only the permit holder, but, also for those who make a living processing large volumes of charter caught halibut.

*"GSM operators would pay a fee to cover the cost of the envelopes and tags"*

- Absolutely 100% UNACCEPTABLE!!! If the Council and NOAA wish to implement and monitor a legally unfounded, arbitrary and capricious allocation, then THEY (NOAA) can pay the administrative fees.

##### *Option 3. Punch Cards.*

- Will cause unwarranted and undue burden on the permit holder.

*"GSM permit holders would pay a fee to cover the cost of the punch cards and mailing envelopes."*

- Absolutely 100% **UNACCEPTABLE!!!** If the Council and NOAA wish to implement and monitor a legally unfounded, arbitrary and capricious allocation, then **THEY (NOAA)** can pay the administrative fees.

*"Any log book entry for which a signed punch card is not received would be corrected to read the maximum number of fish printed on a punch card (i.e., the daily bag limit or six fish)."*

- Imposing a default harvest to the charter sector does NOT provide a method for accurate catch accounting.
- Imposing a default harvest to the charter sector does NOT provide a method for, or enhance the achievement of separate accountability.

There is one remaining option which the Council and NOAA might consider as an alternative to creating a legally supported, "fair and equitable" allocation. There is a perfectly viable option which complies 100% with the Magnuson/Stevens Act., the Halibut Act, and All other truly applicable laws.

An option which accomplishes the same goals as current Federal and International law which would be:

- Much less costly and burdensome to "policy makers", and All users of the resource.
- Would require No burdensome accounting and paperwork.
- No change in currently existing Federal or International Law.
- Would result in ZERO biological, ecological, or allocation management impacts.
- Most importantly: Would have ZERO devastating and far reaching economic impacts to Any users of the resource, the State of Ak., or the Communities which depend on the halibut resource and robust access opportunities.
- Would actually help to preserve (not restrict) traditional and historic guided recreational harvest opportunities.

The very simple option is that NPFMC and NOAA should 100% stand behind current Federal Law after 16 years of "effort" and clearly and unequivocally state (to the 1129 commercial QS holders): **"YOU DO NOT OWN THE FISH. IFQ'S ARE, IN FACT (BY LAW), PERMITS AND AFFORD YOU....THE PERMIT HOLDER... TE RIGHT TO HARVEST NOT THE RIGHT TO OWN"**.

**A discussion of GHL "Problem Statements", "Policy", and legal foundation**

It is critical to begin by asking the question: *Who does the Pacific Halibut resource belong to?* The United States and the State of Alaska Constitution prioritize the right to access a public resource under the Public Trust Doctrine. (The Public Trust Doctrine is dated back to the infancy of Roman Law. It has withstood the test of time for over 2000 years.) The right to access Public resources was recognized as one of the most fundamental human rights. There is significant history which established the precedent for the prioritization of recreational removals when determining allowable commercial catch limits. An individual's right to access his/or her resource for his/her own use fundamentally outweighs that of an individual who is selling everyone else's.

When a recreational angler wishes to harvest some halibut. He/or she must first purchase a sport fishing license. This license entitles that angler to two halibut per day for the duration of the season. There should be no discrimination between recreational anglers who choose to access their resource via a charter service and those who choose other means..

Although many commercial fisherman have the misguided belief that they "own" the Pacific Halibut Resource. Those who actually have invested in quota shares have done exactly that: purchased the access right to harvest his or her specified volume of shares. They have Not purchased "ownership" of a guaranteed number of halibut in perpetuity. There is a reason that commercial halibut fishermen are legally referred to as **QS holders and Not QS owners**.

**Magnuson/Stevens Act clearly states in Sec. 303) Contents of Fishery Management Plans 16 U.S.C. 1853**

**104-297(d) Individual Fishing Quotas**

**(3) An individual fishing quota or other limited access system authorization—**

**(C) shall not confer any right of compensation to the holder of such individual fishing quota or other such limited access system if it is revoked or limited; and**

**(D) shall not create, or be construed to create, any right, title, or interest in or to any fish before the fish is harvested.**

There can be little doubt as to Congressional intent concerning the legal standing of fishing permits. A lease or permit such as an IFQ does not bestow a "property interest" in the fish. Congress has spoken very clearly on this matter—IFQ are permits and nothing more (Macinko and Bromley, 2004).

"The intended effect of this action is a reduction in the poundage of halibut harvested by the guided sport charter vessel sector in Area 2C to the GHF while minimizing adverse impacts on the

charter fishery, its sport fishing clients, the coastal communities that serve as home ports for this fishery, and on fisheries for other species."<sup>3</sup>

The halibut charter industry, as a whole, has not and does not accept the GHL as an allocation. The Guideline Harvest Level was not procedurally promulgated, as such; and should in no way, shape, or form be regulated thusly. Implementing any restrictions relative to the GHL essentially "puts teeth" into a regulation that was procedurally published as an "advisory measure"; and implies that the Guideline Harvest Level was legally and procedurally promulgated as an allocation. Further, having been signed by the Secretary as an "advisory" rule only, any harvest reductions based on GHL "policy" create a de facto reallocation away from the guided recreational sector without legal adherence to public and sector input with respect to an official allocation.<sup>4</sup>

The Federal Register 11/27/07 published twelve letters in opposition to establishing a GHL advisory policy. What it fails to mention is the prior Council meeting at which more than 100 charter operators (including those from Homer) spent their hard earned money to stand united before the Council in opposition to "unneeded", legally and factually unfounded GHL "policy". It fails to mention 24,000 postcards signed by guided recreational anglers concerned that their right to access halibut safely may be in jeopardy based solely on economic concerns and with no clear biological reason. Although the signatures were in opposition to proposed rule, they were dismissed as a "boilerplate" contract and discarded with no further mention. The Federal Register is also unable to mention the post final rule lawsuit<sup>5</sup> which was dismissed on the grounds that the GHL was signed as "advisory only" and was not an allocation.

**\*\*\*The primary and most fundamental goal and responsibility of any management Council when considering and developing any management action is to present evidence and data (not rhetoric) to support concerns addressed in the Statement of Purpose and Need and to; on a continuing basis, evaluate the validity of their Problem Statement specifically with reverence to the "Need" which initiated and drives Council effort and expense. At any significant juncture, the Council has the obligation to bring forward any recently available data which is pertinent and relevant to the proposed action's Purpose and Need. It is also the responsibility of the Council to, through the collection and presentation of acceptable data, define and support the premise and concerns of the Problem Statement.**

The Federal Register sets forth the background for the proposed rules that NMFS will or wishes to promulgate as rules governing only the recreational anglers choosing to safely access halibut fishing via chartering services, and those businesses providing that service. Federal Register

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<sup>3</sup> P. 2 Proposed rule request for comment

<sup>4</sup> Federal Register Vol. 67, No. 18/01/28/2002, Federal Register Vol. 68, No. 153/08/08/2003

<sup>5</sup> Susan Reeves & The Recreational Fishing Alliance

Vol.68,153/08/08/2003 and Vol. 67, No. 18/01/28/2002 establish the background statement of need and the problem statement used to rationalize the publication of the GHF final rule.

Volumes 67 and 68 clearly describe the Sole Purpose and Need to restrict the charter industry (likely causing significant economic hardship to operators and coastal communities) as follows: *".....as the guided recreational fishery expands, its harvests reduce the pounds available to be fished in the commercial halibut fishery and, subsequently, the value of quota shares (QS) in the IFQ Program."* This statement is the sole purpose for action discussed. There is no reference to the sustainability of the halibut resource. There is no statement of present or future biological or ecological concerns. There is no discussion of any present or future conservation concerns with regard to the Pacific Halibut resource. There is only one statement which defines the purpose and need for action: **To prevent the speculated future reduction of quota share values.** This represents a blatant violation of National Standard (5) which clearly states "Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; *except that no such measure shall have economic allocation as its sole purpose.*" The Council, controlled by commercial interests, having only one recreational voice, addressed this conundrum when crafting the following Problem Statement and developed a few (fishery management) buzzwords to give the illusion that speculative reduction in quota share value was not the sole purpose for action.

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

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



6. *The need for reliable harvest data will increase as the magnitude of harvest expands the charter sector.*<sup>6</sup>

Any and all subsequent action, including publishing and promulgating, relative to the Guideline Harvest Level has been based on, the afore mentioned **statement of purpose and need** and this carefully crafted **problem statement**.<sup>7</sup> Any and all subsequent analyses and projections were based on purely speculative data. All subsequent GHJ analyses were focused primarily and extensively on painting the **illusion, as fact, that the Longline fleet would and was currently experiencing economic hardship and devastating losses in quota share value**. These analyses have never attempted to make similar comparisons or present any adequate data to evaluate real potential impacts to the charter sector or the communities dependant on a healthy charter fleet. Even though the **initial problem statement** addresses, in part, a lack of socioeconomic data; every analysis, to this day, is content to conclude that socioeconomic impacts to the charter sector, the recreational angler, the State of Alaska, and the communities dependant on the tourism generated by the charter sector are impossible to speculate or quantify due to a lack of data; and therefore unimportant and unnecessary to evaluate.

From the time charter fleet was first bullied into fishery politics, the charter industry has worked diligently in an attempt to prevent future conflicts among user groups. This is most recently exemplified by the industry's willingness to concede to a moratorium with the intent of creating a "freeze" on the fleet size and specifically for the purpose of gathering accurate data to be used in decision making. The industry eventually accepted this measure "in good faith" with the misguided understanding that this Council would collect (or, at least, gather publicly available data<sup>8</sup>), in an unbiased fashion, and then actually analyze comprehensive, accurate, and reasonably comparative socioeconomic and harvest data PRIOR to decision making.

The 11/27/07 EA/RIR/IRFA submitted to the Secretary with regard to 2(C) GHJ restrictions and subsequent harvest measures is woefully inadequate and does not satisfy the most basic definitions any of these concepts. The EA "analysis" submitted to you is, once again, disturbingly lopsided, presented with extreme bias, and devoid of any actual data. It does a beautiful job of illustrating the plight of the poor deprived and economically damaged longline sector based on arbitrary assumptions, speculative data and speculative scenarios. At the same time, reasonable or even acceptable comparisons to the charter sector are conspicuously non-existent.

The data presented to you which reflects the potential economic impacts to the charter sector is based on "key informant interviews", a telephone survey evaluating the personal opinion of 9 (1.3%) of the 696 potentially affected charter vessel operators.<sup>9</sup> This is most certainly NOT a comprehensive, reasonably accurate, or even an acceptable baseline with regard to "science based" management decision making. Despite the fact that a socioeconomic study was recently produced<sup>10</sup>, the Council (or

<sup>6</sup> Federal Register Vol. 67, No. 18/01/28/2002, Federal Register Vol. 68, No. 153/08/08/2003

<sup>7</sup> Federal Register Vol. 68, No. 153/08/08/2003, EA/RIR/IRFA 11/27/07

<sup>8</sup> (McDowell Group report 2006) <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

<sup>9</sup> Northern Economics study, p. 78 ADF&G data 11/27/07 EA/RIR?IRFA

<sup>10</sup> (McDowell Group report 2006) <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

staff) has refused to present any of that information, even for the purpose of comparable "speculative" Losses evaluation.

At one point, the analysis rationalizes this lack of acceptable data by stating: "*The Council's timeline for action does not permit these appropriate comparisons.*" I respectfully submit that 12 years should be sufficient for the Council to at least attempt to collect and present some pertinent and acceptable, if not appropriately comprehensive socioeconomic data. **\*\*If the Council does not have the economic information (certainly after 12 years of concern<sup>11</sup>) available to it to make some reasonable economic comparison between sectors, by definition...it does Not have a valid problem statement. \*\*** Council timelines and subsequent actions that prevent full or comparative economic evaluation and conceal attainable data are Not "science based" management, are by definition arbitrary and capricious, and are not on solid legal foundation.

Page 78 of the analysis does mention the following information:

*"Because exact revenue figures from individual charter operators are not available, the analysis attempts to Provide an estimate. Key informant interviews indicate single trip prices average between \$150 and \$250 Per day. Hence, a single vessel could generate \$180,000 in a single season, if it operated one trip per day, at fully capacity. Two trips per day for every day of the season would generate \$360,000 in gross revenue. ADF&G data indicate that the average vessel took just under 35 trips in 2006, with an average client load of 3.86 passengers. Thus, the average vessel likely generated approximately \$34,000 in gross revenue."*

This is the one and only reference to actual socioeconomic data relative to the charter sector, the State of Ak., or the coastal communities dependant on the tourism dollars generated by halibut charter fleet. Although the logical progression is difficult to follow, the bottom line here is that the average charter vessel is likely to generate only \$34,000 in gross revenue. (This means that the average charter vessel operator's Net revenue is likely to be at, or near the Alaska Poverty Level)<sup>12</sup>.

Page 59<sup>13</sup> of the analysis offer the most extensive presentation of potential impacts:

*"Charter halibut fishing is predominantly non-residents (>95%) in Area 2C, and clients spend large daily sums of money pursuing the experience. Herrmann et al. (2001) noted that Kenai Peninsula (Area 3A) saltwater charter clients spent between \$167 and \$294 daily in 1998, depending on whether they were local or from out of state. A 2005 McDowell Group study in Sitka noted that a large majority of survey respondents indicated that a change in bag limit could affect their decision to return to the state for fishing experiences. If clients could not, or chose not to take a halibut trip and did not spend this money elsewhere in the local economy, then the option would result in gross economic losses related*

<sup>11</sup> Concern #5 Problem Statement: Federal Register Vol. 67, No. 18/01/28/2002, Federal Register Vol. 68, No. 153/08/08/2003, EA/RIR/IRFA 11/27/07

<sup>12</sup> <http://aspe.hhs.gov/poverty/08poverty.shtml> (\$13,000 / individual)

<sup>13</sup> Attached as Appendix 1

*to client expenditures. These losses would affect local businesses and local economies. Note though that such economic transfers affect local economies, but are not considered losses on a national scale."*

This paragraph represents the "comprehensive" evaluation of potential economic impacts. There is no attempt to quantify or even evaluate the above mentioned losses. These two paragraphs contain the entire examination of the potential impacts to the charter operator, the recreational anglers who chose to access the halibut resource via a charter service, the State of Alaska, and the communities dependant on a healthy charter fleet and the tourism it generates. They do, however, present the only mention (?) of any sort, which contains ANY actual data. I submit that after 15 years of discussing charter boat management (i.e. "...minimizing the *speculated* quota share devaluation) this analysis does not satisfy the most basic requirements which govern any action. After such a length of time, this conspicuous lack of comparison (particularly in light of publically available data) can only lead one to conclude that the Council (or staff) is intentionally preventing evaluation of recent, relevant information which could derail the political (NOT biological) agenda of the commercial sector by disproving the validity of the Statement of Purpose and Need and the Problem Statement on which ALL GHL effort has been based.

Page 59 of the analysis does however happen to mention a 2005 McDowell Group study in Sitka. This study is not footnoted; therefore I have to assume it refers to the most recent data available: April 2006 Sitka Visitor Traffic Indicators and Trends, 1991-2005 Prepared for the Sitka Economic Development Association.<sup>14</sup> Since the McDowell Group is obviously credible enough to be mentioned here, (as well as, actually footnoted as reference to a 2007 commercial study) I believe the Council is remiss in its responsibility to present recent and pertinent data which might analyze and reflect the VERY REAL potential economic hardship these actions are likely to cause, not only to the charter operator, but also the State of Alaska, and the communities that depend on a healthy charter fleet.

As if to flaunt its bias, the analysis presents Table 56 on the very same, page 59. This table and Table 58 (p. 73) present *speculative* "Losses" to the commercial sector based on arbitrary and unrealistic constants.<sup>15</sup> In addition, these impact tables are incorrect in assuming that one pound of guided recreational harvest equals one less pound that the directed fishery can harvest. The Slow Up Fast Down correction the IPHC applies ("to buffer the impact to the commercial sector) has a net effect of lessening the *speculative* economic "losses" to the longline sector by a factor of 2 or 3 depending on whether SU or FD is applied.<sup>16</sup> In striking contrast to the charter sector "evaluations", the analysis uses this "data" extensively to quantify *speculative* "Losses" and present these "Losses" as devastating and inevitable.

<sup>14</sup> <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

<sup>15</sup> Appendix 3 p. 59 Table 56

<sup>16</sup> Appendix 2 (In a FD year, assuming the IPHC adopts staff catch recommendations, the commercial sector's catch limit is reduced by only 1/3 pound for each additional pound of charter harvest that is added to "other removals." 2006, 2007 and 2008 are all "fast down" years. The ex-vessel losses calculated on page 59 of the EA/RIR/IRFA, at least for those three years, are therefore high by approximately a factor of 2. ("Slow up" reduces commercial catch by 1/3 pound for every additional pound of other removals.)

The Analysis states definitively: "Attributable losses in gross ex-vessel revenue to the commercial longline fishery would increase from \$700,000 in 2007, to approximately \$ 4.99 million in 2015 (Table 56). Losses in gross ex-vessel value directly affect crew and communities that are dependent on the commercial longline fleet and the combined affect of losses from 2006 to 2007 CEY reductions and increases in GHL overages are likely to be substantial." Although the analysis mentions a credible, recent, and most importantly, relevant study with respect charter operators and charter communities; it does not use ANY of that available data to present comparable potential impacts resulting from the de facto reallocation away from the guided recreational sector.

Simple mathematical calculations based on the same speculative assumptions (Table 56) will yield results which are at least comparable for analysis. For example, p. 78 indicates the cost of a charter trip averages between \$150 and \$250 per day. Therefore, I will use \$200 to represent the direct lost revenue to the charter operator. The formula used then is revenue lost multiplied by clients lost. Clients lost is calculated by dividing the number of pounds lost<sup>17</sup> by 18 pounds /fish<sup>18</sup> and then dividing by 1.8 fish /client<sup>19</sup>. Using this basic comparison: Attributable losses in direct revenue to charter businesses in 2015, would be approximately \$ 8.12 million<sup>20</sup>. A similar calculation using the 2006 McDowell Group report yields an alarming result. Attributable losses to the communities dependant on a healthy charter industry; as a result of this de facto reallocation, would be approximately \$78.4 million<sup>21</sup> in 2015.

As the Council has been remiss in preparing any comparable socioeconomic evaluation of losses, I submit the following summary of A Comparative Analysis (Appendix 5). This is a simple work sheet which was developed based on Table 56, using logical assumptions and current relevant information. All of my logic, assumptions and sources are cited on the worksheet. Area 3A calculations are included and should be considered as relevant due to the fact that a significant number of commercial quota share holders fish both areas and the GHL negatively affects both areas.

A Comparative Analysis presents a total range of speculative economic losses based on Table 56. The summary compares the cumulative potential economic losses; to the commercial sector, the charter operator, the State of Alaska, and the communities which are dependent on a healthy charter fleet, for the years 2007 -2015. The cumulative loss to the longline fleet (assuming an equal number of SU and FD years) would be approximately \$ 10 million. The direct loss in revenue to the charter operator would be approximately \$32 million. The cumulative losses to the communities would be a staggering \$308 million. (Although this analysis does not utilize complex functions, the calculations used to develop Table 56 require only simple mathematics. Based on Table 56 assumptions, there is no foreseeable reason these economic losses would be any less accurate than those in Table 56.)

<sup>17</sup> Table 56 Page 59 Federal Register, Federal Register Vol. 68, No. 153/08/08/2003

<sup>18</sup> ADF&G harvest reports

<sup>19</sup> Data: ADF&G harvest reports, Appendix 5 A comparative Analysis

<sup>20</sup> Appendix 5 A Comparative Analysis Table 9

<sup>21</sup> Appendix 5 Table 11, & (McDowell Group report 2006)

<http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

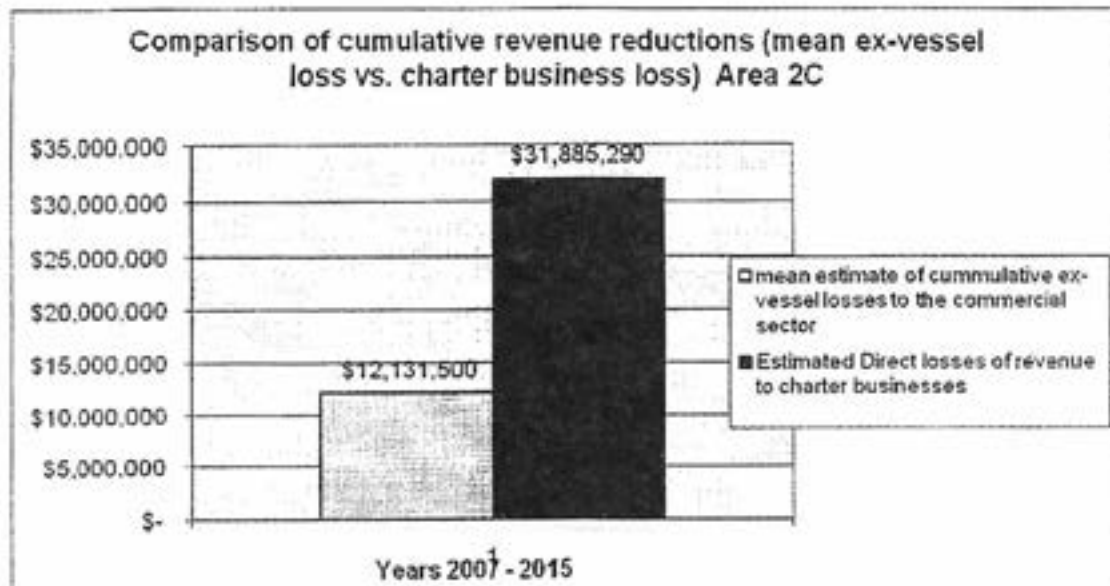


Figure 16

Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>, Appendix 5; Table 4, Table 5

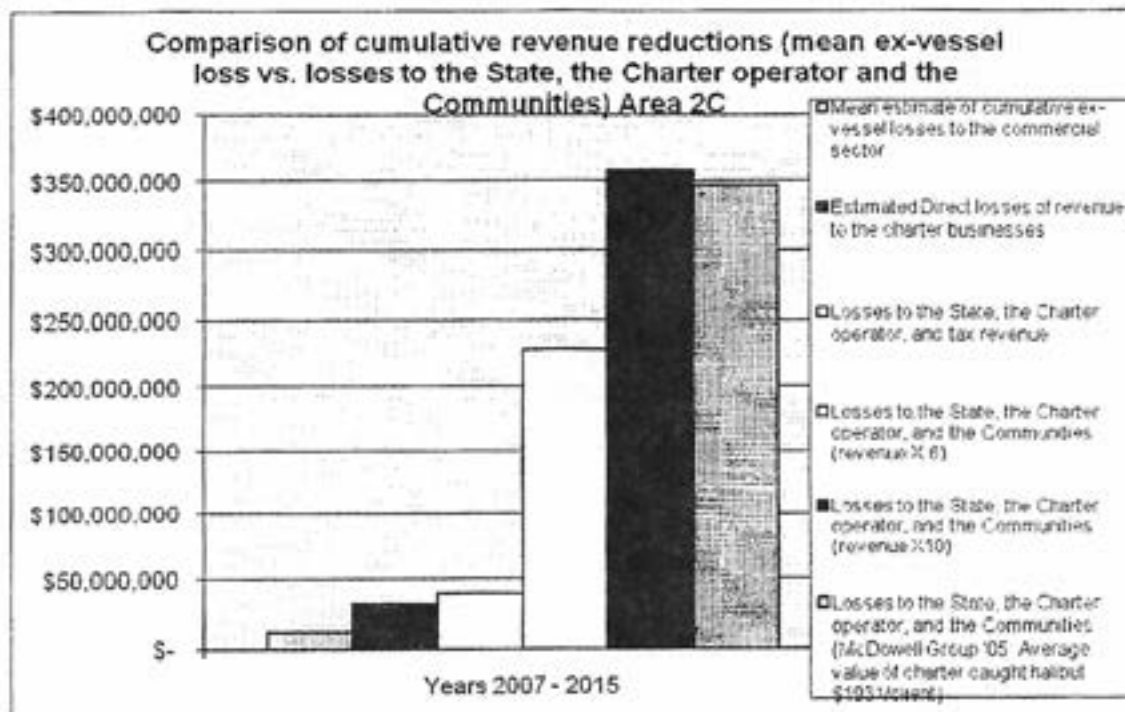


Figure 17

Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>, (McDowell Group report 2006)  
<http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>, Appendix 5; Tables 4,9, 13, 14, 15, 16

A COMPARATIVE ANALYSIS

Summary of total range of speculative economic losses: (Commercial IFQ Vs. State, Charter operator, taxes, and communities)			
	AREA 2C Tot. 56 P.58 (1/27/07 EA/RIR/RFA)	AREA 3A (Medium growth projection 03/09/07 EA/RIR/RFA)	
<b>Estimates of the ex-vessel cumulative revenue reductions in the commercial IFQ fisheries</b>			
Total	\$ 24,263,032	\$ 40,999,239	(EA/RIR/RFA ratio 1:1)
	\$ 12,131,500	\$ 10,281,375	(Fast Down years 2:1)
	\$ 3,567,657	\$ 6,654,252	(Slow Up years 3:1)
<b>AS COMPARED TO</b>			
<b>Estimated losses of license revenue to State at \$20 per license</b>			
Total	\$3,168,929	\$4,382,682	
<b>Estimated Direct losses of revenue to charter businesses due to restricted future growth (\$200/client)</b>			
Total	\$31,985,290	\$40,925,817	
<b>Estimated losses of tax revenue associated directly with halibut charter fees (avg. 6%)</b>			
Total	\$1,813,117	\$2,449,837	
<b>Cumulative losses to the State, the Charter operator, and the tax revenue associated directly with the reduction in charter harvest potential.</b>			
Total	\$39,378,333	\$50,419,637	
<b>Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (Using revenue multiplier of 10)</b>			
Total	\$356,231,235	\$456,875,910	
<b>Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (using McDowell Group 2006 avg. \$1931/client)</b>			
Total	\$347,230,909	\$444,550,372	
<b>Cumulative losses to the State (@\$20 license fee), the Charter operator, and the tax revenue associated directly with the reduction in charter harvest potential.</b>			
Total	\$38,986,937	\$47,357,716	
<b>Cumulative losses to the State (@\$20 license fee), the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (Using revenue multiplier of 6)</b>			
Total	\$228,258,877	\$292,311,420	

The losses in gross revenue significantly and directly affect the charter operator, his crew, and on his community. The losses in charter generated revenues significantly affect the socioeconomic well being and stability within the communities that are dependent on the tourism generated by a healthy charter fleet. This comparison seems critical to address the 1995 Problem Statement: "Of concern is the

***Council's ability to maintain the stability, economic viability...and the socioeconomic well-being of the coastal communities dependant on the halibut resource."***

The **Problem Statement** cites as an area of concern: #5 ***"Information is lacking on the socioeconomic composition of the current charter industry."*** With recent, relevant, unbiased data reflecting such a significant difference in potential economic losses between sectors and the obviously very real possibility of causing true economic hardship and bankruptcy; <sup>22</sup> and after more than a decade of "concern" I find it unfathomable that the "science based" Council does not feel it is necessary to present and actually evaluate this extremely pertinent information. I submit to the Secretary that, if after such an extensive period of time, the Council does not have (or refuses to present) the socioeconomic information necessary to adequately evaluate comparative loss scenarios; then it does not have a valid **Problem Statement** and is by definition arbitrary and capricious, and not based on solid legal foundation. I submit to the Secretary that if, after such an extensive period of time, the Council does not have (or refuses to present), and the socioeconomic data necessary to support its **Problem Statement**; then it does not have a valid **Problem Statement**, and is therefore by definition arbitrary and capricious, and not based on solid legal foundation.

**\*\*\*The Council has the responsibility, through the presentation of ALL relevant data and, on a continuing basis; to prove the validity of its **Problem Statement** and demonstrate that its proposed (and/or promulgated) rules and regulations support and demonstrate both a valid **Problem Statement** and a valid **Statement of Purpose and Need**. The **GHL Problem Statement** cites the following areas of concern:**

- 1) *Pressure by charter operations may be contributing to localized depletion in several areas.*
- 2) *The recent growth of charter operations may be contributing to overcrowding of productive grounds and declining harvests for historic sport and subsistence fishermen in some areas.\*\* (Interesting that the analysis contains no discussion of declining harvests for sport and subsistence fishermen at all, much less with respect to the charter sector and its sport anglers.)*

*4 ) In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators. The uncertainty associated with the present situation and the conflicts that are occurring between various user groups may also be impacting community stability.*

The Council has never defined, quantified, or analyzed the concept of ***"localized depletion"***. Neither the **GHL** itself nor any subsequent action has or will be able to satisfy and correct a "problem" which has never been adequately defined or quantified. The Council has been so focused on creating an illusion to rationalize restricting the charter industry and its anglers; it has neglected to validate the above listed concerns, relative to the charter sector, in its **Problem Statement**. Neither the **GHL** nor any subsequent measures do anything to specifically address any potential overcrowding issues. (Other than

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<sup>22</sup> P. 78 ...average charter operators gross income \$34,000

forcing a significant number of charter operators out of business, thereby reducing the number of charter vessels on the water.)

The GHL and subsequent action do not address and cannot improve the above concerns. Interestingly and disturbingly, the very program that initiated Council GHL action has not only significantly magnified but also exacerbated the above listed concerns from the GHL **Problem Statement**. The growth of the charter sector did not destabilize the communities, but the commercial IFQ program certainly did. The commercial IFQ program has significantly exacerbated community conflicts in some coastal communities. Many quota share holders mistakenly believe that they now own the resource. In some communities, this misunderstanding has stimulated violent, aggressive confrontations, intimidation on the water (with no regard for charter client safety), death threats, boycotting and extorting local businesses and even to the point of extensive sticker campaigns... "Tourists go Home", "Charter fishing is an organized crime", etc. (I submit that none of this behavior is initiated by the charter sector with respect to the halibut resource. [A resource that "belongs" to the Public]).<sup>23</sup>

*Since the implementation of the Commercial IFQ program the longline fleet has changed location, dates, and fishing strategies to meet their current market values and demands. One of the major strategy shifts has been to run fewer trips closer and closer to port. Following the implementation of the commercial IFQ program there has been a dramatic and significant increase in the nearshore longline efforts. This increase, coupled with a nine month season which encompasses the entire recreational season, has resulted in continual and significant pressure, intercepting the annual halibut migrations within traditional subsistence and sport fishing waters (56 to 60% of the longline harvest occurs between May 15 and September 15).<sup>24</sup> These changes in season length and nearshore longline efforts are having significant negative impacts on the quality of the halibut harvest and the quality of the recreational experience, thereby eroding the stability within the charter sector, among the recreational anglers, and the coastal communities dependant on a healthy charter fleet and the tourism it generates.*

- *The continual and substantial increase of nearshore longline effort intercepting traditional halibut migrations is eroding the stability, economic viability, the diversity of the halibut charter industry, as well as, the quality and safety of the recreational experience.*
- *As there are currently very few boundaries and few restrictions on longline vessels in most nearshore waters; in many areas, community stability is being affected as traditional sport, subsistence, and charters are displaced by the ever increasing presence of the longline fleet and the compounded negative biological, environmental, and socio-economic impacts associated with this increase in localized efforts.*
- *These changes in longline effort, unregulated and without nearshore boundaries may be having significant and irreversible negative impact on nearshore ecosystems, including habitat and*

<sup>23</sup> Readily accessible in some local communities' police log. (prefer not to be specific)

<sup>24</sup> <http://www.fakr.noaa.gov/ram/faqreports.htm>



*populations of slow growing sensitive species, such as lingcod, yellow-eyed rockfish, and many others within traditional subsistence and sport fishing waters.*

- *The steady and continual longline pressure within nearshore waters may be causing unknown and detrimental impacts on non-halibut game fish discarded or retained as bycatch. In addition, no regulation requiring the recording of "sublegal" released fish leaves untold millions of pounds of halibut unable to contribute to the future sustainability of the biomass, and unable to be harvested by guided recreational, sport or subsistence fishermen dependant on nearshore access and a healthy halibut resource.*

The preamble to **Problem Statement** says: *"The recent expansion of the halibut charter fleet may make achievement of Magnuson-Stevens Act National Standards more difficult. Of concern is the Council's ability to maintain the stability, economic viability, and diversity of the halibut industry, the quality of the recreational experience, the access of subsistence users, and the socioeconomic well being of the coastal communities dependant on the halibut resource.*

With regard to either conservation, socioeconomic, science based management concerns it appears to be much more appropriate and valid to apply the preamble and the above listed **Problem Statement** concerns to the commercial industry rather than the charter sector; in order to ease the achievement of the **National Standards**. This being the case, and due to a lack of data to demonstrate otherwise; I submit to the Secretary that the preamble and the above portions of the **Problem Statement** are invalid and without merit. Therefore any subsequent action is purely arbitrary and capricious, and not based on solid legal foundation.

The only stated concern left to consider is #6" *The need for reliable harvest data will increase as the magnitude of the harvest expands in the charter sector.*"<sup>25</sup> I submit that this comment is not by definition a "concern". It is an innocuous statement used as fog factor which references a concept that is a "given" with respect to any and all aspects of conservation and science based management. The need for reliable data of every sort should always increase in order to achieve goals of the Magnuson-Stevens Act National Standards. (note: Despite listing this as a "concern", the NPFMC did not hold the same concern in relation to the commercial industry. (i.e.) To this day, the longline sector is not required to record "sublegal" released fish in its logbooks. This results in a completely arbitrary assessment of mortality which does not constitute reliable data.)<sup>26</sup>

I submit: The primary and most fundamental goal and responsibility of any management Council when considering and developing any management action is to present evidence and data (not rhetoric) to support and demonstrate the **Statement of Purpose and Need** and to; on a continuing basis,

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<sup>25</sup> Federal Register Vol. 67, No. 18/01/28/2002, Federal Register Vol. 68, No. 153/08/08/2003

<sup>26</sup> [Further note: After ten years of collection, ADF&G has still not certified charter logbook data as accurate with a scientifically acceptable level of confidence.]

evaluate the validity of their **Problem Statement** particularly with reverence to the stated "Need" which initiated and drives Council effort and expense. At any significant juncture, the Council has the obligation to bring forward any recently available data which is pertinent and relevant to the proposed action's **Purpose and Need**. It is also the responsibility of the Council to, through the collection and presentation of acceptable data; define and support the premise and concerns of the **Problem Statement**.

**Further I submit:**

- That the preamble and "concerns" #1, 2, and 4 do Not apply to the charter industry, being far more relevant and substantially more applicable to the longline sector than the charter sector with respect to achieving the goals of Magnuson-Stevens Act National Standards.
- That after more than a decade, the Council has done an inadequate and unacceptable job of supporting and addressing "concern" #5. If page 59 and page 78 represent the entire analysis with respect to the charter sector The Council has not fulfilled its responsibilities nor has it satisfied the "concern".
- That "concern" # 3, (the only "concern" relative to the **Sole Purpose and Need**), is invalid. If after more than twelve years the Council does not have (or refuses to present) **ANY** (actual, relevant, comprehensive, or comparative) **DATA** with which to support and demonstrate its **Sole Purpose and Need** or any part of its **Problem Statement**; it does not have a valid **Problem Statement**, and is thereby, by definition arbitrary and capricious, and not based on solid legal foundation. In addition, A Comparative Analysis<sup>27</sup> using recent, relevant, publicly available socioeconomic data<sup>28</sup> and based on Table 56 Estimates of loss, clearly illustrate that the de facto reallocation of halibut away from the charter sector would be likely to create **exponentially greater economic hardship** to the charter operator, the State of Alaska, and, most importantly, the coastal communities which are dependent on a stable, healthy halibut charter fleet and the tourism revenue generated by that fleet.
- One critical impact which the analysis does not address is not economic (yet, no less important) and can never be quantified is the "Loss" to the recreational angler who is effectively denied the right access to his/her halibut. Greater than 95% of guided recreational anglers in 2C are non residents.<sup>29</sup> Extrapolating from Table 56 data<sup>30</sup> in 2015, over 40,000 recreational anglers will be deprived of their right to safely experience the beauty of Alaska and the wonders of the Pacific Halibut resource. Such a de facto reallocation away from the recreational angler is a violation of those anglers' right to access their own fish under the Public Trust Doctrine.<sup>31</sup>

The Council has the responsibility with any action, proposal, or measure under its authority to periodically and, on a continuing basis gather, present, and analyze any and all recent and /or

<sup>27</sup> Appendix 5

<sup>28</sup> (McDowell Group report 2006) <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

<sup>29</sup> Page 78 11/27/02 EA/RIR/IRFA

<sup>30</sup> Page 59 11/27/07 EA/RIR/IRFA

<sup>31</sup> The Public Trust Doctrine is dated back to the infancy of Roman Law. The right to access Public resources was recognized as one of the most fundamental human rights. It has withstood the test of time for over 2000 years.

relevant data which may support or disprove the validity of the council's **Statement of Purpose and Need** that serves as a basis for the intended Council action. The Council has the responsibility to, at any time information or data becomes available which is pertinent and relative; make available to the public, present and evaluate such data to determine the consistency and validity of the Council action with the **Statement of Purpose and Need**.

As clearly stated in the Federal Registers Vol. 67 (proposed rule) and Vol. 68 (final rule) the **Sole Purpose and Need** for Council action (restricting the future growth of the charter harvest) is as follows:

***"...as the guided recreational fishery expands, its harvest reduces the pounds available to be fished in the commercial halibut fishery and, subsequently, the value of quota shares (QS) in the IFQ Program."***

The Council has been remiss in its responsibilities to present and evaluate the "best data available to it", (or for that matter to evaluate and analyze ANY DATA) which would support and/or demonstrate the validity of the **Need** which is the foundation for the **Problem Statement** and therefore any and ALL subsequent Council action: extremely relevant information is publically available that **MUST** be considered to evaluate the **validity, applicability, and ultimately the legal foundation of the Statement of Purpose and Need** any therefore of and all subsequent Council action.

Since the Implementation of the commercial IFQ Program, NOAA and the IPHC have monitored and reported on a myriad of aspects relative to the IFQ Program.<sup>32</sup> These Agencies report annually on allocations and harvests, ex-vessel values, quota share values, QS transfer etc. This data, is and has been, publically available. It is unacceptable, and of questionable legal practice, that this current and obviously pertinent data (which is prepared by NOAA) has not been presented in either analysis or review relative to the **Sole Purpose and Need**, the **Problem Statement**, and **any resulting GHL discussion, action, or rule.** (Of particular concern is the conspicuous absence of this available information in analyses submitted to the Secretary for consideration of the 2002 proposed GHL rule.)

The following, publicly available, information clearly illustrates that QS values have not been reduced, by ANY charter harvest, and in **FACT**, have increased exponentially. The analysis states definitively that losses due to reductions in the CEY and increases in GHL overages are likely to be substantial. This information (figure 2) and a parallel view with CEY history clearly show that substantial changes in allowable commercial harvest are much more significantly impacted by random IPHC changes in policy or methodology than by the charter sector.<sup>33</sup> This current and

<sup>32</sup> <http://www.fakr.noaa.gov/ram/ifqreports.htm>

<sup>33</sup> <http://www.lphc.washington.edu/halcom/commerci.htm>

credible NOAA and IPHC DATA clearly demonstrates that the Sole Statement of Purpose and Need and the GHJ Problem Statement is invalid; And any and all subsequent Council action, is by definition , arbitrary and capricious and therefore of questionable legal foundation.

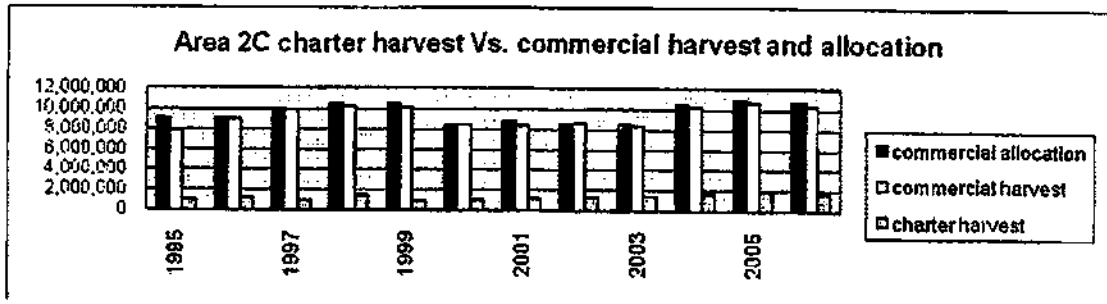


Figure 2  
Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>  
<http://www.iphc.washington.edu/halcom/commerci.htm>

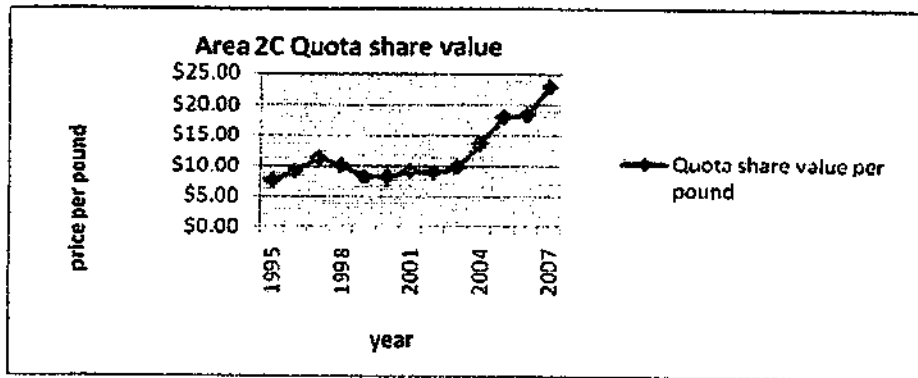


Figure 5  
Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>

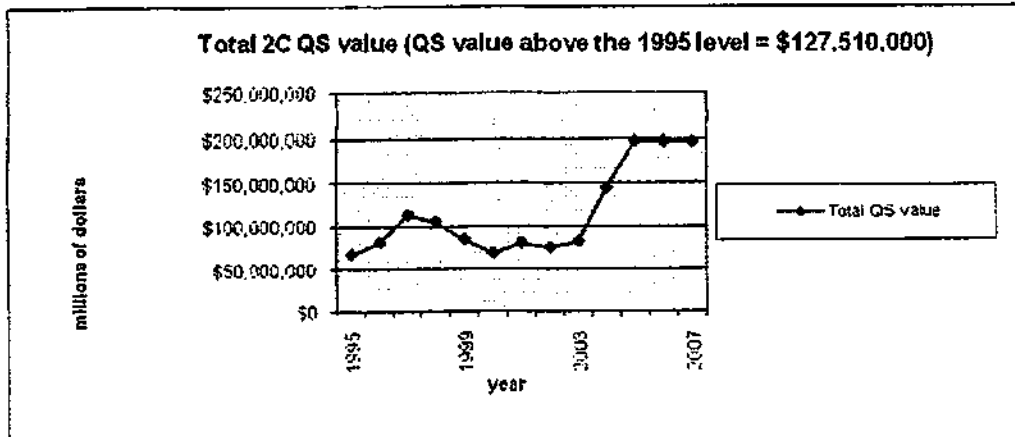


Figure 6

Source: <http://www.fakr.noaa.gov/ram/ifareports.htm>; Table 1 Appendix 4

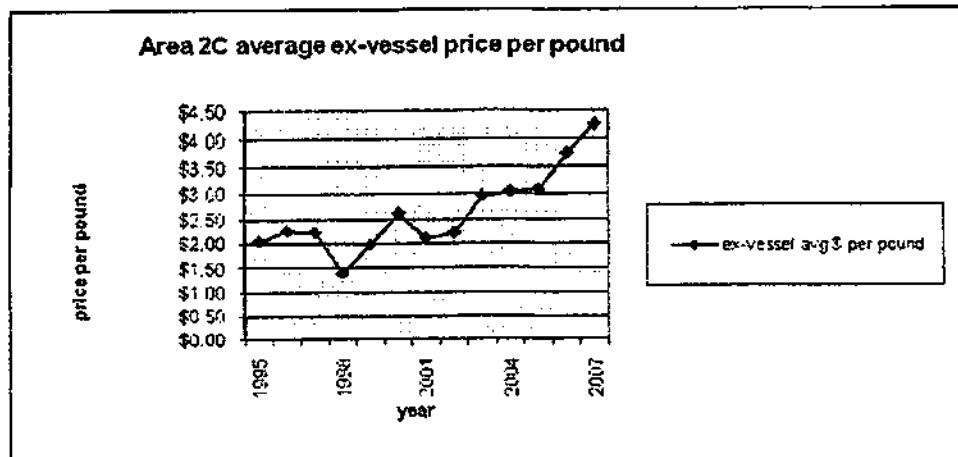


Figure 3

Source: <http://www.fakr.noaa.gov/ram/ifareports.htm>

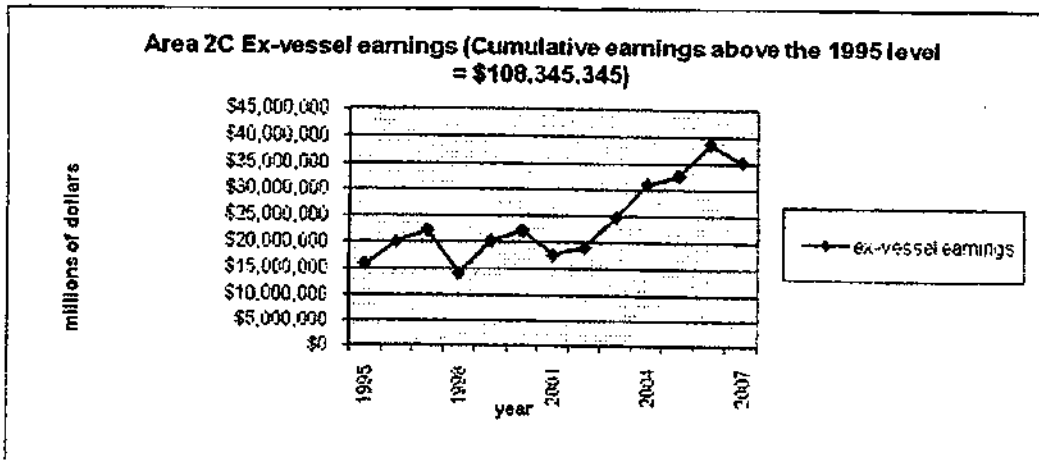


Figure 4

Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>; Table 1 Appendix 4

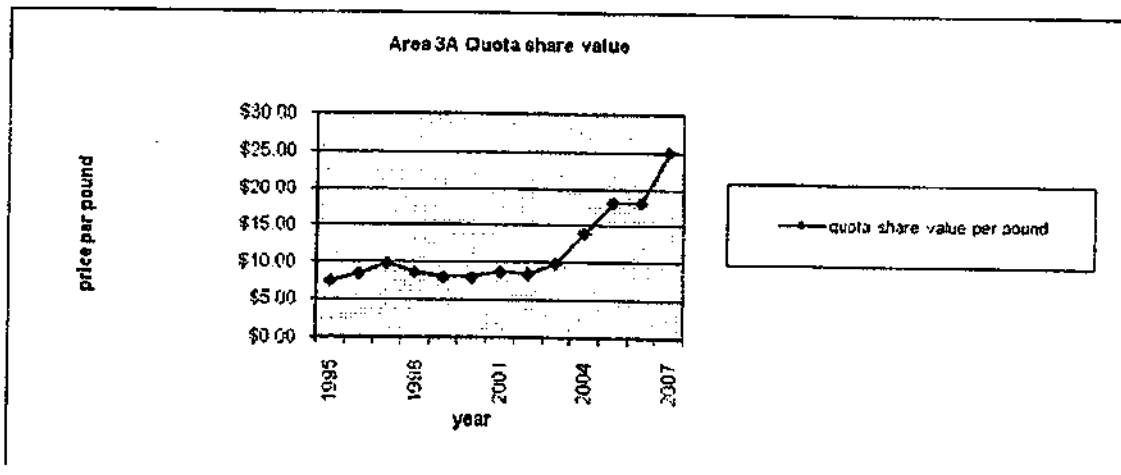


Figure 11

Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>

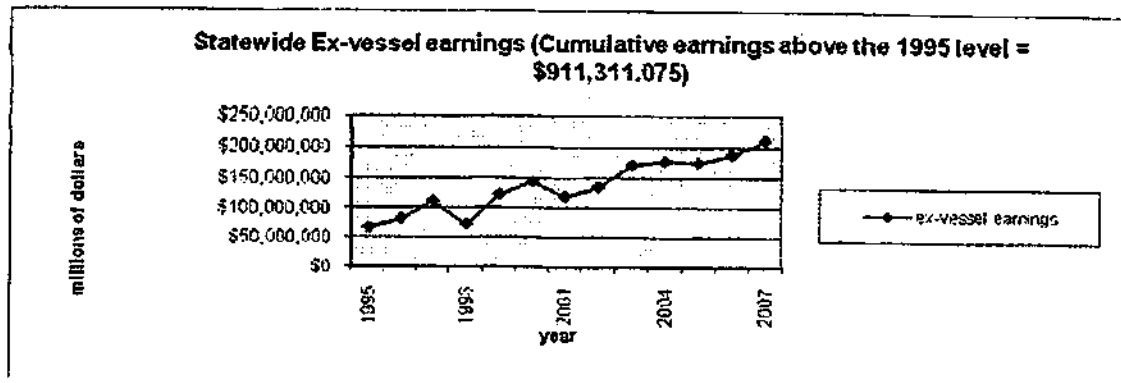


Figure 15

Source: <http://www.fakr.noaa.gov/ram/ifqreports.htm>; Table 1 Appendix 4

The information presented in the 11/27/07 EA/RIR/IRFA analysis on pages 73 and 59, are based on Table 56, page 59. The *speculative* losses to the commercial sector are based on the assumption that the charter harvest would grow at a rate of 6.8%. The assumption is that the charter harvest growth rate will remain the same as it has for the past 12 years. I submit that it is not only appropriate, but the Council's responsibility; to analyze current relevant data<sup>34</sup> to determine if that same growth rate (6.8%) has indeed caused quota share values to be reduced and thus created economic instability for the commercial sector since the implementation of IFQs, as per 1995 GHL Statement of Need and Problem Statement. In evaluating this data it is pertinent to also examine Area 3A and Statewide QS values as there are a significant number of 2C QS holders who also hold Quota share in Area 3A and/or statewide.<sup>35</sup>

*(Data summary does not reflect 1995 QS values as a baseline due to the fact that all initial shares were free, with ZERO initial investment. Additional value increase should actually be calculated considering 1995 QS value was \$ 0.00).*

- Figure 5 and Figure 11 show an increase in QS value in Area 2C to be **\$15.42/lb.**; from **\$7.58** in 1996 to **\$23/lb.** in 2007: Area 3A demonstrates an increase in QS value of **\$17.63/lb.**; from **\$7.37** in 1996 to **\$25/lb.** in 2007 (current asking price in 3A is averaging around **\$28/lb.**)<sup>35</sup>. This represents a **303%** increase and a **340%** increase in QS share values respectively. Statewide QS<sup>37</sup> values have increased at similar percentages.

<sup>34</sup> <http://www.fakr.noaa.gov/ram/ifqreports.htm>

<sup>35</sup> <http://www.fakr.noaa.gov/ram/ifqreports.htm>

<sup>36</sup> <http://www.dockstreetbrokers.com/ifqs.php>

<sup>37</sup> <http://www.fakr.noaa.gov/ram/ifqreports.htm>

- Figure 3 and Figure 9 show an increase in ex-vessel price of \$2.04/lb. in 2C and \$2.43/lb. in 3A; from \$2.04 in 1996 to \$ 4.27/lb. in 2007 and from \$1.99 to\$ 4.42/lb. respectively. This represents an increase in ex-vessel value of 209% in 2C and of 222% in Area 3A. Statewide ex-vessel values<sup>38</sup> have increased at approximately the same phenomenal 200+% rate.
- Figure 6 and Figure 12; illustrate the rapid and dramatic increase in QS value since 199. In Area 2C, the increase in QS value was \$127,510,000: And in Area 3A, the increase in QS value was \$507,600,000. This represents an increase value in QS of 287 % in 2C and an increase in QS value of 444% in Area 3A.
- Figure 4, Figure 10, and Figure 15 illustrate the cumulative difference in ex-vessel earnings since 1995. Considering the GHJ Need and Problem, this was calculated as the sum total of the ex-vessel earnings, above and beyond the 1995 level. In Area 2C, the cumulative increase in ex-vessel earnings above the 1995 level was \$108,345,345: In Area 3A, the cumulative increase above the 1995 level was \$324,741,959: and the cumulative increase in ex-vessel earnings statewide above the 1995 level was \$911,311,075.

Federal Register volumes 67 (proposed rule) and 68(final rule) published the 1995 GHJ Sole Statement of Purpose and Need ,and the only potentially concrete concern listed within the 1995 Problem Statement as follows:

*"...as the guided recreational fishery expands, its harvest reduces the pounds available to be fished in the commercial halibut fishery and, subsequently, the value of quota shares (QS) in the IFQ Program."*

In consideration of the current, substantiated, and significantly relevant data collected, validated, and presented by NOAA (since 1995): I submit the following:

- The GHJ Sole Statement of Purpose and Need by definition is invalid. There has been no reduction in QS value and certainly no resultant economic hardship. There is no data to support it. To the contrary, current data evaluation has proven that expanding charter harvest do NOT reduce the value of quota shares. 1) Individual quota share values have, if fact increased exponentially demonstrating an increase in value of 300% - 340% /lb. 2) Overall QS values have increased by a range 287% - 444%. 3) Ex-vessel prices have increased by 200+%. 4) Overall ex-vessel earnings have increased (above and beyond the 1995 level) to a Cumulative total of \$108 million in Area 2C, \$325 million in 3A, and \$911 million statewide.

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<sup>38</sup> Appendix 4 Table 3



With the "best available data" reflecting *astronomical increases* in QS value and ex-vessel revenue ranging from 200 % - 444%; and cumulative increases ranging from \$108 million to \$911 million. There is no empirical evidence to support the Statement of Purpose and Need (reduction of QS value) rendering it and any and all subsequent action invalid; by definition, arbitrary and capricious, and therefore not on solid legal foundation.

- The GHL Problem Statement by definition is invalid. There has been no reduction in QS value and certainly no resultant economic hardship. The entire premise; the basis for legal foundation, and the only quantifiable concern of the **Problem Statement** (reduction of QS value); is proven invalid by current credible data. There is no data to support it. To the contrary, current data evaluation has proven that expanding charter harvest do NOT reduce the value of quota shares. 1) Individual quota share values have, in fact increased exponentially demonstrating an increase in value of 300% - 340% /lb. 2) Overall QS values have increased by a range 287% - 444%. 3) Ex-vessel prices have increased by 200+%. 4) Overall ex-vessel earnings have increased (*above and beyond the 1995 level*) to a Cumulative total of \$108 million in Area 2C, \$325 million in 3A, and \$911 million statewide.

With the "best available data" reflecting *astronomical increases* in QS value and ex-vessel revenue ranging from 200 % - 444%; and cumulative increases ranging from \$108 million to \$911 million. There is no empirical evidence to support the Problem Statement (reduction of QS value) rendering it and any and all subsequent action invalid; by definition, arbitrary and capricious, and therefore not on solid legal foundation.

In consideration of the current, substantiated, and significantly relevant data collected, validated, and presented by NOAA (since 1995): I submit the following:

- That the NPFMC has been remiss and negligent in its responsibilities and obligations as a conservation and resource management body tasked with science based decision making. Financial insurance rulemaking and investment guarantee regulation are NOT within the purview of the NPFMC with respect to its mandates; conservation and resource management, science based management, the Magnuson-Stevens Act, or the Halibut Act.
- That the NPFMC has been remiss and negligent in its responsibilities and obligations to achieve the goals of and manage the resource, in accordance with and in compliance to the Magnuson-Stevens Act National Standards.

- That the NPFMC has been remiss and negligent in its responsibilities and obligations to collect, publicly present, and honestly evaluate "the BEST available data." Current substantiated data which is collected and presented publicly by NOAA (the NPFMC's own agency); and is of significant relevance and specifically pertinent to the Council action should be considered as "the BEST available data."
- That the NPFMC has been remiss and negligent in its responsibilities and obligations evidenced by the arbitrary and capricious nature of its support and validation of; and for the arbitrary and capricious foundation of the Statement of Problem and Need, the Problem Statement, and the entire GHL rulemaking "process".
- That after 15 years of consideration, tens of thousands of man hours (Council staff, ADF&G, and others), millions of dollars spent by the State and the Federal Government, (the American taxpaying Public), and the hundreds of thousands the charter operators had to pay out of pocket to defend their clients' right to safely harvest their halibut: They only one who has benefited has been the longline sector.<sup>39</sup> There has been no reduction in QS value and certainly no resultant economic hardship.
- The NPFMC has been so entirely focused on covertly implementing a de facto reallocation away from the charter sector; it has been remiss and negligent in addressing its concerns of community stability, the quality of the recreational experience, economic viability of ALL those who benefit from the halibut resource, and the socioeconomic well-being of the coastal communities dependant on the resource. The NPFMC has been so focused on covertly implementing a de facto reallocation away from the charter sector; it has failed to address these concerns and have, in Fact, significantly exacerbated social problems with the implementation and "protection" of the commercial IFQ program.

There has been much conjecture and assertion in the last few years, by the longline sector, the NPFMC, and NOAA attorneys, and "the good 'ole boys"; that the Magnuson-Stevens Act National Standards did not apply to the halibut resource, even though sed Act is responsible for delegating its authority to the Council AND that those National Standards mandate . I submit the following supposition:

- IF the Magnuson-Stevens Act does not apply to the Pacific Halibut Resource, then the NPFMC had no real authority to create the commercial IFQ Program and quota shares holdings should immediately become null and void.

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<sup>39 39</sup> <http://www.fakr.noaa.gov/ram/ifqreports.htm>

- IF the Magnuson-Stevens Act National Standards do **Not** apply to the Pacific Halibut Resource; then the *most basic premise which supports the foundation of the Problem Statement is invalid*, thereby rendering the entire Problem Statement and **Any and All** subsequent GHLC Council action, arbitrary and capricious, Not based on any legal foundation, and immediately null and void.
- If the Magnuson-Stevens Act National Standards **DO** apply to the Pacific Halibut Resource; then the NPFMC has been remiss, negligent, or corrupt in its responsibilities and obligations to adhere to the guidelines and achieving the goals set forth therein with respect to the guided recreational users and the halibut resource. Most of the Standards have been either ignored or legally violated throughout the GHLC "process"; of particular concern is the blatant disregard for National Standard 5 (which states that **"No measure shall have economic allocation as its Sole Purpose."**).
  - \*\*If the Standards which provide the basis of and the legal foundation for the **Problem Statement** are largely ignored or not adhered to then *either A) A "Problem" does not exist and therefore any and all action, is arbitrary and capricious and has no legal foundation: Or B) the Council does not have a valid Problem Statement; therefore any and all subsequent action is arbitrary and capricious, and has no legal foundation.*

#### Conclusion:

I strongly encourage the Secretary to consider his actions and evaluate halibut resource issues based on factual and complete data instead on based on speculative futures and inadequate, incomplete analyses. Evaluation of GHLC history and current, newly exposed, and (previously unanalyzed), data illustrate that there is nothing of substance on which to base potentially economically devastating action. The Council has proven historically remiss and negligent, demonstrating repeatedly its unwillingness to present and evaluate actual available data both; with respect to **socioeconomic impacts** and also with respect to supporting and validating its Purpose and Need, as well as, its **Problem Statement**. *(If I can generate A Comparative Analysis of potential economic losses and present publically available, current, and credible data which is directly relevant & imperative for analysis relative to the Sole Purpose, Need, and Problem Statement: Why is the NPFMC still Not capable (willing?) to do so after 16 years and millions of dollars.???) I submit: A political agenda masterminded , by a commercially dominated (95%) and controlled A.P. and NPFMC :to create a covert de facto reallocation away from the guided recreational angler???* The Council has been extensively remiss and negligent, procedurally; in its efforts to satisfy the political agenda (de facto reallocation away from the charter sector) under the guise of; and in the complete absence of; a conservation or biological "Need". The Council has been extensively remiss and negligent with respect to socioeconomic impacts and social conflict issues. It has failed to address them with respect to the charter community and exacerbated them with respect to the longline sector. The Council has spent nearly 15 years and countless millions of

dollars to covertly implement a de facto reallocation away from the charter sector based on a **Purpose and Need** and a **Problem Statement** which repeatedly do not pass any tests of merit, are therefore **invalid, ultimately arbitrary and capricious, and Not based on solid legal foundation**. The NPFMC has been remiss and negligent, by both action and inaction, in its responsibilities and obligations to address its stated intention<sup>40</sup> of easing the Council's ability to achieve the **Magnuson-Stevens Act National Standards**.

Current, credible and relevant, data which is publicly available, yet never presented for analysis (socioeconomic and direct revenues and QS values) have been applied to Council's speculative loss models; as well as, to test the merit of the **Problem and Need Statements**. As illustrated previously in the document, when evaluated for their validity using "the **Best available data**";<sup>41</sup> the **GHL Sole Statement of Purpose an Need and the Problem Statement** repeatedly fail the tests of merit, thereby, proving them as **invalid**; and therefore, **arbitrary and capricious by definition, and Not on solid legal foundation**. Quota share values reflecting **200-450% increases** over the twelve year period **Do Not define reductions in QS values**. Ex-vessel increases of **200% per pound** and an astronomical rise in cumulative increased earnings (above and beyond 1995 earnings) ranging from **\$108 million to \$911 million Do Not demonstrate a reduction in QS value** and definitely **Does Not represent economic hardship to the longline sector**. (With an average charter operator's gross revenue of \$34,000<sup>42</sup> I'm certain that that charter fleet wouldn't mind a little of that economic devastation.)

These phenomenal increases in QS values and revenue; when viewed in conjunction with QS transfer rates<sup>43</sup> illustrate a freely flowing and unconstrained QS marketplace. **These trends clearly DO NOT demonstrate either a reduction in QS value, significant negative economic impact, or uncertainty and instability among commercial IFQ holders**. IPHC application of Slow Up / Fast Down Policy designed to "buffer"<sup>44</sup> possible impacts to the commercial industry would reduce the already Non-Existent Economic impact by a factor of 2 or 3 (depending on whether SU or FD were applied).<sup>45</sup> Evaluating A Comparative Analysis and Appendix 4, clearly illustrates through empirical data, that that a 12 year growth rate of 6.8% in the guided recreational harvest would have **Zero negative economic impact to the longline sector**; and yet to restrict that future harvest potential would likely cause **significant economic hardship to the charter operator, the State of Alaska, and the coastal communities that are dependent on a viable and healthy charter fleet**. The costs to the Federal Government and the

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<sup>40</sup> Federal Register Vol. 67, No. 18/01/28/2002, Federal Register Vol. 68, No. 153/08/08/2003

<sup>41</sup> <http://www.fakr.noaa.gov/ram/lfqreports.htm>  
(McDowell Group report 2006) <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

<sup>42</sup> P. 78 11/27/07/EA/RIR/IRFA...average charter operators gross income \$34,000

<sup>43</sup> <http://www.fakr.noaa.gov/ram/lfqreports.htm>  
<http://www.iphc.washington.edu/halcom/commerci.htm>

<sup>44</sup> See Appendix 1 "buffer"=term designed to allow CEY overharvesting by 35-85%

<sup>45</sup> Appendix 2

State of Ak. Associated with continuing the GHL charade and the costs associated with enforcing<sup>46</sup> any de facto reallocation far outweigh the non-existent losses to the commercial sector.

The Federal Government via the NPFMC has a complex paradox to address with regard to the Magnuson-Stevens Act National Standards. The Federal Government via NPFMC is faced with a perplexing Catch-22.

- IF the Magnuson-Stevens Act National Standards do Not apply to the Pacific Halibut Resource; then the *most basic premise which supports the foundation* of the Problem Statement is invalid, thereby rendering the entire Problem Statement and Any and All subsequent GHL Council action, arbitrary and capricious, and Not based on any legal foundation.
- If the Magnuson-Stevens Act National Standards DO apply to the Pacific Halibut Resource; then the NPFMC has been remiss, negligent, in its responsibilities and obligations to adhere to the guidelines and achieving the goals set forth therein; with respect to the guided recreational users and the halibut resource. Of particular concern is the blatant disregard for National Standard 5 (which states that "No measure shall have economic allocation as its Sole Purpose", and any allocation Must be "fair and Equitable to ALL users").
- IF the Magnuson-Stevens Act does not apply to the Pacific Halibut Resource, then the NPFMC had no real authority to create the commercial IFQ Program and quota shares holdings should immediately become null and void.

***\*\*\*If the Standards which provide the basis of and the legal foundation for Any Problem Statement are largely ignored, not adhered to, or not applicable then either A) A "Problem" does not exist and therefore any and all action, is arbitrary and capricious and has no legal foundation: Or B)the Council does not have a valid Problem Statement; therefore any and all subsequent action is arbitrary and capricious, and has no legal foundation.\*\*\****

With no foreseeable or substantive legal foundation which would pass muster and not be arbitrary and capricious; and the fact that all GHL analysis and all subsequent analyzes have been unacceptable and inadequate for the purposes of conservation and science based decision making; And after consideration of scientifically credible, recent, and significantly relevant

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<sup>46</sup> 11/27/07/EA/RIR/IRFA...

DATA, which has been historically concealed from the affected users and policy makers. I make the following recommendations

- 1) Take **NO ACTION** with regard to enforcing a political de facto<sup>47</sup> reallocation (GHL)
- 2) Recognizing the arbitrary and capricious legal foundation of any and all Council action initiated by, and subsequent to the **Fatally Flawed 1995 "Need" and "Problem"**; **Reject and Rescind Any and All GHL related action, including prohibition of crew fish and size limits.**
- 3) Recognizing the arbitrary and capricious legal foundation of any and all Council action initiated by, and subsequent to the **Fatally Flawed 1995 "Need" and "Problem"**; and recognizing the unavoidable legal consequences of the Magnuson-Stevens Catch 22 described above: **Reject and Rescind the GHL in its entirety.**
- 4) **Recognizing that the unboundaried and virtually unrestricted commercial IFQ (give away) Program has made achievement of Magnuson-Stevens Act National Standards more difficult by creating a hostile environment for resource and science based management, the recreational angling experience, and the charter operator, and local businesses : And Recognizing that the commercial IFQ (give away) Program has significantly exacerbated and incited community instability and disrupted the social and socioeconomic well-being of the coastal communities dependant on the halibut resource; The Council may well wish to consider modifying, restricting or revoking the commercial IFQ Program. (It appears Bromley was correct in asserting that the Public resource should have never been "Given away" in the first place.)<sup>48</sup>**

Thank you for your time and consideration of this relevant and easily verifiable Data. I am confident that the Council will eventually fulfill its responsibilities and obligations with respect to the Magnuson-Stevens Act National Standards, the Halibut Act ("fair and equitable"), and all other truly applicable laws, and base its economically devastating decision making on comprehensive, recent, accurate data evaluation.

**\*\*2006 Problem Statement:** Having witnessed the "rulemaking process" now for over 14 years, I am certain that the Council will try to justify current potential measures as valid under the 2006 GHL problem statement. As clearly demonstrated by the 11/27/07 EA/RIR/TRFA Analysis, the Council's

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<sup>47</sup> *Random House Unabridged Dictionary* de fac - to actually existing, esp. when without lawful authority

<sup>48</sup> Bromley report <http://www.seafa.org/wp-content/uploads/2007/11/bromley-macinko-october-2007-3.pdf>

foundation for action (p.59, Table 56 ) is the *"speculative" loss to the commercial sector*. The I submit that the 2006 Problem Statement is invalid. Based the fact that at the Council has been negligent in presenting adequate or substantive data to establish the Need and Problem for GHF action. Based on the fact that the "original" 1995 Problem Statement and Statement of Need (the Sole purpose for action) are invalid, have not been demonstrated by fact or data, are arbitrary and capricious, and therefore based on no legal foundation. As evidenced by the application of current pertinent, publicly available data, which has NEVER been presented (as per, the responsibilities and obligations of the Council),; the Statement of Need and Problem Statement are proven to Not pass tests of muster, are therefore invalid and consequently arbitrary and capricious. I submit: that having Proven that there is no scientific or legal foundation for the stated Need and Problem; Any and All subsequent action (including the 2006 Problem Statement) are invalid, arbitrary and capricious, and Not on solid legal foundation, or for that matter Any legal foundation. The "new" problem Statement does not define a problem. It is again fog factor to hide the original a stated Problem and Need. The only "concern" mentioned is to maintain community stability. As is clearly evidenced, the Council action does not and cannot address this issue and, in fact, continuation of this charade coupled with the commercial IFQ program; the Council will continue to exacerbate community tensions and instability.

Appendix 1 – Addresses the lack of a conservation concern.

Appendix 2 – Explanation of IPHC SUFD policy

Appendix 3 – Page 59, Table 56 11/27/07 EA/RIR/IRFA The NPFMC basis for all Speculation and action.

Appendix 4 – No assumptions were made. This is simply a compilation of the information publicly available on the NOAA and IPHC website.

Appendix 5- All information is derived and applied with reference to Council's speculative loss presentation. The body is generated through simple mathematical exercise based on Council "data". All references are cited with each Table and any calculation are show in each table header.

The McDowell Group multiplier was used to reflect the most current "best available" socioeconomic data.

The multiplier effect of 10 was illustrated as that factor is the generally accepted multiplier with respect to recreational fisheries.

The multiplier effect of 6 was added to provide a "low" end range of impacts.

License fees were shown as \$20-\$35 dollars. These numbers were to provide a "low" end range of impacts. 95% of the charter clients in 2C are non-resident are more likely to have purchased a multiday license and therefore, the impact to the State is likely to be much greater than reflected.

#### Appendix 1

##### 1. Not a Conservation Issue

The **GHL Statement of Purpose and Need** and the **Problem Statement** make it abundantly clear that conservation and sustainability of the halibut resource is Not an issue or concern with regard to any and all GHL measures. There is no reference to the sustainability of the halibut resource. There is no statement of present or future biological or ecological concerns. There is no discussion of any present or future conservation concerns with regard to the Pacific Halibut resource. **There is only one statement which defines the purpose and need for action: To prevent the *speculated* future reduction of quota share values.**

Reviewing the catch limits set by IPHC for Areas 2A, 2B and 2C in 2008, it should be abundantly clear that maintaining the GHL at 1.432 million pounds and continuing the existing charter harvest restrictions unchanged is not a conservation issue:

- The 2008 area 2A combined catch limit is 1.22 million pounds. Adding "other removals" of 0.29 million pounds, results in total removals of 1.51 million pounds, 60% over the area 2A total CEY of 0.94 million pounds.
- The 2008 area 2B combined catch limit is 9.00 million pounds. Adding "other removals" of 0.47 million pounds, results in total removals of 9.47 million pounds, 85% over the area 2B total CEY of 5.12 million pounds.



- The 2008 area 2C commercial catch limit is 6.21 million pounds. Adding "other removals"<sup>49</sup> of 2.59 million pounds results in total removals of 8.8 million pounds, 35% over the area 2C total CEY of 6.5 million pounds<sup>50</sup>.

The IPHC would never allow an over harvest of the Total CEY if there were a conservation issue. It should be very clear that due to the conservative nature of IPHC harvest calculations, over-harvest of the Area 2 total CEY by 60 to 85% is possible without resulting in a conservation issue.

## Appendix 2

### 2. IPHC Change of Assessment Model

At the recently concluded IPHC annual meeting, the commissioners chose to adopt a new Coastwide assessment and apportionment model that radically changes the calculation of total CEY in Area 2C. This year the Coastwide assessment model has calculated an Area 2C total CEY of 6.5 million pounds. If the 2008 GHL were determined using the Coastwide total CEY for Area 2C, then this year's GHL would be set to 0.931 million pounds, a 35% decrease from last year.

The GHL triggers were based on the 1999-2000 average total CEY, which was calculated using the Closed Area assessment model. This year's Closed Area assessment calculates the Area 2C total CEY to be 9.8 million pounds<sup>51</sup>, well above the first GHL stairstep of 9.027 million pounds.

Careful review of the August 8, 2003 Final Rule for the GHL shows that there is no mention of *which* total CEY the GHL must be based upon. Given the fact that both the Closed Area and Coastwide total CEYs have been published by the IPHC, the Secretary has the discretion to choose which total CEY to base the GHL upon.

***In fairness to the guided recreational sector, the GHL should continue to be calculated using the Closed Area assessment model upon which it was originally based.***

<sup>49</sup> Includes GHL = 0.931 million pounds

<sup>50</sup> IPHC Staff, *2008 IPHC Bluebook*, page 109

<http://www.iphc.washington.edu/halcom/pubs/annmeet/2008/bluebook/bluebook08.pdf>

<sup>51</sup> IPHC Staff, *2008 IPHC Bluebook*, page 71

<http://www.iphc.washington.edu/halcom/pubs/annmeet/2008/bluebook/bluebook08.pdf>

**3. "Slow up – Fast Down" Interactions with GHL Stairstep provision:**

"Slow up – Fast down" (SUF) is a poorly documented IPHC policy designed to buffer the economic impact of large changes in fishery CEY.

Here is how SUFD works:

**Slow Up (SU):** If this year's fishery CEY is greater than last year's catch limit then the catch recommendation equals last year's catch limit plus 1/3 of the difference between this year's fishery CEY and last year's catch limit. SU is precautionary in nature, raising the catch limits slowly when the CEY appears to be increasing.

**Fast Down (FD):** If this year's fishery CEY is less than last year's catch limit, then the catch recommendation is set 1/4 way between last year's catch limit and this year's fishery CEY. FD is an economic buffer applied to the fishery CEY that lessens the blow of a fishery CEY decrease to the harvesters of the fishery CEY.

In IPHC regulatory areas 2A and 2B, SUFD buffering is applied to a combined commercial/sport fishery CEY, with the outcome that sport fisheries enjoy the same level of buffering as the directed commercial fisheries. *In areas 2C and 3A, SUFD is applied only to the directed longline fishery.*

Below are the 2008 IPHC Catch Limits for Area 2C:

Area 2C Total CEY:	6.50 million pounds
- 2C other removals:	-2.59 million pounds
	-----
Fishery CEY:	3.92 million pounds
FD Adjustment:	2.29 million pounds
	-----

Catch Limit Adopted: 6.21 million pounds

For 2008, the area 2C SUFD adjustment is "Fast Down" and amounts to 2.29 million pounds. Assuming "other removals" occur as planned, a FD adjustment results in total removals exceeding the total CEY by the amount of the FD adjustment. It is easy to see that a FD adjustment of 2.29 million pounds will result in next year's biomass calculation being lower than it would be in the absence of the adjustment. The 2.29 million pounds of excess harvest, the wastage associated with this excess harvest and the biomass growth that the 2.29 million pounds of excess harvest would have accrued are all essentially debited from the following year's biomass calculation, resulting in a lower total CEY in the following years than would have been set in the absence of these removals. *Since the GHL keys off the total CEY, the "fast down" portion of SUFD policy can either trigger a GHL stair step down or prevent a GHL stair step up in the year(s) following application.*

The negative effects of FD policy on GHL determination were overlooked when the original GHL rule was developed. As a result of FD, the longline sector enjoys an economic benefit at the expense of the guided recreational sector in area 2C and 3A. *The Secretary can only conclude that the stair step feature of the GHL is not compatible with SUFD policy.*

The analysis does go into some detail on the expected loss to the commercial sector, but in the absence of detailed data on the economic impact to the charter sector, it makes no attempt to calculate net gains or losses. *In addition, the impact charts depicted on pages 59 and 73 are incorrect in assuming that a pound of guided recreational harvest equals one less pound that the directed fishery can harvest.* Recall that SUFD buffers changes to the fishery CEY. In a "Fast Down" year, the longline sector enjoys FD buffering that has the net effect of lowering the commercial catch limit by only 1/4 pound for every pound added to the charter harvest in "other removals". Proof follows in a simple exercise using the 2008 catch limits for Area 2C. In the first example, IPHC has substituted a GHL = 0.931 million pounds for guided recreational removals, arriving at a Fishery CEY of 3.92 million pounds. Applying the FD formula results in a catch limit recommendation of 6.21 million pounds. The second example starts with the same total CEY, subtracts "other removals" including a GHL of 1.432 million pounds (adding 501,000 pounds to the charter harvest), arriving at a fishery CEY of 3.409 million pounds. It then applies the FD formula, resulting in a commercial catch recommendation of 5.96 million pounds, just 250,000 pounds less than the first example.

2008 Area 2C Catch Limits:

Area 2C Total CEY: 6.50 million pounds

- 2C other removals:	-2.59 million pounds (assumes 0.931 m lb GHL)
	_____
Fishery CEY:	3.92 million pounds
FD Adjustment:	2.29 million pounds
	_____
Catch Recommendation:	6.21 million pounds

2008 Area 2C Catch Limits calculations with 0.931 GHL replaced by 1.432:

Area 2C Total CEY:	6.50 million pounds
- 2C other removals:	-3.091 million pounds (assumes 1.432 m lb GHL)
	_____
Fishery CEY:	3.409 million pounds
FD Adjustment:	2.55 million pounds
	_____
Catch Recommendation:	5.96 million pounds

In a FD year, assuming the IPHC adopts staff catch recommendations, the commercial sector's catch limit is reduced by only  $\frac{1}{3}$  pound for each additional pound of charter harvest that is added to "other removals." 2006, 2007 and 2008 are all "fast down" years. The ex-vessel losses calculated on page 59 of the EA/RIR/IRFA, at least for those three years, are therefore high by approximately a factor of 2. ("Slow up" reduces commercial catch by 1/3 pound for every additional pound of other removals.)

The Secretary should also note that the 3.5 million pounds of Area 2C SUFD adjustments for the commercial fleet from 2006 through 2008 is more than double the amount of all Area 2C GHL charter harvest averages since the GHL rule was published in 2003<sup>52</sup>. (Area 2C FD adjustments: 2006: 300k pounds, 2007: 900k pounds, 2008: 2.29 million pounds)

<sup>52</sup> IPHC Staff: 2008 IPHC Bluebook, page 19

*In the absence of a comprehensive economic analysis that accurately assesses the economic impact of all options to both guided recreational and commercial sectors, the Secretary has no meaningful economic data upon which to fairly base his decision. This supports continuation of the status quo until the analysis shortfalls are fully addressed.*

### Appendix 3

**Table 56 Annual Commercial Losses in Gross Ex-Vessel Revenue based on Estimated Commercial CEY Reductions and Guided Sport Catch-Area 2C [2006 through 2015]**

Year	Total Commercial CEY	Legal-sized Bycatch	Subsistence catch	Unguided Sport Catch	Guided Sport catch	Commercial wastage	Commercial CEY	GHL Overage	Ex-Vessel Losses (\$M)
2006	13.73	0.14	0.68	0.905	2.035	0.04	9.840	0.603	\$2,289
2007	8.51	0.14	0.68	0.905	1.622	0.04	5.123	0.190	\$0,721
2008	8.51	0.14	0.68	0.905	1.732	0.04	5.013	0.300	\$1,141
2009	8.51	0.14	0.68	0.905	1.850	0.04	4.895	0.418	\$1,588
2010	8.51	0.14	0.68	0.905	1.976	0.04	4.769	0.544	\$2,067
2011	8.51	0.14	0.68	0.905	2.111	0.04	4.634	0.679	\$2,577
2012	8.51	0.14	0.68	0.905	2.255	0.04	4.490	0.823	\$3,123
2013	8.51	0.14	0.68	0.905	2.408	0.04	4.337	0.976	\$3,706
2014	8.51	0.14	0.68	0.905	2.572	0.04	4.173	1.140	\$4,328
2015	8.51	0.14	0.68	0.905	2.747	0.04	3.998	1.315	\$4,993

Source: Northern Economics Estimates based on IPHC 2006 Stock Assessment Estimates and 2006 ADF&G estimates of guided and unguided sport catch.

Note: All non-dollar figures are in millions of lb.

While this methodology is not as accurate as population modeling, it provides a reasonable estimate of losses that could result under the No Action alternative. Using these guidelines, the model makes the following simplifying assumptions:

- 2007 estimates of total CEY, legal-sized bycatch mortality, subsistence catch, unguided sport catch, and commercial wastage remain constant across time between 2006 and 2015.
- Ex-vessel prices remain constant in real terms at \$3.80 per lb in Area 2C.
- Charter harvests grow from 2006 ADF&G estimates at their long-term growth rate calculated for

1995-2006. Under this assumption, Area 2C has a yearly growth rate of 6.8 percent. The model predicts that the Area 2C GHL overage could grow from 603,000 lb in 2006 (roughly 4.3 percent of total CEY), to 1.315 Mlb in 2014 (roughly 26 percent of total CEY). These increases reflect a reduction in total CEY, as noted in the IPHC estimates for 2007, and the 2007 status quo. Attributable losses in gross ex-vessel revenue to the commercial longline fishery would increase from \$700,000, in 2007, to approximately \$4.99 million in 2015 (Table 56). Losses in gross ex-vessel value directly affect crew and communities that are dependent on the commercial longline fleet and the combined affect of losses from 2006 to 2007 CEY reductions and increases in GHL overages are likely to be substantial

*Respectfully Submitted*

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*907-299-0247*

**Table 3**  
**Statewide evaluation of QS value and ex-vessel earnings.**

year	ex-vessel per pound	commercial harvest	commercial allocation	ex-vessel earnings	profit vs. '95	charter harvest
1995	\$1.97	33,982,000	38,620,000	\$68,905,140	\$0	3,831,000
1996	\$2.19	37,501,000	38,620,000	\$82,127,190	\$15,222,050	4,009,000
1997	\$2.13	52,365,000	53,000,000	\$111,537,450	\$44,632,310	4,447,000
1998	\$1.29	58,128,000	58,000,000	\$72,402,540	\$5,497,400	4,569,000
1999	\$2.00	61,151,000	61,200,000	\$122,302,000	\$55,396,860	3,472,000
2000	\$2.52	57,012,000	58,070,000	\$143,670,240	\$70,785,100	4,272,000
2001	\$1.89	59,731,000	61,330,000	\$118,884,690	\$51,559,650	4,334,000
2002	\$2.19	61,735,000	61,960,000	\$135,199,650	\$68,284,510	3,939,000
2003	\$2.84	60,533,000	61,960,000	\$171,913,720	\$105,008,580	4,784,000
2004	\$2.97	60,055,000	61,225,000	\$178,393,050	\$111,497,910	5,418,000
2005	\$3.00	59,689,000	59,250,000	\$178,067,000	\$109,161,850	5,641,000
2006	\$3.83	52,228,380	53,338,000	\$199,581,759	\$122,676,019	5,488,000
2007	\$4.30	49,328,713	50,211,800	\$212,113,466	\$145,208,326	unknown
			<b>cumulative</b>		<b>\$911,311,075</b>	

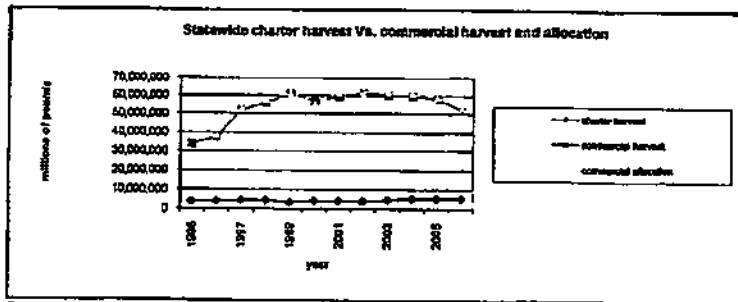


Figure 13  
 Source: <http://www.fakr.noaa.gov/tran/ftg/reports.htm>, <http://www.jphc.washington.edu/ha/ha/com/commerc.htm>

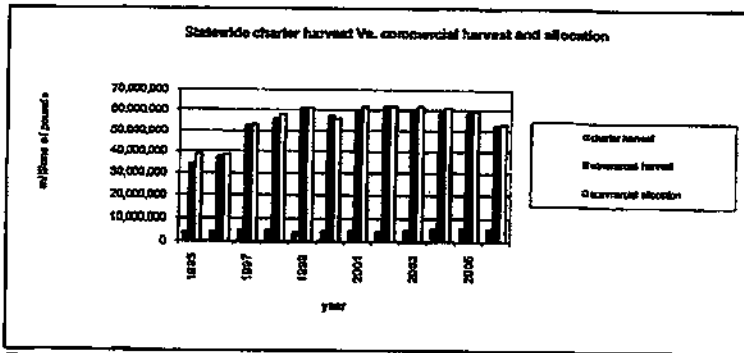


Figure 14  
 Source: <http://www.fakr.noaa.gov/tran/ftg/reports.htm>, <http://www.jphc.washington.edu/ha/ha/com/commerc.htm>

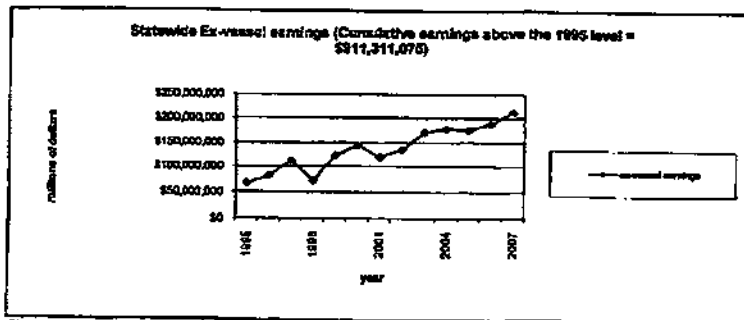


Figure 15  
 Source: <http://www.fakr.noaa.gov/tran/ftg/reports.htm>, <http://www.jphc.washington.edu/ha/ha/com/commerc.htm>

Area 3A charter harvest Vs. commercial harvest and allocation

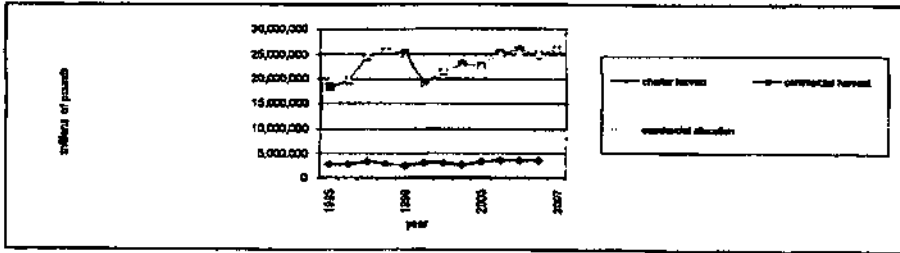


Figure 7  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Area 3A charter harvest Vs. commercial harvest and allocation

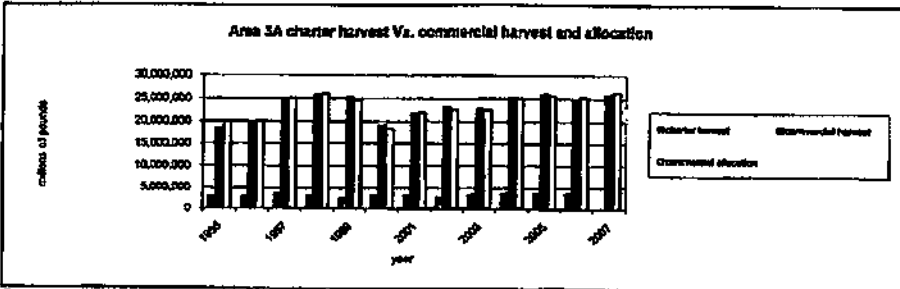


Figure 8  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Area 3A average ex-vessel price per pound

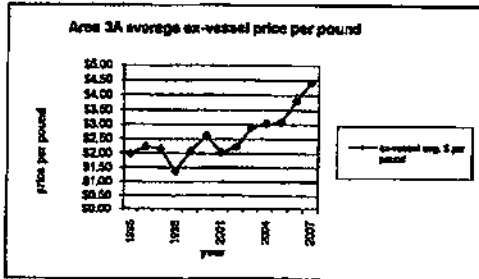


Figure 9  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Area 3A Ex-vessel earnings (Cumulative earnings above the 1995 level = \$224,741,959)

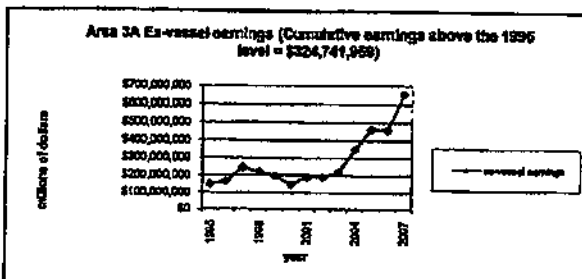


Figure 10  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Area 3A Quota share value

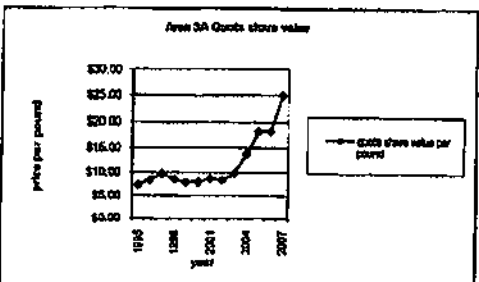


Figure 11  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Total 3A QS value (QS value above the 1995 level = \$807,530,000)

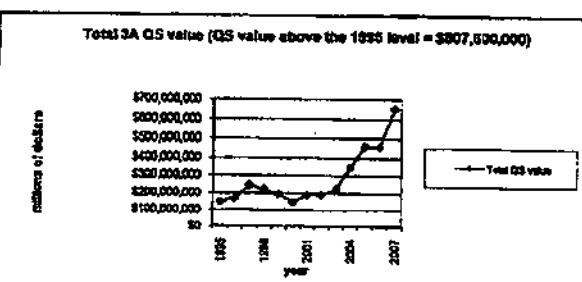


Figure 12  
Source: <http://www.fair.noaa.gov/nr/rtq/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>



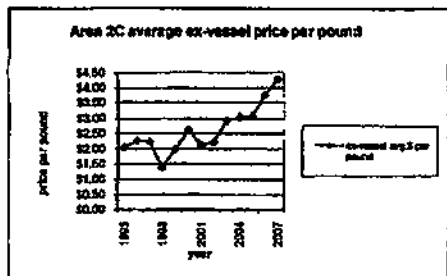


Figure 3  
Source: <http://www.fahr.noaa.gov/rm/fqreports.htm>,  
<http://www.lphc.washington.edu/hai/oa/commercial.htm>

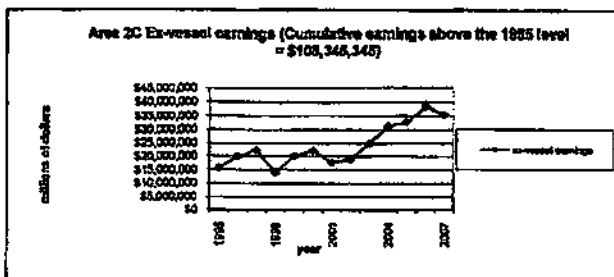


Figure 4  
Source: <http://www.fahr.noaa.gov/rm/fqreports.htm>, <http://www.lphc.washington.edu/hai/oa/commercial.htm>

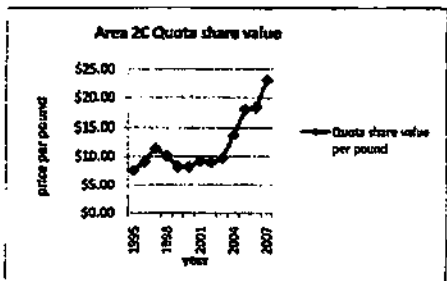


Figure 5  
Source: <http://www.fahr.noaa.gov/rm/fqreports.htm>,  
<http://www.lphc.washington.edu/hai/oa/commercial.htm>

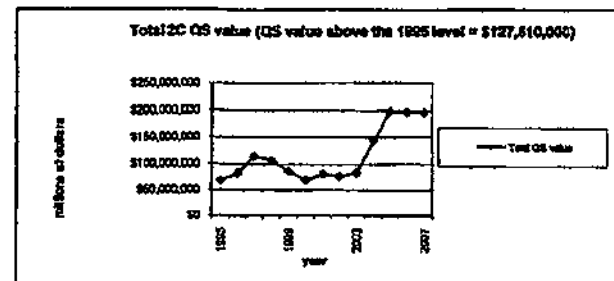


Figure 6  
Source: <http://www.fahr.noaa.gov/rm/fqreports.htm>, <http://www.lphc.washington.edu/hai/oa/commercial.htm>

year	ex-vessel per pound	commercial harvest	commercial allocation	QS value	ex-vessel earnings	Total QS value
1995	\$1.29	18,336,000	20,000,000	\$7.37	\$36,468,640	\$147,400,000
1996	\$2.24	19,693,000	20,000,000	\$8.40	\$44,112,320	\$158,000,000
1997	\$2.16	24,628,000	25,000,000	\$9.78	\$63,198,480	\$244,500,000
1998	\$1.36	25,699,000	26,000,000	\$8.55	\$34,948,280	\$222,300,000
1999	\$2.09	25,318,000	24,670,000	\$7.94	\$52,910,440	\$192,879,800
2000	\$2.60	19,288,000	16,310,000	\$7.84	\$50,148,800	\$145,381,400
2001	\$2.03	21,541,000	21,690,000	\$9.63	\$43,729,230	\$189,910,700
2002	\$2.23	23,131,000	22,630,000	\$9.35	\$31,582,130	\$188,986,500
2003	\$2.89	22,748,000	22,630,000	\$9.81	\$85,741,720	\$222,000,300
2004	\$3.04	25,168,000	25,060,000	\$13.88	\$78,510,720	\$347,832,800
2005	\$3.07	26,333,000	25,470,000	\$18.07	\$79,921,310	\$460,242,900
2006	\$3.81	24,833,462	25,200,000	\$18.09	\$95,072,795	\$455,663,000
2007	\$4.42	25,957,340	26,200,000	\$25.00	\$114,731,443	\$655,000,000
		<u>charter harvest</u>			<u>profit vs. '95</u>	<u>QS value increase</u>
1995		2,845,000			\$0	\$0
1996		2,822,000			\$7,623,680	\$20,000,000
1997		3,413,000			\$16,707,840	\$37,100,000
1998		2,968,000			-\$1,339,360	\$74,800,000
1999		2,533,000			\$16,421,800	\$48,479,800
2000		3,140,000			\$13,660,160	-\$2,018,600
2001		3,132,000			\$7,238,590	\$41,510,700
2002		2,724,000			\$15,098,400	\$41,580,500
2003		3,382,000			\$29,253,080	\$74,890,300
2004		3,688,000			\$40,022,080	\$200,432,600
2005		3,688,000			\$43,432,670	\$312,842,600
2006		3,684,000			\$68,584,126	\$306,488,000
2007		unknown			\$78,242,803	\$507,800,000
				<u>cumulative</u>	<u>\$324,741,558</u>	<u>\$507,800,000</u>

Appendix 4

Year	ex-vessel per pound	Area 2C evaluation of commercial harvest	ex-vessel commercial allocation	CS value	ex-vessel catchings	Total CS value
1995	\$2.04	7,768,000	8,000,000	\$7.58	\$15,942,840	\$48,220,000
1996	\$2.26	8,872,000	9,000,000	\$9.13	\$20,650,720	\$52,170,000
1997	\$2.24	9,820,000	10,000,000	\$11.37	\$22,220,680	\$113,700,000
1998	\$1.26	10,198,000	10,500,000	\$10.14	\$14,172,468	\$108,470,000
1999	\$1.69	10,443,000	10,400,000	\$9.20	\$20,194,520	\$68,078,000
2000	\$2.62	8,443,000	8,400,000	\$9.20	\$22,125,960	\$69,860,000
2001	\$2.11	6,602,000	8,763,000	\$8.22	\$17,750,380	\$80,591,600
2002	\$2.22	8,602,000	8,500,000	\$8.97	\$19,698,440	\$78,245,000
2003	\$2.95	8,410,000	8,500,000	\$9.76	\$24,899,500	\$143,850,000
2004	\$3.04	10,233,000	10,500,000	\$13.70	\$31,108,300	\$143,850,000
2005	\$3.08	10,653,000	10,650,000	\$18.06	\$38,723,000	\$195,910,900
2006	\$3.75	10,236,789	10,650,000	\$18.43	\$39,774,246	\$195,910,900
2007	\$4.27	8,304,159	8,510,000	\$23.00	\$55,459,759	\$195,730,000
			charter harvest		profit vs. %	CS value: increase
1995			\$58,000		\$0	\$0
1996			1,187,000		\$4,208,080	\$13,930,000
1997			1,634,000		\$5,378,160	\$45,480,000
1998			1,594,000		-\$1,670,200	\$36,250,000
1999			638,000		\$4,341,600	\$17,798,000
2000			1,132,000		\$6,208,200	\$69,000
2001			1,202,000		\$1,087,680	\$12,731,000
2002			1,278,000		\$3,253,800	\$8,125,000
2003			1,412,000		\$8,866,880	\$14,740,000
2004			1,750,000		\$15,265,680	\$76,630,000
2005			1,852,000		\$18,602,200	\$129,176,800
2006			1,604,000		\$22,031,906	\$127,890,900
2007			Unknown		\$19,918,119	\$127,810,000
					\$109,345,945	\$127,810,000

Source: <http://www.fish.wa.gov/mfr/reports.htm>, <http://www.jpfc.wa.gov/information/charterharvest.htm>  
 Area 2C charter harvest Vs. commercial harvest and allocation

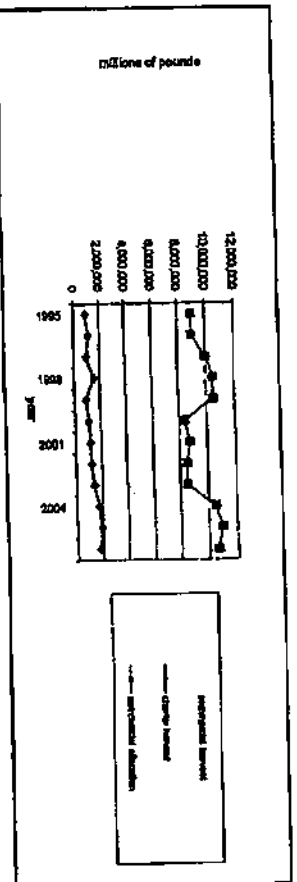


Figure 1  
 Source: <http://www.fish.wa.gov/mfr/reports.htm>, <http://www.jpfc.wa.gov/information/charterharvest.htm>

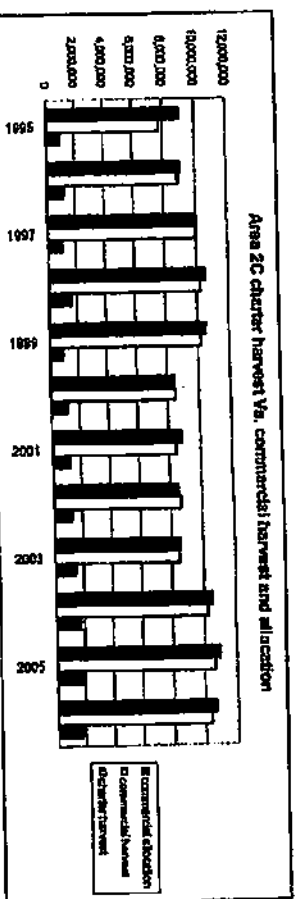


Figure 2  
 Source: <http://www.fish.wa.gov/mfr/reports.htm>, <http://www.jpfc.wa.gov/information/charterharvest.htm>

**A COMPARATIVE ANALYSIS**  
Appendix 5

Summary of total range of speculative economic losses:  
(Commercial IFQ Vs. State, Charter operator, taxes, and communities)

	AREA 2C Tbl. 58 P.59 (11/27/07 EA/RIR/IRFA)	AREA 3A (Medium growth projection 03/09/07 EA/RIR/IRFA)	
<b>Estimates of the ex-vessel cumulative revenue reductions in the commercial IFQ fisheries</b>			
Total	\$ 24,283,000	\$ 40,889,238	(EA/RIR/IRFA ratio 1:1)
	\$ 12,131,500	\$ 10,281,375	(Fast Down years 2:1)
	\$ 8,087,667	\$ 8,854,250	(Slow Up years 3:1)
<b>AS COMPARED TO</b>			
<b>Estimated losses of license revenue to State at \$20 per license</b>			
Total	\$3,188,529	\$4,062,962	
<b>Estimated Direct losses of revenue to charter businesses due to restricted future growth (\$200/charter)</b>			
Total	\$31,885,290	\$40,825,617	
<b>Estimated losses of tax revenue associated directly with halibut charter fees (avg. 6%)</b>			
Total	\$1,913,117	\$2,449,537	
<b>Cumulative losses to the State, the Charter operator, and the tax revenue associated directly with the reduction in charter harvest potential.</b>			
Total	\$39,378,333	\$50,419,637	
<b>Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (Using revenue multiplier of 10)</b>			
Total	\$358,231,235	\$458,675,810	
<b>Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (using McDowell Group 2006 avg. \$193/charter)</b>			
Total	\$347,230,809	\$444,550,972	
<b>Cumulative losses to the State (@\$20 license fee), the Charter operator, and the tax revenue associated directly with the reduction in charter harvest potential.</b>			
Total	\$36,386,837	\$47,357,716	
<b>Cumulative losses to the State (@\$20 license fee), the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (Using revenue multiplier of 6)</b>			
Total	\$228,288,677	\$292,311,420	

Source: <http://www.fakr.noaa.gov/rarvifq/reports.htm>, <http://www.iphc.washington.edu/halcom/commerci.htm>  
 Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: Sitka Visitor Traffic Indicators and Trends 1991-2005 prepared for the Sitka Economic Development Association by the McDowell Group 2005. <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

Year	Pounds	
	AREA 2C	AREA 3A
2007	190,000	120,250
2008	300,000	240,500
2009	418,000	380,750
2010	544,000	481,000
2011	679,000	601,250
2012	823,000	721,500
2013	978,000	841,750
2014	1,140,000	962,000
2015	1,315,000	1,082,250
Total	5,185,417	6,813,750

Source: <http://www.fakr.noaa.gov/rarvifq/reports.htm>, <http://www.iphc.washington.edu/halcom/commerci.htm>  
 Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

Year	Ex-vessel value loss assuming ex-vessel prices of \$3.80 (2C) and \$3.80 (3A) using EA/RIR/IRFA ratio: (1 lb. Charter harvest = 1 lb. Commercial loss)	
2007	\$ 722,800	\$ 499,950
2008	\$ 1,140,000	\$ 913,900
2009	\$ 1,588,400	\$ 1,370,850
2010	\$ 2,057,200	\$ 1,827,800
2011	\$ 2,580,200	\$ 2,284,750
2012	\$ 3,127,400	\$ 2,741,700
2013	\$ 3,708,800	\$ 3,198,650
2014	\$ 4,332,000	\$ 3,655,600
2015	\$ 4,997,000	\$ 4,112,550
Total	\$ 24,263,000	\$ 40,989,238

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: <http://www.fakr.noaa.gov/rar/irf/reports.htm>, <http://www.iphc.washington.edu/halcom/commercial.htm>

Year	Ex-vessel value loss assuming ex-vessel prices of \$3.80 (2C) and \$3.80 (3A) Fast Down IPHC correction ratio: (2lb. Charter harvest = 1 lb. Commercial harvest)	
2007	\$ 361,000	\$ 228,475
2008	\$ 570,000	\$ 456,950
2009	\$ 794,200	\$ 685,425
2010	\$ 1,033,600	\$ 913,900
2011	\$ 1,290,100	\$ 1,142,375
2012	\$ 1,583,700	\$ 1,370,850
2013	\$ 1,854,400	\$ 1,599,325
2014	\$ 2,166,000	\$ 1,827,800
2015	\$ 2,498,600	\$ 2,056,275
Total	\$ 12,131,600	\$ 10,281,375

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: <http://www.fakr.noaa.gov/rar/irf/reports.htm>, <http://www.iphc.washington.edu/halcom/commercial.htm>

Year	Ex-vessel value loss assuming ex-vessel prices of \$3.80 (2C) and \$3.80 (3A) Slow Up IPHC correction ratio: (3lb. Charter harvest = 1 lb. Commercial harvest)	
2007	\$ 240,667	\$ 152,317
2008	\$ 380,000	\$ 304,633
2009	\$ 529,487	\$ 456,950
2010	\$ 689,067	\$ 609,267
2011	\$ 880,067	\$ 791,583
2012	\$ 1,042,467	\$ 913,900
2013	\$ 1,236,267	\$ 1,066,217
2014	\$ 1,444,000	\$ 1,218,633
2015	\$ 1,666,667	\$ 1,370,850
Total	\$ 8,087,667	\$ 6,854,250

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: <http://www.fakr.noaa.gov/rar/irf/reports.htm>, <http://www.iphc.washington.edu/halcom/commercial.htm>

Following Estimates derived using projected charter harvest outlined in the above table

Year	Estimates of lost clients due to restricted future growth (pounds / (18lbs./fish) / (1.8 fish/client))	
	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	5,694	3,711
2008	9,289	7,423
2009	12,901	11,134
2010	18,790	14,846
2011	20,967	18,657
2012	25,401	22,288
2013	30,123	26,880
2014	35,185	29,691
2015	40,596	33,403
Total	159,428	204,128
	0	0

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: <http://www.fakr.noaa.gov/rar/irf/reports.htm>, <http://www.iphc.washington.edu/halcom/commercial.htm>  
 Source: ADF&G harvest statistics

**Table 8** Estimated losses of license revenue to state at \$35 per license

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$205,247	\$129,800
2008	\$324,074	\$259,799
2009	\$451,543	\$369,699
2010	\$587,654	\$519,599
2011	\$733,488	\$649,498
2012	\$889,043	\$779,398
2013	\$1,054,321	\$909,298
2014	\$1,231,481	\$1,039,198
2015	\$1,420,525	\$1,169,097
<b>Total</b>	<b>\$5,579,928</b>	<b>\$7,144,483</b>
	\$0	\$0

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA  
 Source: <http://www.fakr.noaa.gov/rm/irf/reports.htm>, <http://www.jpnc.washington.edu/halcom/commercial.htm>

**Table 9** Estimated Direct losses of revenue to charter businesses due to restricted future growth (\$200/client)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$1,172,840	\$742,284
2008	\$1,851,852	\$1,484,568
2009	\$2,680,247	\$2,228,852
2010	\$3,358,025	\$2,889,136
2011	\$4,191,358	\$3,711,420
2012	\$5,080,247	\$4,453,704
2013	\$6,024,581	\$5,195,888
2014	\$7,037,037	\$5,938,272
2015	\$8,117,284	\$6,680,559
<b>Total</b>	<b>\$31,885,290</b>	<b>\$40,825,617</b>

Source: <http://www.fakr.noaa.gov/rm/irf/reports.htm>, <http://www.jpnc.washington.edu/halcom/commercial.htm>  
 Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 10** Estimated losses of tax revenue associated directly with halibut charter fees (avg. 6%)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$70,370	\$44,537
2008	\$111,111	\$69,074
2009	\$154,816	\$133,811
2010	\$201,481	\$178,148
2011	\$251,481	\$222,885
2012	\$304,815	\$267,222
2013	\$361,481	\$311,758
2014	\$422,222	\$358,268
2015	\$487,037	\$400,833
<b>Total</b>	<b>\$1,913,117</b>	<b>\$2,449,637</b>

Source: <http://www.fakr.noaa.gov/rm/irf/reports.htm>, <http://www.jpnc.washington.edu/halcom/commercial.htm>  
 Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 11** Estimated losses to the communities dependant on charter generated tourism (McDowell Group '06) (clients lost X \$1,931)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$11,323,785	\$7,186,752
2008	\$17,879,830	\$14,333,503
2009	\$24,912,284	\$21,500,255
2010	\$32,421,728	\$28,687,008
2011	\$40,487,582	\$35,833,758
2012	\$49,049,784	\$43,000,509
2013	\$58,168,395	\$50,187,281
2014	\$67,942,593	\$57,334,012
2015	\$78,372,377	\$64,500,764
<b>Total</b>	<b>\$307,852,476</b>	<b>\$394,171,335</b>

Source: <http://www.fakr.noaa.gov/rm/irf/reports.htm>, <http://www.jpnc.washington.edu/halcom/commercial.htm>  
 Source: Sitka Visitor Traffic Indicators and Trends 1991-2005 prepared for the Sitka Economic Development Association by the McDowell Group 2006. <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>  
 Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 12** Estimated losses to the communities dependant on charter generated tourism (Lost revenue X 10)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$11,728,365	\$7,422,840
2008	\$18,518,519	\$14,845,879
2009	\$25,802,469	\$22,288,519
2010	\$33,580,247	\$29,681,358
2011	\$41,913,580	\$37,114,198
2012	\$50,802,469	\$44,537,037
2013	\$60,245,914	\$51,659,877
2014	\$70,370,370	\$59,382,716
2015	\$81,172,840	\$66,805,556
<b>Total</b>	<b>\$318,852,901</b>	<b>\$408,256,173</b>

Source: <http://www.fakr.noaa.gov/ram/ir/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 13** Cumulative losses to the State, the Charter operator, and the tax revenue associated directly with the reduction in charter harvest potential.

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$1,448,457	\$816,721
2008	\$2,287,037	\$1,633,441
2009	\$3,188,605	\$2,750,162
2010	\$4,147,160	\$3,688,883
2011	\$5,176,327	\$4,583,803
2012	\$6,274,105	\$5,500,324
2013	\$7,440,494	\$6,417,045
2014	\$8,690,741	\$7,333,785
2015	\$10,024,846	\$8,250,493
<b>Total</b>	<b>\$39,578,333</b>	<b>\$60,419,637</b>

Source: <http://www.fakr.noaa.gov/ram/ir/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 14** Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (Using revenue multiplier of 10)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$13,178,852	\$8,339,560
2008	\$20,806,558	\$16,879,120
2009	\$28,989,074	\$25,018,681
2010	\$37,727,407	\$33,388,241
2011	\$47,089,907	\$41,697,801
2012	\$57,078,574	\$50,037,361
2013	\$67,687,407	\$58,376,921
2014	\$79,081,111	\$66,718,481
2015	\$91,187,685	\$75,056,042
<b>Total</b>	<b>\$356,231,235</b>	<b>\$458,976,610</b>

Source: <http://www.fakr.noaa.gov/ram/ir/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 15** Cumulative losses to the State, the Charter operator, the tax revenue, and losses to the communities associated directly with the reduction in charter harvest potential. (using McDowell Group avg. \$1931/visitor)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$12,772,222	\$8,083,472
2008	\$20,166,667	\$16,166,944
2009	\$28,088,889	\$24,250,417
2010	\$36,568,889	\$32,933,669
2011	\$45,643,889	\$40,417,381
2012	\$55,323,889	\$48,500,833
2013	\$65,608,889	\$56,584,306
2014	\$76,633,333	\$64,687,778
2015	\$88,387,222	\$72,751,250
<b>Total</b>	<b>\$347,230,809</b>	<b>\$444,580,972</b>

Source: <http://www.fakr.noaa.gov/ram/ir/reports.htm>, <http://www.lphc.washington.edu/halcom/commercial.htm>

Source: Sitka Visitor Traffic Indicators and Trends 1991-2005 prepared for the Sitka Economic Development Association by the McDowell Group 2006. <http://sitka.net/downloads3/Sitka%20Visitor%20Data.pdf>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 16** Estimated losses to the communities dependant on charter generated tourism (Lost revenue X 2)

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$7,037,637	\$4,453,704
2008	\$11,111,111	\$8,907,407
2009	\$15,481,481	\$13,361,111
2010	\$20,148,148	\$17,614,615
2011	\$25,148,148	\$22,298,519
2012	\$30,481,481	\$28,722,222
2013	\$36,148,148	\$31,175,926
2014	\$42,222,222	\$35,829,630
2015	\$48,703,704	\$40,663,333
<b>Total</b>	<b>\$191,311,741</b>	<b>\$244,663,704</b>

Source: <http://www.fakr.noaa.gov/ram/itqreports.htm>, <http://www.jpbc.washington.edu/halcom/commerci.htm>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

**Table 17** Estimated losses of license revenue to State at \$20 per license

Year	AREA 2C (11/27/07 EA/RIR/IRFA)	AREA 3A (03/09/07 EA/RIR/IRFA)
2007	\$117,284	\$74,228
2008	\$185,185	\$148,457
2009	\$258,025	\$222,685
2010	\$335,802	\$296,914
2011	\$419,136	\$371,142
2012	\$508,025	\$445,370
2013	\$602,469	\$519,599
2014	\$703,704	\$593,827
2015	\$811,728	\$668,056
<b>Total</b>	<b>\$3,188,629</b>	<b>\$4,082,562</b>

Source: <http://www.fakr.noaa.gov/ram/itqreports.htm>, <http://www.jpbc.washington.edu/halcom/commerci.htm>

Source: 2C estimates : p. 59 11/27/07 EA/RIR/IRFA Area 3A: medium growth projections 3/09/07 EA/RIR/IRFA

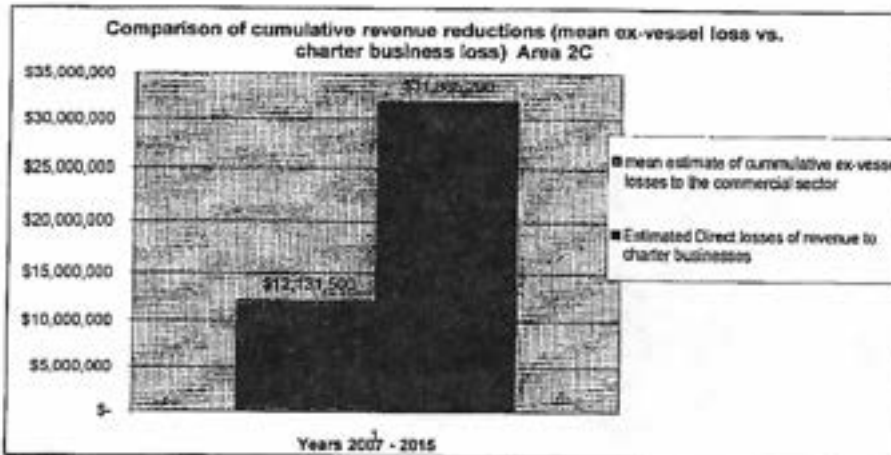


Figure 16  
Source: <http://www.fakr.noaa.gov/ram/itqreports.htm>, Appendix 5, Table 4, Table 5

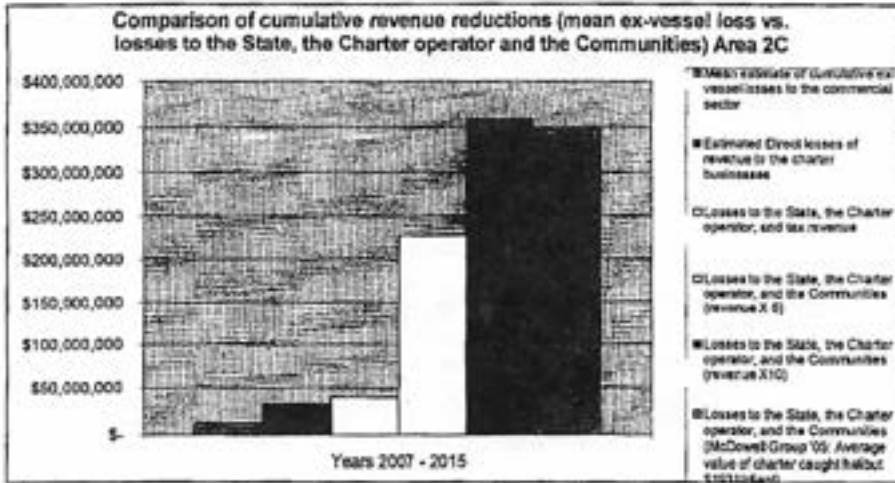


Figure 17  
 Source: <http://www.fair.noaa.gov/rem/fgreports.htm>, Appendix 5; Tables 4,9, 13, 14, 15, 16

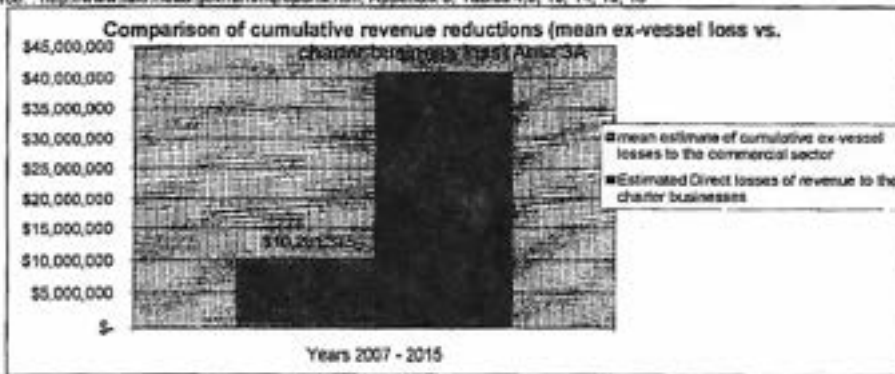


Figure 18  
 Source: <http://www.fair.noaa.gov/rem/fgreports.htm>, Appendix 5; Table 4, Table 5

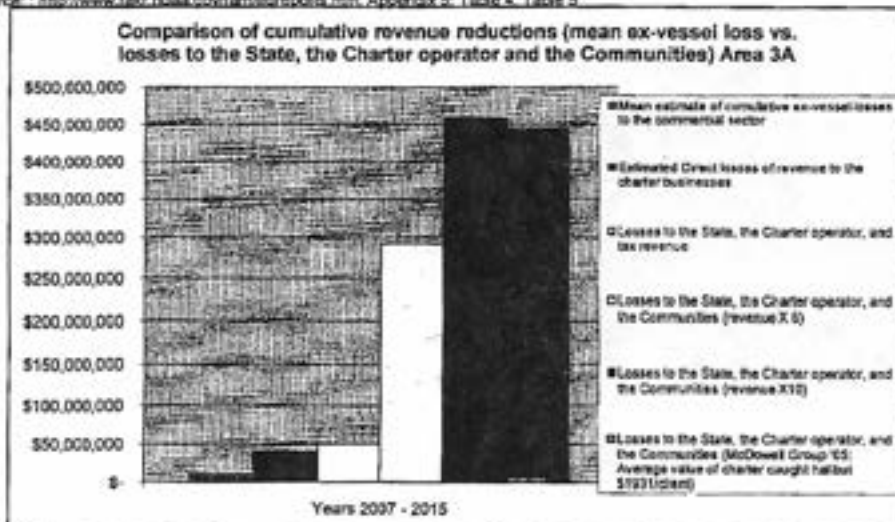


Figure 19  
 Source: <http://www.fair.noaa.gov/rem/fgreports.htm>, Appendix 5; Tables 4,9, 13, 14, 15, 16





March 26, 2008

Mr. Eric Olson  
 Chairman  
 North Pacific Fishery Management Council  
 605 West 4th, Suite 306  
 Anchorage, Alaska 99501-2252  
 Fax Number: 907.271.2817

Dear Council Member,

We have owned and operated a sportfishing charter lodge business in Sitka, Alaska since April 1990. We have approximately 24 seasonal employees and service over 850 clients from the lower 48 states that come here exclusively to sport fish and catch fish to take home. The guided sportfishing industry is one of the few bright lights in Southeast Alaska's faltering economy.

The problem statement should be revised to provide equal weight and emphasis to maintaining a healthy charter fishery off Alaska in order to continue to provide public access to this valuable resource.

Looking at an average over the last 10 years, the commercial IFQ fleet has been allocated 78.55 per cent of the available halibut, 15.08 percent of the available halibut has gone to bycatch, and only 6.37 percent of the available halibut has been taken by anglers fishing from charter vessels. This alleged charterboat problem appears even more absurd!

The Council needs to consider what is the proper allocation of halibut that is necessary to keep the charter industry operating in Alaska at the levels set by the Council just last year through its action recommending a charter moratorium. The current options before the Council do NOT include an amount that will support the moratorium qualified fleet.

To meet the Council's objective to provide a two fish bag limit, no in-season changes or closures, and a season of historical length, plus meet the additional needs of latent capacity, military participation, and Community Quota Entities (resulting from the Council's December 2005 sunset date for a charter halibut moratorium), the Council must add for analysis under Option 2, Fixed Pounds:

1. 125 percent of the actual 2005 charter harvest in pounds.
2. 125 percent of the 2002-2006 average charter harvest.
3. 2005 charter harvest with a 2 fish daily bag limit and no size restrictions.

(Please note as this letter is being submitted, we have become aware of ADF&G's latest report on logbook data posted to the Council's website, yesterday. In light of this most recent data being presented by the State, an even higher allocation may be needed.)

Under Option 2, Fixed Pounds, we are against a stair stepping suboption. Stair stepping changes "fixed" poundage to "floating" poundage, which is not acceptable. Assuming the charter industry starts with an acceptable allocation, the Council should analyze the effect of no increase when the CEY goes up, to no decrease when the CEY goes down. We recommend replacing the existing stair-step sub-option to the fixed poundage options with a conservation clause that would limit the charter allocation to the daily bag limit set by the IPHC for all recreational fishing, so that if the IPHC reduces the daily bag limit for unguided and subsistence fishing in order to protect the resource, the charter bag limit would also be reduced notwithstanding whatever fixed pound allocation is provided in regulation.

While the Council is requesting the IPHC determine a catch-sharing plan, the Council should also request full accountability be applied to the longline fleet as well as the charter fleet. With a history of annual removals of millions of pounds of legal and sublegal halibut wastage by the longline industry, their legal wastage mortality must be applied only to the longline allocation, instead of being deducted from the total CEY prior to determining allocation harvest limits. Longline sublegal wastage is not even included in the total CEY, and this also needs to be applied only to the longline allocation, for full accountability.

The lack of economic data reflecting the adverse economic impacts to the charter industry under the current options being considered seems like another case of bad history repeating itself in this Council process. We want to believe the Council would desire having this economic data for the charter industry to substantiate any allocative decisions they make. Sport caught fish are one of Alaska's most value added resources. The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules. Many of our clients book their trips one to two years in advance. We hope the Council will look back over the last 18 years and not repeat bad history. It is time for the charter industry to be recognized and treated as a valuable fishery that helps sustain the economies of Southeast Alaska communities.

"The question before the Council is what amount of halibut is sufficient to ensure a "fair and equitable" allocation of halibut to the charter fleet at the level determined by the Council through its moratorium action, not what steps should be taken to reduce charter harvest in order to provide a minimal increase in the value of commercial quota shares."

Thank you for your time and considerations,

Sincerely,



Juan Belcher and Theresa Weiser-Belcher

Mr. Eric Olson  
Chairman  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, Alaska 99501-2252  
Fax: (907)271-2817

MAR 2 2008

Dear Chairman Olson:

Sport caught fish is one of Alaska's most valued-added resources. In Southeast Alaska alone, nearly 700 vessels serve 92,000 sport fishermen. I operate a charter business in SouthCentral Alaska, and each year, I take approximately 600 on the trip of a lifetime--the ultimate Alaskan fishing adventure. For many, this is the only version of Alaska they will ever experience--they do not want to backpack, kayak, or drive--they come to Alaska to fish. Southeast Alaskan communities have come to depend on this economic resource for survival.

Now, my clients' fishing experience in Southeast Alaska could be diminished by 50%. Unfortunately, it costs me exactly the same amount (or more, with rising fuel costs) to take them fishing. You can see what a complicated business position this puts me in. I have had about 20-30 cancellations this year due to the pending NMFS decisions on halibut bag limits.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry -- a vital part of Southeast Alaska's economy -- to collapse. Canada and Area 3A are not facing a similar one fish daily limit--what is to stop sport fishermen from going to either of these areas to

obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can't build more rooms or put more people on a boat you don't have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

Respectfully,



Scott Glosser  
Capt. Scott's Sportfishing  
Box 3133  
Homer, Alaska 99603

# Captain Greg's Charters

Capt. Greg Sutter

P.O. Box 2202, Homer, Alaska, 99603-2202

email: [captgreg@alaska.net](mailto:captgreg@alaska.net) website: [www.CAPTREG.com](http://www.CAPTREG.com)

Toll free (877) 235-4756 (907) 235-4756 Cell: (907) 399-4856

March 26, 2008

Mr. Eric Olson, Chairman  
North Pacific Fishery Management Council  
605 West Fourth Street, Suite 306  
Anchorage, Ak. 99501-2252

Re: Halibut Charter Management, agenda item C-6

Dear Chairman Olson,

MAR 27 2008

MORNING

Currently, the range of alternatives for allocation is too narrow. An alternative should be added to include an amount that maintains a two fish daily bag limit, preserves historic length of season, and sufficient enough to preclude any in-season management measures. This allocation should be fixed. The charter industry cannot be as responsive as the commercial industry to swings in stock abundance. It will be negatively impacted if bag limits are reduced, season's cut or in-season management measures taken. To present, no adequate analysis has been conducted on the charter industry to truly assess the socio-economic impact to Alaskan communities, related tourism businesses, and hundreds of small charter fishing businesses and their anglers' access to a public resource.

This Council should commission a thorough social-economic study, employ its findings, get all the related fishery data and facts together, and incorporate all of the National Standards of the reauthorized Magnuson-Stevens Act before it make its final decision. Too many times, past members of this Council put the cart before the horse. Hence, fifteen years of wrangling resulting with the American angling public's rights in jeopardy, and hundreds of small businesses' well being at stake.

Alaska is home to more halibut than anywhere else in the world. Alaska is the home state of the Honorable Senator who's name the act bears. Yet, it is extremely ironic that this same act that created this Council is totally disregarded by its members as it applies to halibut and this issue in our great state of Alaska.

Sincerely yours,

  
Greg Sutter

March 26, 2008

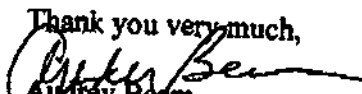
Dear Council Members,

My name is Audrey Beam and I am a halibut deckhand and have been fishing with my father, uncle, siblings and cousins for 15 years. I have purchased my halibut quota share and would like to purchase more but am worried about the future. I am young, recently married, with 2 young children. I depend on my halibut income to help support my family. I hope my daughters will be able to continue the family tradition of commercial halibut fishing.

I would like the Council to move the analysis forward for final action at the October meeting but I strongly feel that the charter allocation should be tied to fish abundance as a fixed percent and that percent should not exceed 13%. I read in the Boston Globe that a Sitka charter operator was trying to sell his clients "the experience" instead of meat hunting. I agree with that approach and feel that a 13% allocation is reasonable given the long history of the commercial halibut fishery and the fact that we have consistently taken cuts for conservation when this is needed.

If there is really a need for more charter halibut beyond 13% of the combined setline and charter allocations than some limited leasing could be allowed if there was accurate catch reporting and enforcement. If more charter operators would sell the experience instead of trying to maximize catch we would find balance and harmony in our coastal communities again.

Thank you very much,

  
Audrey Beam  
Sitka, Alaska

# HALIBUT ASSOCIATION OF NORTH AMERICA

P.O. Box 872  
DEMING, WA 98244  
PHONE: 360-592-3116  
FAX: 360-592-3115

March 25, 2008

North Pacific Fisheries Management Council  
Eric Olsen, Chair  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

SENT VIA FAX

Re: Charter Halibut C-6

Dear Chairman Olson and Council Members,

The Halibut Association of North America, representing companies who process more than seventy percent of the commercial longline halibut in the North Pacific, supports the catch sharing plan between the charter and the longline sectors, but we have a few important comments.

### Element 1 – Initial Allocation

HANA supports Option 1, sub-options a or c. Sub-options b and d move the goalposts of the GHL to accommodate the charter industry's over-harvest of that limit. There is no compelling reason to ignore the standard of the previously set and often reiterated Guideline Harvest Limit over the past eight years, including, especially, the growth of an industry sector. Addressing sector growth is the purpose of Element 5. We urge the Council to eliminate Option 2 and 3 because of their use of fixed pounds. Allocations to the charter industry should float with resource abundance, as they do with the setline sector and indeed all other sectors who harvest this resource.

### Element 2 – Annual Regulatory Cycle

HANA agrees that initial charter allocation would be a common harvest pool for all charter limited entry permit holders. We support the automatic trigger of management measures in the event of an allocation overage, but are gravely concerned that the catch accounting system is not sufficient to correct overages before they create significant damage. We urge the Council to consider in-season closures, area-wide or within regions in areas, in cases of exceptional overages that have been identified during the season.

Element 3 – Management Toolbox

HANA supports Element 3 and recommends that the first three items under Tier 1 management measures, i.e. 1 trip per vessel per day, no retention by skipper or crew, and line limits, be required.

Element 4 – Timeline

We strongly urge the Council to use the most streamlined method of analyzing the catch data to implement relevant management tools as quickly as possible. This element and Element 6—catch accounting system, could not be more symbiotic. We recognize the efforts of Council staff to streamline this process and encourage their continued thinking along these lines.

Element 5 – Supplemental, individual use of commercial IFQ...

We are in favor of a market-based system that includes a willing buyer and willing seller.

Element 6 – Catch Accounting System

We support the Council's statement that "One of the critical issues for successful implementation of a successful interim management regime for charter halibut operators is to shorten the feedback loop for collection of data regarding charter harvests." and recommend Option 1, Electronic Reporting with logbook verification.

The last time HANA testified before you, in late 2005, we urgently recommended that the Council continue the process of creating an IFQ management plan for the rapidly growing halibut charter industry. Our motives then, as now, are to protect a resource that we all need in order to make a living. The charter industry has exceeded its allocation frequently in the past few years, something that has rarely happened in the longline fishery. HANA encourages the Council not to reward the charter sector by increasing the GHL for no biologically sustainable reason.

Our organization is operating under a set of challenges and opportunities that are unique to this time. The market for Alaska halibut could grow exponentially, given a larger catch limit. Sales volumes are constrained only by retail prices today. If we had more fish to put through our plants, we'd be establishing new and expanded markets in Europe, Asia, and South America. Industry sectors and markets can always grow; natural resources not so much. Halibut has been well-managed so far. HANA urges the Council to continue their stewardship in this area and keep the historic GHL as its starting point for initial allocations to the charter industry.

Sincerely,



Peggy Parker  
Executive Director



## Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

Juneau, AK 99801

Phone 907-586-6652

Fax 907-523-1168

Website: <http://www.seafa.org>



E-mail: [seafa@gci.net](mailto:seafa@gci.net)

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March 26, 2008

North Pacific Fishery Management Council

Eric Olson, Chair

605 W 4<sup>th</sup> Avenue, Suite 306

Anchorage, AK 99501-2252

Dear Chairman Olson and Council Members,

RE: Agenda D-2 Groundfish Management (c) VMS Exemption for Dinglebar gear

Southeast Alaska Fishermen's Alliance supports releasing the initial review draft for public review. We support Alternative 3. The dinglebar fishery is a small supplemental fishery. The cost of VMS excluded some participants that had previously been involved in the fishery from participating in 2007.

Alternative 3 still allows for protection of the coral areas because it would be illegal for dinglebar fishermen to operate in the closed protected areas. Please continue to move this analysis forward.

SEAFRA is a membership based fishermen's organization representing our members involved in the salmon, crab, shrimp and longline fisheries of Southeast Alaska. IN addition, many of our members are involved in fisheries based in the Gulf of Alaska.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathy H.' with a long horizontal flourish extending to the right.

Kathy Hansen

Executive Director

March 26, 2008

North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Ave.  
Ste. #306  
Anchorage, Ak.  
99501

North Pacific Council Members:

My husband and I are small boat commercial halibut fishermen. I have purchased every pound of halibut quota and my husband has purchased roughly 80% of his halibut quota, having received a small amount of initial issue. We sold herring and salmon permits as well as mortgaged the house and the boat in order to purchase these shares. They are not yet paid off. We are year-round Alaska residents who spend our fishing dollars in-state.

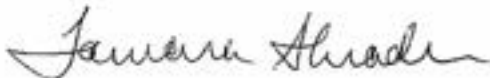
We were at the Council meetings several years ago when we were still trying to be part of a solution between charter boat and commercial fishermen. At that time, charter fishermen were put on notice that things had to change, and that solution was endorsed by the charter fleet at that time, as well as the North Pacific Council. 8 years later, of course the charter fleet has grown. Fish stocks fluctuate from year to year, and the commercial halibut sector has borne the burden of cuts in order to preserve the resource, in addition to paying for the management of the quota program.

Neither my husband nor myself support giving any of our hard-bought/caught quota to anyone. Tell it to our bankers that you want to take some of our quota away after we have fixed loans. I don't think banks take the issue of decreasing collateral lightly these days... We support a charter catch that fluctuates with abundance and all sectors bear the burden of decreases in catch. All users also need to bear the burden of paying for the management of the program as well as the conservation of it.

We, the commercial fleet, also provide the public access to the public's fish. Our public spans wherever halibut is sold in grocery stores, fish markets or restaurants, and it is worldwide. Our public does not necessarily have the means or time to travel to Alaska to go out on a charter. So, restricting commercial fishermen's access to the resource also limits our public.

If the charter fleet needs more fish, seems that leasing from the commercial sector could be a means to achieve this. Market forces will determine price, as it currently does within the commercial sector. After all, both charter and commercial sectors access the same resource to make a living.

Sincerely,



Tamara Shrader  
David Whitmire  
P.O. Box 2481  
Homer, AK.  
99603



April 6, 2008

Testimony of Earl Comstock, Charter Halibut Task Force

We support the changes to the Council motion recommended by the AP.

In addition, we believe that the analysis shows that the current range of options needs to be expanded. None of the options provide a sufficient allocation to allow the charter fleet to continue to offer two fish a day for an historic length season at the levels that the Council agreed to under the charter moratorium.

We would like the Council to add one sub-option to each of the three allocation options – fixed percentage, fixed pounds, and mixed – to allow for analysis of levels that would provide a sufficient allocation.

The fixed pound sub-option should be 2.70 million pounds for Area 2C and 5.35 million pounds for Area 3A.

The fixed percentage option translates the 2.70 million pounds and 5.35 million pounds into fixed percentages of the projected combined commercial and charter catch limit for 2011. (pages 96-97). Those percentages are 39.3 percent for Area 2C and 15.6 percent for Area 3A.

The percentage for Area 2C is shocking. However, it is part of the reality we all need to face. The Council has a very difficult choice to make.

As long as the new IPHC model remains unchanged, the catch allocations for Area 2C will be several million pounds lower than they historically were.

This means that the Council must choose between significantly shrinking the size of the existing charter fleet in Area 2C, or it must allocate a higher percentage of the catch to the charter fleet.

That is the elephant in the room. The charter fleet only gets two fish per angler. You can't give an angler half or a third of a fish, so the Council's options are basically one fish or two fish.

One fish will have significant adverse impacts on the charter fleet – first in Area 2C, and then in Area 3A as more anglers go there and push them over their allocation. A one fish allocation is estimated to reduce angler demand by 10 to 40 percent. Even 10 percent would put some charter operators out of business. A 20 to 30 percent reduction would put a lot of charter operators out of business.

April 6, 2008

Some facts to keep in mind from the analysis you have before you:

**This is not a conservation issue - it is an allocation issue**

On page xii of the executive summary staff clearly state:

“Regardless of the amount of halibut biomass taken by a sector, no adverse impacts to the halibut resource would be expected because the IPHC factors in most resource removals in the halibut stock assessment when setting annual limits...Therefore, none of the proposed alternatives is expected to significantly impact the halibut stock.

Further, if there really was a conservation problem in Area 2C, the IPHC would not have set commercial catch limits that exceeded the coastwide Fishery CEY in Area 2C for 2007 and 2008 by a combined total of 5.8 million pounds (see page 110 of the 2008 IPHC Bluebook).

**The Value of a 2C IFQ Block Has Appreciated 38.7 Percent Since 1995**

A person who held ½ percent of the 2C quota shares in 1995 would have been able to harvest 45,000 pounds based on the 1995 IPHC catch limit of 9.0 million pounds. According to table 50 on page 94 of the analysis, that 45,000 pound block would have sold for \$2.04 per pound and been worth \$91,800. That same ½ percent QS block translates into 31,050 pounds in 2008, which at the 2007 ex-vessel price of \$4.10 would be worth \$127,305. The IFQ holder is receiving 38.7 percent more money for 31 percent less fish.

**The Charter Industry Has Significant Investment in Area 2C and 3A**

The charter industry cannot simply relocate to other IPHC management areas to allow customers to catch halibut. Our lodges and charter operations are located where they are because we need certain infrastructure to support the industry.

Reducing the allocation to the charter industry in Area 2C or Area 3A will not mean we can move elsewhere. Without airlines, cruise ships, roads, hotels, and restaurants to enable our clients to get here, sleep and eat, they won't come here to fish.

April 6, 2008

Charter Industry Request for Additional Sub-options for Analysis

The Charter industry would like to see additional sub-options added to the analysis for all three types of allocation options – fixed percentage, fixed pounds, and mixed pounds/percentage. These additional sub-options are needed to consider the impacts of the latent capacity and Community Qualified Entities (CQEs) in the Council approved charter moratorium, as well as the potential impacts of a decision to adjust past harvests to reflect new logbook data.

The fixed pounds numbers were derived by taking the upper 95% confidence interval (CI) for the projected charter harvest for each Area for 2011, which can be found in tables 52 and 54 on pages 96-97 of the initial review analysis, and multiplying that number by a logbook adjustment factor based on the difference in weight for each Area between the Southwest Harvest Survey numbers and the 2006 logbook number. That logbook adjustment factor was 16% in Area 2C and 28% in Area 3A. The calculations for each Area are:

2C 2.327 mlbs X 1.16 = 2.70 mlbs  
3A 4.180 mlbs X 1.28 = 5.35 mlbs

The corresponding fixed percentage numbers are derived by taking the new fixed pound sub-options for each area (2.70 million pounds in Area 2C and 5.35 million pounds in Area 3A) and dividing that amount by the projected combined commercial and charter catch limit (CL) for 2011 shown in the notes for tables 26 and 27 on page 60 of the initial review analysis. The calculations for each Area are shown below.

2C 2.70 mlbs / 6.87 mlbs = 39.3%  
3A 5.35 mlbs / 34.37 mlbs = 15.6%

The mixed fixed pound / fixed percentage numbers are taken from the new fixed pound and fixed percentage options described above.

The text of the charter industry amendment is shown on the next page as it would look if added to the existing text of Council sub-options in the December motion.

**New Text Added to December 2007 Council Motion Shown in Bold and Underline**

Element 1. Initial allocation

Option 1: Fixed percentage.

	Area 2C	Area 3A	based on:
a.	13.1 %	14.0%	125% of the 1995-1999 avg charter harvest (current GHL formula)
b.	17.3 %	15.4 %	125% of the 2001-2005 avg charter harvest (GHL formula updated thru 2005)
c.	11.7 %	12.7%	current GHL as percent of 2004
d.	15.1 %	12.7%	2005 charter harvest
e.	<b>39.3%</b>	<b>15.6%</b>	<b>(Option 2d lbs as % of 2011 Projected Combined CL of 6.87 / 34.37 Mlbs)</b>

Option 2: Fixed pounds.

	Area 2C	Area 3A	based on:
a.	1.43 Mlb	3.65 Mlb	125% of the 1995-1999 avg charter harvest (current GHL)
b.	1.69 Mlb	4.01 Mlb	125% of the 2000-2004 avg charter harvest (GHL updated thru 2004)
c.	1.90 Mlb	4.15 Mlb	125% of the 2001-2005 avg charter harvest (GHL updated thru 2005)
d.	<b>2.70 Mlb</b>	<b>5.35 Mlb</b>	<b>(Derived from 2011 Harvest Projection adjusted for logbook data)</b>

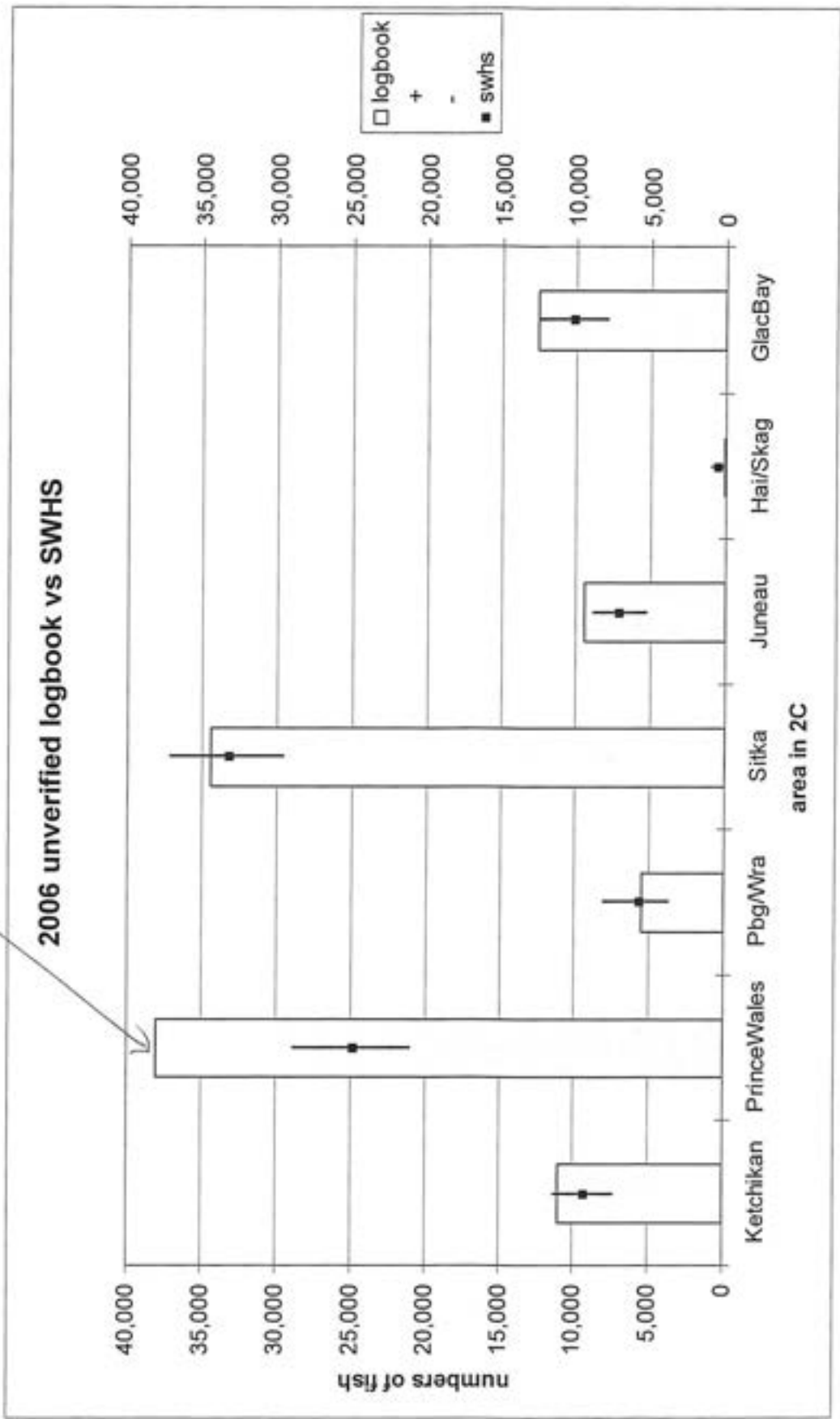
Option: Stair step up and down. The allocation in each area would be increased or reduced in stepwise increments based on a change in the total CEY. If the halibut stock were to increase or decrease from 15 to 24 percent from its average total CEY of the base period selected for the initial allocation at the time of final action, then the allocation would be increased or decreased by 15 percent. If the stock were to increase or decrease from at least 25 to 34 percent, then the allocation would be increased or decreased by an additional 10 percent. If the stock increased or decreased by at least 10 percent increments, the allocation would be increased or decreased by an additional 10 percent.

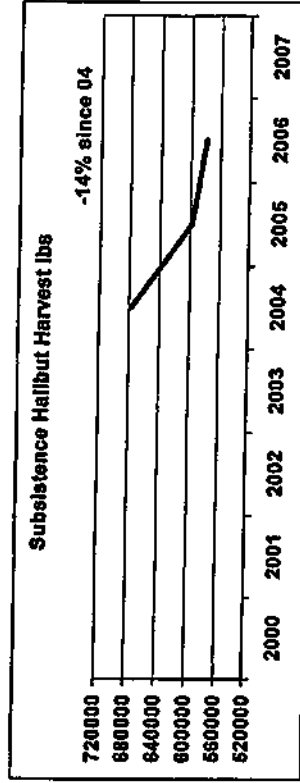
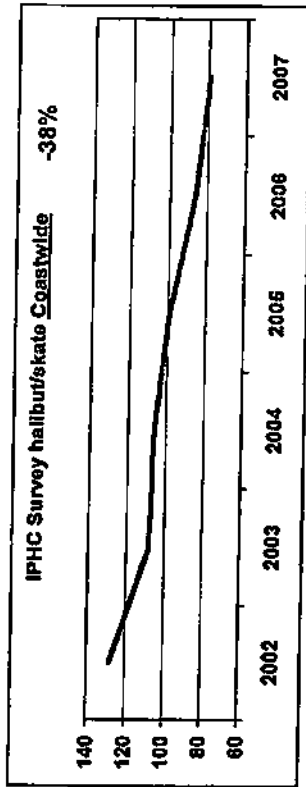
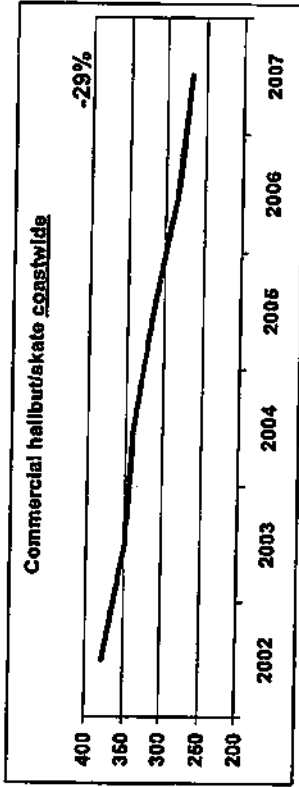
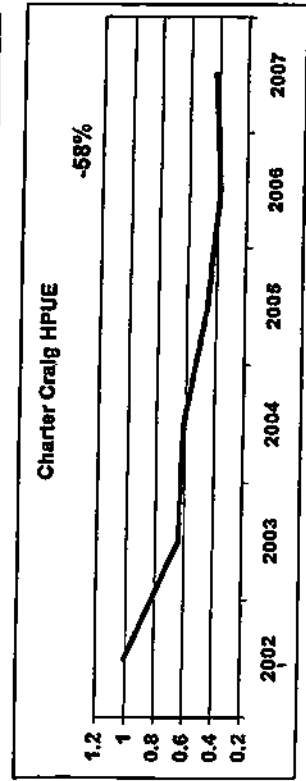
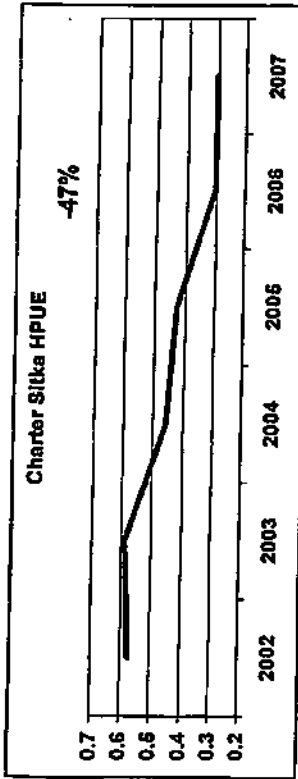
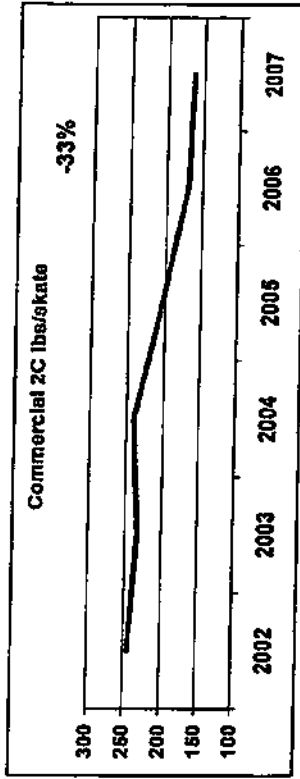
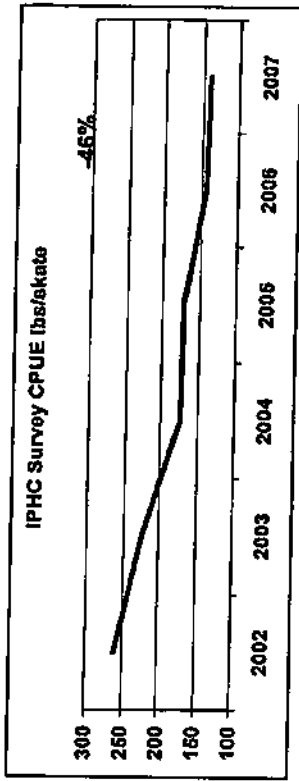
Option 3. 50% fixed/50% floating allocation.

	Area 2C		Area 3A	
	50% of:	and 50% of:	50% of:	and 50% of:
a.	13.1 %	1.43 Mlb	14.1 %	3.65 Mlb
b.	16.4 %	1.69 Mlb	15.9 %	4.01 Mlb
c.	17.3 %	1.90 Mlb	15.4 %	4.15 Mlb
d.	<b>39.3 %</b>	<b>2.70 Mlb</b>	<b>15.6 %</b>	<b>5.35 Mlb</b>

Tori O'Donnell  
Habitat Coalition

SWHS





**Halibut Conservation**

Concerns regardless of model used in assessments: recent catch unit effort is down significantly in all sectors in 2C and also Coastwide for survey and setline:

Halibut  
Per  
Angler-  
Hm  
from  
APFVG  
Sprfish  
per  
report  
to IPHC  
2007  
Teersky et al.



Kathy Hansen  
Earl Comstock

**Halibut Negotiating Group**  
Points of Consensus not Discussed in the AP Motion  
4/4/08

Elements 2, 3, and 4.

The Council may wish to comment on whether one of more of the following policy scenarios for future analyses are preferred. Staff identified alternate methods for streamlining the preparation of a final rule in response to a charter halibut allocation overage.

1. Assuming notification by ADF&G Sport Fish Division of an overage in October, the Council could take final action in December. The Council would elect to forego a) initial review, which is a Council policy and not a federal requirement, and b) its four-week advance release of the public review document and prior SSC review (SSC review would be scheduled for the same meeting as final action; this presumes that the analysis conforms with analytical methodology previously approved by the SSC)). The analysis would add the most recent year of data and undergo a routine update.
2. Since an EA/RIR/IRFA is required for Secretarial action (and technically not required for Council action), the Council could take action on only a supplemental analysis (to its previous year's EA/RIR/IRFA) similar to the supplemental analysis (2-3 pages provided to the Council in October 2007 on its previously released EA/RIR/IRFA for Area 2C GHM measures. A complete, revised EA/RIR/IRFA would be prepared by Council staff immediately after final action and submitted to the Secretary (timing of proposed rulemaking would occur depending on whether allocation was in pounds or percent (and therefore dependent on IPHC action). Only a regional review would occur, as this is a routine update of an analysis previously approved by the SSC.
3. The type of allocation (floating, fixed, hybrid) affects the timing of implementation of future regulatory amendments. Regulations could be implemented sooner under a fixed poundage charter sector allocation, compared with a floating (or hybrid) allocation because Council action would be independent of the IPHC. Assuming Council action in December (at the earliest), a proposed rule could not be published prior to the IPHC's annual meeting in mid-January.

**The three year timeline is preferred, but not waiving the 4-week public review if going to a single meeting (though waiving an additional SSC review is). Using a supplemental analysis is okay. In compressing the timeframes, however, providing for adequate public review is preferable, i.e., no shorter than two weeks.**

Element 5.

- The GAF-leasing limits proposed for Area 3A are constraining; the Council may wish to expand the range of options to provide equivalent preservation of historic fishing opportunities as is provided for 2C.

- The analysis and proposed rule must provide the rationale for the follow specific proposed limits:
  1. Provision A-2. Commercial halibut QS holders may lease up to 1,500 pounds or 10% (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as GAF on LEPs. A CQE may lease up to 100% of its annual IFQ for use as GAF on their own LEPs.
  2. Provision A-3. LEP holder per vessel may not lease more than 200-400 fish.
  3. Suboption: vessels with LEP w/endorsement for more than 6 clients may not lease more than 400-600 fish.
- Council intent is unclear under Provision E(2) on conversion of GAF back to the commercial sector. Staff suggests that transfers back to the commercial IFQ holder occur automatically on October 1. GAF holders may request the transfer back to the IFQ leaseholder at any time during the season. Unused GAFs that return to the IFQ holder would not be rebated but his issue is primarily contractual and not an agency concern; an unrebated return would diminish the incentive for the GAF holders to request their return but would provide incentive to only lease what the LEP holder needs to meet client demand during the season. *These two-way transfers require a real-time reporting system for the management of these GAFs for accurate in-season accounting of their balances.*

**Would NMFS be comfortable assuming (based on one-way transfers) that GAF fish are accounted for as "caught?"**

**There is agreement that there needs to be an accounting of GAF fish. There is not agreement relative to charter operators being required to measure fish in the common pool.**

March 27, 2008

VIA FAX 271-2817& Mail Delivery

Eric Olson, Chair  
North Pacific Fishery Management Council  
605 W. 4<sup>th</sup> Ave. Suite, 306  
Anchorage, AK 99501

Dear Mr. Olson;

This is to offer views and commentary regarding a significant matter pending before the Council. We understand there is serious consideration of a range of mechanisms under which the share of Halibut available to Commercial fishers would be permanently reduced (our understanding is that the current focus is on Areas 2C and 3A), with a commensurate increase in the share available to the Charterboat fleet. Our intent is not to opine on that purpose, nor is it to support or oppose any particular mechanism. Rather, we strongly but respectfully urge that in its deliberations - and, in particular, in structuring the implementation of whatever approach may ultimately be selected - the Council consider the role(s) and position(s) of lenders and other lienholders.

In a recent Forbes magazine article, Thomas McCraw - a former Harvard Business School professor - discusses some important aspects of the (institutional) lending process. He stresses the utter dependence of any capitalistic system on the availability of credit. He mentions that the extension of credit depends on a belief in a better future (noting that the word itself derives from the Latin word credo: "I believe"), and provides a number of examples of common analytical and valuation processes that emphasize capitalism's, and lenders', fixation on the future. Professor McCraw also suggests, "The Depression showed what happens when people stop believing in a better future."

That critical focus on the future is an important reality in the relatively new and still-evolving arena of lending within the IFQ/Quota Share System. There are many institutional, and countless individual, participants in that arena.

Credit is a highly subjective process, and certainly the analysis and evaluation of the specific applicant's future - his/her ability to utilize the financed assets to generate margins (and therefore funds for loan payments), and his/her inclination to meet the terms of the loan.

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*March 27, 2008*  
*Page 1*

etc., comprise the cornerstone of that process. But the predictability and stability of the operating, statutory, and regulatory environments are critically important elements as well. Certainly there are unknowns and imponderables to deal with - abundance of the resources, the determinations of TAC and their translation into IFQ's, etc. - which each lender attempts to resolve to its own satisfaction. In this regard, lenders have no particular advantage, nor would any be defensible, over individual investors and participants.

Lenders and other lienholders, perhaps no more than investors or direct participants, have a direct and critical interest in the extent to which established law, as well as consistent and rational regulatory practices, allow a reasonable projection of the future.

Our basic point, then, is to urge that the Council, in its consideration of competing alternatives and their respective implementation mechanisms, be mindful of the interests, rights, and expectations of creditors and other lienholders. More specifically, if the selected approach involves compensation to affected harvesters, and since such a process would result in diminished collateral values in addition to reduced repayment capacity, we believe strongly that there must be an ineliminable opportunity in each individual case for a commensurate reduction in the outstanding loan balance.

We must stress again the critical importance of existing and future lenders' opportunity to evaluate the future - in general as well as in the case of each prospective loan transaction - with a reasonable level of confidence in statutory and regulatory responsibility and stability. We believe most strongly that any process or implementation mechanism which is inconsistent with the foregoing paragraph would have an immediate and dramatically dampening effect on the availability, scope, and terms of loans premised on the presumed values and repayment abilities of Quota Share.

There are a few related aspects to this matter which we urge the Council to recognize and consider. First: Our concerns are not focused on either of what may be viewed as competing interests. Within the market at hand, most participating lenders make loans both to Commercial harvesters and to Charterboat operators. A loss of confidence in regulatory responsibility would most assuredly limit accessibility to credit for either group. Second: The projected effects of a process deemed "irresponsible" by lenders would not be ameliorated by the fact that it is intended to be limited in scope. Lenders are painfully sensitive to precedents - especially to those which may appear not to be subject to legal challenge and/or which affect only a relatively small segment of the potential lending universe.

Finally: We must emphasize that an approach which involves a "pro rata" reduction of rights will almost certainly affect smaller operators (both in reality and in lenders' perceptions) more drastically than those who are larger and/or more diversified, simply due to

*NPMFC*

*March 27, 2008*

*Page 2*

basic economies of scale. From a lender's point of view, and speaking generally, there are more avenues of recourse in the event of adversity with respect to the latter than is true with more limited operations. Since a presumed, if not established, purpose of the IFQ/Quota Share System was to provide enhanced opportunities for smaller harvesters, it would be most unfortunate if a Council action had the unintended effect of curtailing the availability of credit to that segment.

In closing, we would like to emphasize once again that our concerns do not at all relate to the Council's presumed basic purpose, nor are they intended to suggest a lack of confidence in the Council's ability and intent to constructively manage the affected resource.

Respectfully submitted for your consideration by the following Commercial Lenders;

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Lela F. Klingert, President  
CFAB  
[lea@cfabalaska.com](mailto:lea@cfabalaska.com)

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Jim Michaels, Senior Vice President  
Viking Bank  
[jimm@vikingbank.com](mailto:jimm@vikingbank.com)

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James L. Brenner, Senior Vice President  
Wells Fargo Bank Alaska  
[brennerj@wellsfargo.com](mailto:brennerj@wellsfargo.com)

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P.O Box 92070  
Anchorage, AK 99517

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Wrangell Petition to support NPFMC Amendment for a Support Catch Sharing Plan

*Alan Reeves*

We, the following residents of Wrangell or commercial fishermen support the NPFMC Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Regulatory Area 2C and Area 3A. **We support a floating allocation no higher than the GHL (Element 1, Option 1 Fixed Percentage; Option a Current GHL)** A floating allocation is the only long term solution that treats both sectors fairly in times of abundance and in times of stock declines. The charter sector would complain about having to lease or purchase IFQ's with an increasing abundance if they were not equally benefiting.

Wrangell is a community that has a long history of commercial fishing and prides itself on still being a working commercial fishing town. Wrangell had 1,186,362 lb of halibut landed in the town in 2007 or 2.4% of the Alaskan total catch limit. Wrangell residents hold 102 blocks of 2C quota share for 472,667 pounds in 2008 or 7.6% of the 2C quota share. In addition, Wrangell residents hold 608,262 lbs of 3A quota in 2008.

Signature Pages attached

Signature	Printed Name	Address	City, State, Zip
Deanna Reeves	Deanna Reeves	3.75 mile Zimovia	Wrang. AK 99929
Frank L. Warfel	FRANK L. WARFEL	115 MT DEWEY LANE	WRG AK 99929
James E. Smith	James E. Smith	606 Zimovia Ave	WRG AK 99929
Betty L. Smith	Betty L. Smith	606 Zimovia Ave	WRG AK 99929
<del>Chad Smith</del>	<del>Chad Smith</del>	<del>8 1/2 mile Zimovia Hwy</del>	<del>Wrangell AK 99929</del>
Edward F. Teague	Edward F. Teague	Box 131	Wrangell Alaska 99929
Paul McEwen	PAUL MCEWEN	4.25 Zimovia Hwy	Wrangell AK 99929
Robert Johnson	Robert K Johnson	240 First Ave	WRANGELL AK 99929
Jacobus Pina	JACOBUS PINA	#32 STUBBINS COURT	WRANGELL, AK 99929
Silvia Ettinger	Silvia Ettinger	12.8 mile Zimovia Hwy	Wrangell, AK 99929
Michael A. Howell II	Michael A. Howell II	Box 1551	Wrangell, AK 99929
Otto Florschutz	Otto Florschutz	Box 547	Wrangell AK 99929
Brian Merritt	Brian Merritt	Box 401	Wrangell, AK 99929
Bruce S. Ward	BRUCE S. WARD	Box 1501	WRANGELL, AK 99929
Wayne Ellis	Wayne Ellis	Box 2138	Wrangell AK. 99929
Randy Churchill	Randy Churchill	Box 152	Wrangell AK. 99929
David Doak	David Doak	Box 677	WRANGELL AK 99929
Shapleigh Howell	Shapleigh Howell	Box 677	Wrangell AK 99929
DAVE STEPHAN	DAVE STEPHAN	Box 1926	Wrangell
STEVEN E. KELLER	STEVEN E. KELLER	Box 2078	WRANGELL AK 99929
Rolland Howell	Rolland Howell	Box 133	Wrangell AK 99929
Jaume Leoz	Jaume Leoz	Box 1954	Wrangell AK 99929
Linda Thomassen	Linda Thomassen	Box 1954	Wrangell AK 99929
Steve Thomassen	Steve Thomassen	Box 742	WRANGELL, Alaska 99929
Richard Kaer	Richard Kaer	P.O. Box 202	Wrangell Alaska 99929
Cathy Kaer	Cathy Kaer	P.O. Box 1102	Wrangell, AK. 99929
Alan M. Reeves	Alan M. Reeves	3.75 mile Zimovia	Wrangell AK 99929







**Greg Sutter  
Captain Greg's Charters  
PO Box 2202  
Homer, Alaska 99603  
(907) 235-4756**

Mr. Chairman, Council members, thank you for this opportunity to testify. I'll try to keep it simple and brief.

In regards to the allocation discussion, as a resource manager I would want to see where I get the largest return on the resource in both social and economic terms. As of yet, I do not believe the current analysis adequately highlights the vast differences in the commercial and charter business models. We should have more social-economic data to properly gauge the impacts of this decision.

To illustrate, I'll use a pound per pound example with 20,000 pounds of halibut, and apply it both to charter and commercial. For a charter to catch 20,000 pounds, he would averaging five anglers a day catching two fish per person (e.g. 1000 twenty pound fish) for 100 days during the season.

That is 100 days of people moving to and from town daily, specifically to fish.

100 days of wear and tear on the boat and equipment.

100 days of buying fuel.

100 days of clients staying in hotels, motels, lodges, B&Bs and campgrounds

100 days of 5 new people patronizing local restaurants, fast food places, stores, gift shops and bars.

Whereas, that same 20,000 pounds of halibut can be caught by most good longliners within three days of effort.

That is 3 days of wear and tear on the boat and equipment.

3 days of fuel usage.

3 days worth of groceries for a small crew.

What is the net social-economic benefit to our communities in this example, using the same amount of fish? Where do we get the highest return per pound? At this time, we do not know. Let's get a comprehensive study to fill in the blanks. To expedite it, I suggest maybe piggybacking a request on the State's study that is underway.

Operators from both sectors have substantial investments in their businesses, and so do the communities that support them. We should know what the potential impacts are going to be to the overall health of these communities as a result of your action on this issue.

I urge this Council to increase the range of allocation options, and retain the floating, 50/50 mix, and fixed as alternative in the analysis. We should get the data, including social-economic, move this process forward, make a good balanced decision that maintains the viable health of both commercial and charter businesses, and serves the needs of the American public.

AMERICAN SPORTFISHING ASSOCIATION

# SPORTFISHING in America



AN ECONOMIC ENGINE AND CONSERVATION POWERHOUSE

REVISED JANUARY 2008



#### **WHAT IS THE AMERICAN SPORTFISHING ASSOCIATION?**

The American Sportfishing Association (ASA) is the sportfishing industry's trade association, committed to looking out for the interests of the entire sportfishing community.

ASA gives the industry a unified voice, speaking out when emerging laws and policies could significantly affect sportfishing business or sportfishing itself.

ASA invests in long-term ventures to ensure the industry will remain strong and prosperous, as well as safeguard and promote the enduring social, economic and conservation values of sportfishing in America.

ASA also represents the interests of America's nearly 40 million anglers who generate over \$45 billion in retail sales with a \$125 billion impact on the nation's economy creating employment for over one million people.

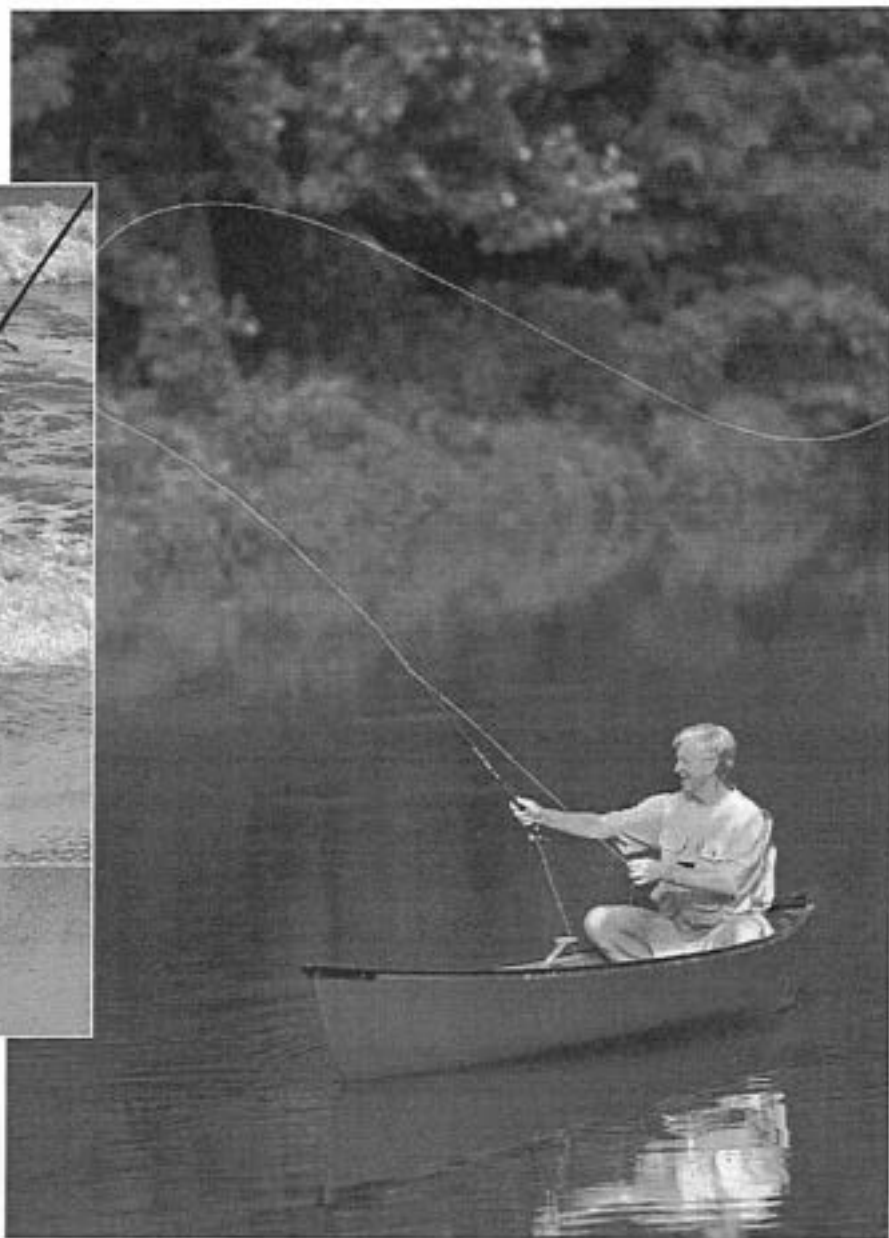
# **Sportfishing** *in America*

**TO MOST PEOPLE**, fishing is seen as an enjoyable escape from life's daily pressures, but recreational fishing is much more than just a getaway for millions of Americans. Fishing also helps to provide a living for countless people from all walks of life and in all corners of the country.

Spending a pleasurable day on the water usually involves at least some expense for travel, equipment and supplies. When multiplied by America's nearly 40 million anglers, their dollars employ millions of people in industries ranging from fishing tackle manufacturing to travel and hospitality to boat manufacturing. Because anglers are found in every state, their expenditures have a significant effect on state and local economies as well.

While many people recognize the recreational and economic benefits of fishing, its significant conservation benefits often go unnoticed. For each fishing-tackle purchase and each gallon of boating fuel consumed, a portion of the money is returned to state





fish and wildlife agencies for conservation efforts. America's success in restoring many species of fish and wildlife and protecting natural habitat can largely be credited to the billions of dollars generated by sportsmen and women.

Sportfishing companies are proud of their role in advancing a portion of their proceeds to fund one of the world's greatest conservation assets—the Sport Fish Restoration and Boating Trust Fund.

Through the Federal Aid in Sport Fish Restoration Act, passed in 1950 at the request of the fishing industry, special excise taxes on fishing gear and boating fuel have contributed billions of dollars for fish and wildlife conservation. Added each year to this are nearly \$650 million in annual fishing license sales plus approximately \$200 million in private donations by anglers for conservation efforts.

Sportfishing is truly a major economic driver and America's conservation powerhouse.



#### INSIDE THE NUMBERS

- More Americans fish than play golf (24.4 million) and tennis (10.4 million) combined.
- If fishing were ranked as a corporation, it would be 47 on the 2007 Fortune 500 list of America's largest companies based on total sales. That's well ahead of such global giants as Microsoft or Time Warner.
- At nearly 40 million, the number of American anglers is more than 33 times the average attendance per game at all Major League baseball parks combined.
- The more than one million jobs supported by anglers are almost three times the number of people who work for United Parcel Service in the U.S.
- The National Sporting Goods Association ranked fishing sixth out of 42 recreation activities, preceded only by walking, swimming, exercising, camping and bowling.

# The Economics of Sportfishing

**ED HOPKINS IS A BUILDING CONTRACTOR.** While his skill is building homes, his passion is fishing. On most weekend mornings in the spring, summer and fall, he tows his boat 50 miles to his favorite fishing spot.

On the way, he stops to buy gas for his truck, pick up sandwiches and soft drinks for lunch on the water and stock up on some fishing supplies. That means a trip to his local tackle retailer where he'll purchase a couple of new lures and a spool of fishing line.

Although Ed certainly isn't thinking of this, his expenditures are rippling out through the local economy, much like the spreading ripples of a stone tossed in a lake. His day on the water helps support salaries and wages in his local community. While individual expenditures may seem insignificant, when multiplied by nearly 40 million anglers nationwide over the course of a year, the economic effect is enormous.

40 million anglers generate  
**\$45 BILLION**  
in retail sales



## Economic Contributions by Type of Fishing

	All Fishing	Freshwater	Saltwater	Great Lakes
Anglers	29,932,000	25,035,000	8,528,000	1,506,000
Expenditures/ Retail Sales	\$45,335,939,822	\$31,182,648,546	\$11,051,345,543	\$2,524,266,182
Total Multiplier Effect (Economic Output)	\$124,959,419,804	\$87,954,380,057	\$30,327,313,593	\$7,089,230,140
Salaries, Wages and Business Earnings	\$38,359,742,317	\$26,468,323,702	\$9,407,680,614	\$2,189,490,038
Jobs	1,035,639	709,508	263,898	58,291
Federal, State and Local Taxes	\$16,359,116,653	\$11,485,751,764	\$4,017,148,753	\$910,327,447

## Top 10 States Ranked by Angler Expenditures

	Total Expenditures	Number of Anglers
Florida	\$4,412,241,741	2,767,000
Texas	\$3,366,961,760	2,527,000
Minnesota	\$2,832,442,963	1,427,000
California	\$2,677,352,981	1,730,000
Michigan	\$2,099,582,373	1,394,000
Pennsylvania	\$1,794,966,426	994,000
Wisconsin	\$1,754,539,873	1,394,000
South Carolina	\$1,492,735,387	810,000
North Carolina	\$1,204,118,889	1,263,000
Missouri	\$1,179,604,443	1,076,000

## Top Five States: Non-Resident Fishing Destinations Ranked by Retail Sales

	Total Non-Resident Expenditures	Number of Non-Resident Anglers
Florida	\$1,002,619,157	885,000
Wisconsin	\$599,378,653	381,000
Arizona*	\$586,514,636	92,000
Minnesota	\$409,704,010	319,000
South Carolina	\$370,852,772	283,000
United States	\$8,983,884,300	6,494,000

\*The AZ expenditures are likely affected by outlier data. Use with caution.

If enough money is spent—as in the case of sportfishing—businesses benefiting from the rippling cycle will add employees whose wages and salaries, when spent, will support still more jobs. Taxes will be generated, too. Economic multipliers, while subtle, can be immensely powerful.

That's why and how the 2006 spending numbers of America's nearly 40 million anglers had an overall economic impact of \$125 billion and supported over one million jobs nationwide. These aren't just jobs as fishing guides or sporting-goods clerks, but include telephone linemen to truck drivers whose wages are supported in part by the dollars spent on fishing.

The remarkably simple activity of Ed's weekend fishing trip truly is an economic driving force in this nation's economy.



### HOW MANY ANGLERS ARE THERE?

Anglers range from children just learning to fish to adults with decades of experience. However, the most frequently cited figure is 30 million (29.9) anglers over the age of 16. The economic estimates in this report are based on 30 million since angler expenditure data is only available for anglers 16 and older. The U.S. Fish and Wildlife Service reports that there are 8.4 million youth age 6 – 15 who fish. Therefore, the number of anglers actually approaches 40 million.

### U.S. FISHING FACTS

- Nearly 40 million anglers
- \$45.3 billion in retail sales
- \$125.0 billion in overall economic output
- \$16.4 billion in state and federal taxes
- Over one million jobs supported



#### QUICK FACTS

- More than 9 out of 10 Americans approve of recreational fishing, according to a 2006 survey.
  - Fishing as a leisure-time activity ranks higher than playing basketball or softball, skateboarding, jogging or hiking, according to the National Sporting Goods Association.
- America's anglers and boaters tax themselves (through special federal excise taxes) over \$600 million annually to pay for fisheries conservation and access.
  - The amount of federal tax revenues generated by angler spending in 2006—\$9 billion—is roughly equal to the entire 2006 budget for the U.S. Environmental Protection Agency.
- The economic activity generated by sportfishing is greater than the Gross State Products of 23 states.

# Benefits of Conservation

**AMERICA'S ANGLERS ARE IN MANY WAYS** the nation's most powerful force for the environment. The nation's nearly 40 million anglers invest hundreds of millions of dollars every year in fisheries conservation and management, substantially more than any other group. Much of this comes from fishing license sales which are a primary funding source for most state fish and wildlife agencies. In 2006, license sales came in at approximately \$600 million.

Special federal excise taxes and import duties on fishing gear, pleasure boats and boat fuel added up to another \$600 million in 2006, under the long-running Sport Fish Restoration Act. That money is apportioned to the states and is likewise critical in supporting state fisheries programs and access areas for recreational boaters.

All told, that's \$1.2 billion anglers directly invest every year to preserve, protect and enhance not just their sport but



also the environment that makes such sportfishing possible. Across much of the country, angler dollars are the primary source for improving fish habitat, public access and environmental education.

Sportfishing, and the powerful economic effects it creates, would not be possible without fish. Those same fish would not exist without suitable habitat, which makes



clean and healthy rivers, lakes and coastal waters essential to the bottom line. There is, to be sure, a moral imperative to fostering environmental stewardship. But thanks to the massive economic activity of America's anglers, there are dollars and cents reason too: good habitat is good business.



**North Pacific Fishery Management Council Meeting  
 April 2008  
 Testimony to the Council  
 Subject- Allocation, Interim Halibut Leasing Provisions  
 Speaker-Bob Howard, President Alaska charter Association**

Good Day Mr. Chair, and Members of the Council, I am Bob Howard, representing the Alaska Charter Association (ACA). The ACA is a statewide organization representing over 180 members and associate members.

**Allocation**

The ACA is concerned that the option ranges for analysis are not sufficient. The ACA has taken the position that the allocation should be sufficient to carry this industry to the long term solution, at which time a mechanism should be in place to allow sector allocation shifts, should it be necessary.

The ACA requests that the three options be expanded to include higher levels for analysis to provide a full range of allocations that the Council can consider for final action. It is appropriate to expand the options to the levels suggested to cover potential decisions about switching metrics from the Statewide Harvest Survey to the Log Book, and to take into account the potential impacts of the CQEs in both areas, and the military fleet in Area 3A.

Please add the following with the existing options:

	Area 2C	Area 3A
Fixed Percentage	39.3%	15.6%
Fixed Pounds	2.7M#	5.35M#
50% Floating/50% fixed	50% of 39.3% +50% of 2.7M#	50% of 15.6% +50% of 5.35M#

**Draft EA/RIR**

With respect to the draft EA/RIR, the ACA views this document as an incomplete analysis since it fails to address and include the economic analysis of the proposed action on the charter fleet, compared to the economic impact on the commercial fleet. Our request is not a stall tactic, but is made in the interest to give the public and Council a better understanding of relative value to the competing sectors. Specifically, what is the impact on the charter fleet from going to a one fish bag limit (today the status quo is two fish). How much gross revenue will be lost, what is the potential for putting charter businesses out of business, and what is the impact on the commercial fleet if it were to give up the quantity of fish necessary to maintain the two fish opportunity.

Within the realm of economic impacts, please be aware that our membership is vested in their businesses and their personal life. We have business loans, mortgages, and personal loans that put economic demands on our income, and reductions in income that may flow from our lost client opportunity will adversely impact our families and businesses.

### **Leasing Provisions**

The Council's motion includes a provision to allow leasing of commercial IFQs to the recreational sector in order to provide anglers with additional harvesting opportunities. While the concept sounds like a reasonable option, it is not economically feasible. The current lease values of IFQ pounds are such that no one but a very deep pocket can take advantage of this program. Such a proposal unfairly favors the wealthy operator. The average charter operator cannot afford to lease because the income generated by a leased fish will not return enough to result in any profit. Thus, leasing IFQs will not substitute for, or augment an insufficient allocation.

As a practical matter, the administrative logistics are very onerous and the proposed restriction on leasing is set too low.

If we are working with QS holders who hold less than 15,000 pounds of IFQ, limiting leasing to a maximum of 1500 pounds per QS holder yields a GAF of about 85 fish per QS holder. If a business needs to augment its catch by 400 fish, we will need to secure fish from five "small" QS holders. Trying to service even 100 charter businesses requires 450 quota share participants.

If the guided recreational fleet desired and could afford to augment its harvest level from the proposed 931,000 pounds to the most recent harvest of 1.7 million pounds, it would be necessary to lease 769,000 pounds. The maximum possible lease from the entire commercial fleet in 2C is limited to 621,000 pounds. Consequently, the proposed limit on leasing is too low.

Thank you.

Council members,

I write today to urge you not to increase the allocation range to the charter fleet in the Catch Sharing Plan.

I live, fish, and raise my family in Cordova. I obtained a loan from the state of Alaska to purchase my quota share in an attempt to diversify my fishing business as I watched more and more Copper River salmon allocated to up-river user groups. Lately I have had to dig into my profits to pay back the money loaned to me in good faith by the state of Alaska. The gradual re-allocation of commercial quota share to the charter fleet takes money directly from my family's budget to cover my loans and operating expenses. The fact that this is allowed to happen makes me uncertain as to how I should diversify in the future.

Our coastal community is hugely dependant on commercial fishing. Not only are there many quota share holders living in Cordova, we also land millions of pounds of Halibut from the transient longline fleet in area 3a. Since Cordova doesn't have a substantial charter fleet, the reallocation of halibut from commercial to charter also reallocates money from Cordova to communities such as Valdez, Seward, and Homer, which already have much more diverse and stable economies.

Please consider these far reaching impacts of your decisions as you seek to resolve this ongoing dilemma. Please give us a resolution that compensates the commercial fleet if reallocation is necessary. Please set up a charter GHL that floats with abundance so that all sectors share the burden of conservation.

Sincerely, Curt Herschleb

PO Box 2154  
Cordova, Alaska  
99574

John Bocci  
Box 1312  
Cordova, Alaska, 99674

Mister Chairman and the Council,

In the early 90's my wife and I made a prudent business decision to purchase quota shares to enhance my initial issue and to grow our fishing business. We had to do it carefully and in small blocks, horse trading, if you will, until we reached our desired goal. Along the way came a different boat and other investments in equipment to enhance the overall operation. Again, a thoughtful, carefully executed process with a clear picture of the prize.

Now it looks as though the very process that we invested in, a percentage of the biomass based on its abundance, is about to be tossed to placate the commercial charter fleet, that, to date, have made no investment or effort of their own to help manage and conserve this resource. What's particularly galling is that this council would reward their foot dragging and shape shifting by not only increasing their portion of the GHL but also set the poundage. What happened to the concept of sharing in the abundance and suffering through shortfalls together?

As someone who has lived and fished in Cordova for over thirty years this affects me in other ways as well. By reallocating my poundage to the charter fleet just takes money out of our community and doles it out to Valdez, Homer and Seward, communities who already enjoy the benefits of diverse economies and steady cash flow. This will make it increasingly difficult for our fledgling tourism industry to get off the ground.

The previous council allowed this to drag on way too long, put a moratorium in place way too late and now you're left to clean up with an overcapitalized charter fleet and a heavily invested longline fleet. In the process however, a lot of information has been generated and dollars spent to produce a good end product. We trust you won't cave to pressure and a desire to be done with this issue and will use that information to come up with a solution that includes an abundance based allocation and the right to lease or buy quota share in the future.

Thank you for your time,

John Bocci

Sirs,

My name is Robert Beedle; I would like to thank you for this opportunity. I'm born and raised in Cordova and now with a family of five. I fish and do commercial refrigeration, my wife works also. I have fished halibut since 1980 as crew and captain during the "derby days of halibut". When IFQ's were implemented I lost out on "original issue", a tuff hit. Thanks to a NMFS loan I was able to "buy in". With time and a lot of hard work I was able to pay off the loan.

Halibut is a big part of my family's income. It's not cheap being a fisherman these days or easy. With halibut being more stable and well managed, it is very important to the over all well being of my family and my fishing.

Any other sport, guided sport, business, heck even driving there is a penalty for going over the limit / quota. If I go over my halibut allocation I'm hit with a fine or penalty. Thanks to careful planning, cautious, responsible fishing (also the help my fellow fisherman) I have not gone over my allotment. I would hope that the Charter industry would be held to the same standard.

Also I would like to see the playing field balanced so that both groups share in resource conservation. Say change current GHL to a percentage that fluctuates with abundance. I would also like to see the Charter industry have the opportunity to lease Quota Shares, investing in the resource and there future as I have.

Please think hard about taking my family's lively hood and my ability to live in my hometown away. It means a lot to my family and me. I would like to thank you for all your time and effort that you putting in to this issue. Thank you very much.

Sincerely,

Robert Beedle and Family

Eric Olson, Chairman  
2008  
North Pacific Fisheries Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK

March 31,

Dear Mr. Olson and members of the Council:

I am submitting the following comments on the Initial Review of the Halibut Charter 2C/3A Catch Sharing Plan.

I am a commercial salmon and halibut fisherman from Cordova. I began halibut fishing in 1997, purchasing all of my quota shares on the open market. I catch my shares on my 30' salmon gillnetter, often using my family as crew.

I am opposed to any more of the TAC for area 3A being reallocated to the commercial charter industry. As the charter industry's take of halibut has grown since I first purchased shares, I have seen a very real reduction in my earning potential, with no compensation for this loss. Meanwhile the charter industry continues to grow and ask for more. If I were to use the charter industry's rationale for continued growth, I would ask for a lower GHL for the charter industry in 3A (allocating more of the TAC to the commercial sector). Since I am able to catch more halibut by simply using more gear or making more sets, the current limits on the commercial fleet unfairly limit my ability to expand my business as well as the ability of the commercial industry to grow.

Why should the charter industry be allowed to harvest more at the expense of the commercial sector when the commercial sector is not allowed to?

It is imperative that the charter industry's take of the resource be limited in a fair manner. All sectors must share in conservation of the resource by changing the current GHL to a percentage that changes with abundance.

I also support the Council providing charter operators with the opportunity to lease quota share, so they may invest in the resource just as I have.

Thank you for considering my views,  
William Lindow P.O. Box 1612 Cordova, AK 99574

NPFMC members,

I am an "original issue" IFQ holder. When IFQs were distributed, I received 169 lbs. The first year I bought more with my savings. In subsequent years I applied for and received 2 Ak. State loans using my salmon permit for collateral. I currently owe more than half of the money I borrowed.

I am not a "big player". The 7% reduction in commercial TAC this year will hurt my bottom line, but I fully understand the biological aspect of fisheries management. The current GHF for the charter fleet should be changed to a percentage and fluctuate with abundance just as mine does.

I urge you not to reallocate anymore halibut to the charter sector. They are businesses too and should buy or lease halibut just as I had to. I thank you for your thoughtful consideration of these issues.

Sincerely, Glenn Phillips.

PO Box 1165  
Cordova, AK  
99574

To; NPFMC

From Jim Kallander  
P.O. Box 2272  
Cordova, AK 99574

I am writing to urge you uphold the original GHL for sport charter and not increase it at the expense of the IFQ holders.

I was an initial issue fisherman of a very small allocation. I immediately leveraged everything I had to borrow and buy more quota for halibut after the IFQ program was established. As I built equity I used paid off quota as collateral to buy more quota. I now own enough quota to support my family in Cordova Alaska but I have huge annual payments. With the collapse of the herring fishery and salmon prices after the oil spill Halibut fishing has become the primary source of income for many of us in coastal communities.

I think it is very unfair that the IFQ program was established as a means to manage the resource, while the charter fleet was allowed to expand, unrestricted, at the apparent expense of IFQ holders. Further, that the commercial charter fleet wants more and more and does not want to have their allocation tied to abundance is appalling. Why doesn't the charter industry have a means to buy into the fishery the same way the commercial guys have? Perhaps if they had some investment in the resource they would become better stewards of the resource.

In the past the council has passed over several opportunities to address this contentious issue to the detriment of all involved, including the council. Please respect those of us that have been in this business all of our lives, remember the previous moratorium you announced, add stability to the industry and retain the credibility of the council.



To the North Pacific Management Council:

Halibut is a very limited resource and will remain so until such time as we start farm raising the resource. I am a commercial fisherman and have been for 40 years. I have seen many changes in different fisheries – some good, some bad.

I believe the International Pacific Halibut Commission staff has done a good job regulating the TAC biologically. I won't bore you with how commercial halibut fishing has positively affected coastal communities. I will ask you this though, who really owns the resource? I know, the citizens of the USA do, not just Alaskans.

Commercial halibut fishermen with quota shares are just an efficient tool by which the resource can be harvested for the people that really own them. By tweaking and reallocating the TAC to the charter fishers is a fleecing of America. Not everyone can afford to come to Alaska to buy a chance to catch a halibut.

Please do what is right for sustaining a viable fishery for the masses that eat it.

In closing please remember we are the 49<sup>th</sup> state. All we have to do is look south and learn from the other 48 mistakes made. Thank you for your time.

Regards,



Captain Thom Tomrdle  
FV Cape Spencer

Members of The North Pacific Fisheries Management Council,

The following comments address your on going effort to finalize a Charter Halibut Catch Sharing Plan. These comments are on behalf of myself, Richard Casciano and my wife Natasha Casciano, both 3A Halibut Quota Share holders.

We began fishing commercially for Halibut as crewmen aboard the FV Valiant Maid. When the fishery was transformed to IFQS in 1996, our skipper was issued several thousand pounds of quota share but as crewmen we received zero.

Furthermore, vessel owners that had no Halibut deliveries prior to 1991 were also excluded and received no quota. Although this did not seem fair to us at the time, we did have several years of advance notice that this might happen and accepted it and planned our business accordingly. In 1996 we began purchasing Halibut Quota Shares with a loan from Alaska Commercial Fishing and Agriculture Bank. Since then we have continued to purchase more quota and a larger vessel and have mortgaged everything we owned at one time or another. To this day we still have an outstanding loan with CFAB.

With that in mind, we believe it is time for the Halibut Charter operators to accept the reality of the GHL as it has been set, just as we accepted the reality we faced back in 1996. The Charter fleet has finally exceeded their GHL and should deal with the consequences instead of asking for an increase in their allocation. They have known for many years that this day was coming but have remained in complete denial and continued to grow their businesses and annual catch of Halibut. They refused an opportunity to join in the IFQ system years ago, which would have headed off the present day dilemma. That being said we strongly urge the Council NOT to increase the present Charter GHL, as this would only reduce the commercial allocation and greatly impact our own annual income and investment in the fishery. We also feel the Charter GHL should be changed to a percentage of the annual TAC so that it may fluctuate with abundance.

We do support the leasing of IFQS to the Charter Operators and feel it will provide an appropriate mechanism for them to continue to operate even after their annual quota has been reached in any given year. And finally it is of the utmost importance for the Council to recognize that Halibut Charter Guides are commercial users of the resource just as we are and should be treated as such. Together we should bear the burden of conservation when stocks are down and likewise share in the bounty as stocks grow.

Thank you for considering these comments.

Sincerely,

Richard and Natasha Casciano

PO Box 584  
Cordova, Alaska  
99574

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 W 4<sup>th</sup> Avenue, Suite 306

**Agenda Item C-6 Halibut Charter 2C/3A Catch Sharing Plan**

Chairman Olson and members of the Council,

I am writing from the standpoint of a commercial fisherman about the allocation of quota shares to the sport fish fleet. They never want to be held accountable for their take of a resource that my life and livelihood is based on.

I invested in this fishery back in 2003 with a long term return plan. The down turn in the quota share of 7% (for 3A) is one that will require a longer look at the price of fuel and bait vs. return of catch.

Hold the sport fish group to the same allocations that I'm held to. Let them buy and sell shares as they need. We also have log books that hold us accountable to our catch and actions on the grounds. Hold them to OUR standards, is all I'm saying. It is all the SAME resource.

Sincerely,  
Britt Pedicord

PO Box 565  
Cordova, AK  
99574

April 5, 2008

P.O. 1983  
Cordova, AK 99574

Eric Olson, Chairman  
North Pacific Fisheries Management Council  
605 W 4<sup>th</sup> Avenue, Suite 306

Re: Agenda Item C-6 Halibut Charter 2C/3A Catch Sharing Plan

Chairman Olson and members of the Council,

I am writing you as a commercial halibut fisherman and small business owner operating out of Cordova, Alaska and fishing 3A IFQ's.

Over the past five years, I have purchased quota share using my house as equity. The decision to do so was warranted by the fact that halibut appeared to be a very well managed resource and simple math proved my business model would work. I did not, however, account for the unchecked growth of the charter sector.

I am still paying off borrowed money for my shares and every bit of quota I lose makes it harder to make ends meet. We did have a reduction in our quota this year which I fully support but believe that the burden should be shared equally amongst all users of the resource including the charter sector. After all, the charter fleet is comprised of small business men like me who benefit directly from conservation of the resource. The GHL should be set as a percentage that fluctuates with abundance making an equitable allocation.

I believe the opportunity should be given to charter operators to lease shares from shareholders. This would give the charter sector a chance to invest in the resource similar to the commercial sector.

Thank you for taking these comments into consideration.

Regards,

John Stack

Fishing Vessel Owners Association  
Rm. 232  
4005 20<sup>th</sup> Ave. West  
Seattle, Washington 98199

RE: Agenda Item C-6 Charter Halibut

Council Members,

The members of the Fishing Vessel Owners Association request the members of the North Pacific Fishery Management Council to support sending out the current document so a final action on the Halibut Commercial and Charter allocations can be taken at the October meeting. The SSC has indicated that the amendment package is complete and they have recommended that it be sent out for public review. Our members believe that all options that have been compiled for analysis by the staff provide a wide option for decision making by the Council.

We do not support additional options being added to the analysis, particularly options that if adopted are so far outside historical harvest takes by either commercial or charter sectors that one sector or the other would not be subject to management restrictions in times when the resource requires cuts. In fact the Charter Halibut Task Force submitted testimony on March 26<sup>th</sup>, 2008 to the Council stating relative to area 3A so that

*“the sum total of the excess over four years (2004 to 2007) is 270,000 pounds”*

Recently some of the charter sector requested an option at 5 to 5.35 million pounds for 3A. The amount would be 1.35 to 1.7 million pound above anything that had been harvested in the past for 3A by the charter sector. Similarly a request of 2.7 million pounds was asked for in 2C, which is 1.37 million pounds above the 1.43 guideline harvest level. Options that are this far outside of historical catch patterns are simply non productive in achieving agreement.

Sincerely



Robert D. Alverson, Manager  
Fishing Vessel Owners Association – Seattle



# Charter Halibut Task Force

P.O. Box 8500 Ketchikan, AK 99901 www.charterhalibut.org 1-877-588-8819

March 26, 2008

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

*[Handwritten initials]*  
MAR 26 2008  
*[Handwritten initials]*

Dear Chairman Olson:

The Charter Halibut Task Force (CHTF), representing charter fishing operators whose clients catch halibut off Alaska, respectfully submits the following comments about Agenda Item C-6, Halibut Charter Management.

In addressing the issue of halibut charter management, it is important for the Council to keep the issue in perspective. The Council has been working on this issue in one form or another since 1993, and there has been a lot of heated rhetoric. Looking at some basic facts may help clarify the issue and make it easier to keep the real issues in focus.

If you take the catch limits approved by the International Pacific Halibut Commission (IPHC) from 1998 to 2008, the average amount of halibut available to the commercial IFQ fleet off Alaska has been 58.07 million pounds. According to figures reported by the IPHC, from 1998 to 2007 (the latest year for which information is available), the average amount of halibut bycatch taken each year off Alaska is 11.15 million pounds, and the average charter catch of halibut for Areas 3A and 2C combined is 4.71 million pounds. This means that, on average over the last 10 years, the commercial IFQ fleet has been allocated 78.55 percent of the available halibut, 15.08 percent of the available halibut has gone to bycatch, and only 6.37 percent of the available halibut has been taken by anglers fishing from charter vessels.

If you look at the alleged problem, the charter industry exceeding its Guideline Harvest Level (GHL) in Areas 2C and 3A since the GHL was first published in 2003, the sum total of that excess over four years (2004 to 2007) is 1.49 million pounds for Area 2C, and 270,000 pounds for Area 3A. If you assume that measures had been put in place so that the charter fleet was held to the GHL each of those four years, and apply the IPHC's formula for calculating the commercial catch limits that would have been given to the commercial IFQ fleet in the absence of the charter overages, the Council would discover that the sum total of the increased allocation to the commercial IFQ fleet in Area 2C over those four years would have been less than 700,000 pounds - not even 200,000 pounds per year! The combined charter overages pales in comparison to the 4.1 million pounds of additional halibut that the IPHC permitted the Area 2C commercial IFQ fleet to harvest in excess of the IPHC's own fishery constant exploitable yield (fishery CEY) for Area 2C during those same four years.

*Should you any restrictions*

www.charterhalibut.org

*5135 270*  
*3.62 1.43*

*Let's see you for Page 1*  
*catch this -*  
*not over and this fish -*

## Evaluation of the 2006 Charter Logbook



Alaska Department of Fish and Game  
Division of Sport Fish



### Measures to Improve Logbook - 2006

1. License number and catch by angler,
2. Weekly submission,
3. Increased outreach
  - a) Courtesy logbook inspections
  - b) Phone calls
4. Onsite counting to verify harvest (verification),
5. End-of-season survey of charter clients.

## Objectives

1. Assess overall data quantity and quality.

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2. Compare participation and harvest to end-of-season survey (by angler).



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3. Compare to SWHS estimates (by area).

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4. Compare to creel survey interview data (by boat-trip).

# Objectives

1. Assess overall data quantity and quality.
2. Compare participation and harvest to end-of-season survey (by angler).
3. Compare to SWHS estimates (by area).
4. Compare to creel survey interview data (by boat-trip).
5. Compare to creel survey estimates (Ketchikan, Juneau, Sitka).



ALASKA DEPARTMENT OF FISH & GAME SALTWATER SPORT FISHING CHARTER TRIP LOGBOOK  
333 RASPBERRY RD., ANCHORAGE, ALASKA 99516. QUESTIONS: CALL (907) 247-2389.

LOGBOOK NO: 60170

COMPLETE THIS SECTION FOR EVERY TRIP

INSTRUCTIONS: Complete one row below for each client and crew who fished on this trip.

BUSINESS AND VESSEL INFORMATION		Sport Fishing License Number of each Client and Crew Fishing OR General State Anglers under 22 or "Youth Angler" (FT, BT, etc.)		INDIVIDUAL ANGLER AND CATCH INFORMATION																																																																																																																																																																																																																																																																																																																																																																																																																																												
2004 ADP BUSINESS OWNER LICENSE # <u>1234</u> 2004 ADP GUIDE LICENSE # <u>1234</u> VESSEL AL OR D C OR # <u>AK 4321</u>		Date Issued to Client Number of Clients Date of Birth		Number of Trip Dates						Number of Boat Dates						Number of Males	Number of Females	Number of Youth (Age 12-17)	Number of Youth (Age 18-21)	Number of Youth (Age 22-24)	Number of Youth (Age 25-29)	Number of Youth (Age 30-34)	Number of Youth (Age 35-39)	Number of Youth (Age 40-44)	Number of Youth (Age 45-49)	Number of Youth (Age 50-54)	Number of Youth (Age 55-59)	Number of Youth (Age 60-64)	Number of Youth (Age 65-69)	Number of Youth (Age 70-74)	Number of Youth (Age 75-79)	Number of Youth (Age 80-84)	Number of Youth (Age 85-89)	Number of Youth (Age 90-94)	Number of Youth (Age 95-99)	Number of Youth (Age 100-104)	Number of Youth (Age 105-109)	Number of Youth (Age 110-114)	Number of Youth (Age 115-119)	Number of Youth (Age 120-124)	Number of Youth (Age 125-129)	Number of Youth (Age 130-134)	Number of Youth (Age 135-139)	Number of Youth (Age 140-144)	Number of Youth (Age 145-149)	Number of Youth (Age 150-154)	Number of Youth (Age 155-159)	Number of Youth (Age 160-164)	Number of Youth (Age 165-169)	Number of Youth (Age 170-174)	Number of Youth (Age 175-179)	Number of Youth (Age 180-184)	Number of Youth (Age 185-189)	Number of Youth (Age 190-194)	Number of Youth (Age 195-199)	Number of Youth (Age 200-204)	Number of Youth (Age 205-209)	Number of Youth (Age 210-214)	Number of Youth (Age 215-219)	Number of Youth (Age 220-224)	Number of Youth (Age 225-229)	Number of Youth (Age 230-234)	Number of Youth (Age 235-239)	Number of Youth (Age 240-244)	Number of Youth (Age 245-249)	Number of Youth (Age 250-254)	Number of Youth (Age 255-259)	Number of Youth (Age 260-264)	Number of Youth (Age 265-269)	Number of Youth (Age 270-274)	Number of Youth (Age 275-279)	Number of Youth (Age 280-284)	Number of Youth (Age 285-289)	Number of Youth (Age 290-294)	Number of Youth (Age 295-299)	Number of Youth (Age 300-304)	Number of Youth (Age 305-309)	Number of Youth (Age 310-314)	Number of Youth (Age 315-319)	Number of Youth (Age 320-324)	Number of Youth (Age 325-329)	Number of Youth (Age 330-334)	Number of Youth (Age 335-339)	Number of Youth (Age 340-344)	Number of Youth (Age 345-349)	Number of Youth (Age 350-354)	Number of Youth (Age 355-359)	Number of Youth (Age 360-364)	Number of Youth (Age 365-369)	Number of Youth (Age 370-374)	Number of Youth (Age 375-379)	Number of Youth (Age 380-384)	Number of Youth (Age 385-389)	Number of Youth (Age 390-394)	Number of Youth (Age 395-399)	Number of Youth (Age 400-404)	Number of Youth (Age 405-409)	Number of Youth (Age 410-414)	Number of Youth (Age 415-419)	Number of Youth (Age 420-424)	Number of Youth (Age 425-429)	Number of Youth (Age 430-434)	Number of Youth (Age 435-439)	Number of Youth (Age 440-444)	Number of Youth (Age 445-449)	Number of Youth (Age 450-454)	Number of Youth (Age 455-459)	Number of Youth (Age 460-464)	Number of Youth (Age 465-469)	Number of Youth (Age 470-474)	Number of Youth (Age 475-479)	Number of Youth (Age 480-484)	Number of Youth (Age 485-489)	Number of Youth (Age 490-494)	Number of Youth (Age 495-499)	Number of Youth (Age 500-504)	Number of Youth (Age 505-509)	Number of Youth (Age 510-514)	Number of Youth (Age 515-519)	Number of Youth (Age 520-524)	Number of Youth (Age 525-529)	Number of Youth (Age 530-534)	Number of Youth (Age 535-539)	Number of Youth (Age 540-544)	Number of Youth (Age 545-549)	Number of Youth (Age 550-554)	Number of Youth (Age 555-559)	Number of Youth (Age 560-564)	Number of Youth (Age 565-569)	Number of Youth (Age 570-574)	Number of Youth (Age 575-579)	Number of Youth (Age 580-584)	Number of Youth (Age 585-589)	Number of Youth (Age 590-594)	Number of Youth (Age 595-599)	Number of Youth (Age 600-604)	Number of Youth (Age 605-609)	Number of Youth (Age 610-614)	Number of Youth (Age 615-619)	Number of Youth (Age 620-624)	Number of Youth (Age 625-629)	Number of Youth (Age 630-634)	Number of Youth (Age 635-639)	Number of Youth (Age 640-644)	Number of Youth (Age 645-649)	Number of Youth (Age 650-654)	Number of Youth (Age 655-659)	Number of Youth (Age 660-664)	Number of Youth (Age 665-669)	Number of Youth (Age 670-674)	Number of Youth (Age 675-679)	Number of Youth (Age 680-684)	Number of Youth (Age 685-689)	Number of Youth (Age 690-694)	Number of Youth (Age 695-699)	Number of Youth (Age 700-704)	Number of Youth (Age 705-709)	Number of Youth (Age 710-714)	Number of Youth (Age 715-719)	Number of Youth (Age 720-724)	Number of Youth (Age 725-729)	Number of Youth (Age 730-734)	Number of Youth (Age 735-739)	Number of Youth (Age 740-744)	Number of Youth (Age 745-749)	Number of Youth (Age 750-754)	Number of Youth (Age 755-759)	Number of Youth (Age 760-764)	Number of Youth (Age 765-769)	Number of Youth (Age 770-774)	Number of Youth (Age 775-779)	Number of Youth (Age 780-784)	Number of Youth (Age 785-789)	Number of Youth (Age 790-794)	Number of Youth (Age 795-799)	Number of Youth (Age 800-804)	Number of Youth (Age 805-809)	Number of Youth (Age 810-814)	Number of Youth (Age 815-819)	Number of Youth (Age 820-824)	Number of Youth (Age 825-829)	Number of Youth (Age 830-834)	Number of Youth (Age 835-839)	Number of Youth (Age 840-844)	Number of Youth (Age 845-849)	Number of Youth (Age 850-854)	Number of Youth (Age 855-859)	Number of Youth (Age 860-864)	Number of Youth (Age 865-869)	Number of Youth (Age 870-874)	Number of Youth (Age 875-879)	Number of Youth (Age 880-884)	Number of Youth (Age 885-889)	Number of Youth (Age 890-894)	Number of Youth (Age 895-899)	Number of Youth (Age 900-904)	Number of Youth (Age 905-909)	Number of Youth (Age 910-914)	Number of Youth (Age 915-919)	Number of Youth (Age 920-924)	Number of Youth (Age 925-929)	Number of Youth (Age 930-934)	Number of Youth (Age 935-939)	Number of Youth (Age 940-944)	Number of Youth (Age 945-949)	Number of Youth (Age 950-954)	Number of Youth (Age 955-959)	Number of Youth (Age 960-964)	Number of Youth (Age 965-969)	Number of Youth (Age 970-974)	Number of Youth (Age 975-979)	Number of Youth (Age 980-984)	Number of Youth (Age 985-989)	Number of Youth (Age 990-994)	Number of Youth (Age 995-999)	Number of Youth (Age 1000-1004)	Number of Youth (Age 1005-1009)	Number of Youth (Age 1010-1014)	Number of Youth (Age 1015-1019)	Number of Youth (Age 1020-1024)	Number of Youth (Age 1025-1029)	Number of Youth (Age 1030-1034)	Number of Youth (Age 1035-1039)	Number of Youth (Age 1040-1044)	Number of Youth (Age 1045-1049)	Number of Youth (Age 1050-1054)	Number of Youth (Age 1055-1059)	Number of Youth (Age 1060-1064)	Number of Youth (Age 1065-1069)	Number of Youth (Age 1070-1074)	Number of Youth (Age 1075-1079)	Number of Youth (Age 1080-1084)	Number of Youth (Age 1085-1089)	Number of Youth (Age 1090-1094)	Number of Youth (Age 1095-1099)	Number of Youth (Age 1100-1104)	Number of Youth (Age 1105-1109)	Number of Youth (Age 1110-1114)	Number of Youth (Age 1115-1119)	Number of Youth (Age 1120-1124)	Number of Youth (Age 1125-1129)	Number of Youth (Age 1130-1134)	Number of Youth (Age 1135-1139)	Number of Youth (Age 1140-1144)	Number of Youth (Age 1145-1149)	Number of Youth (Age 1150-1154)	Number of Youth (Age 1155-1159)	Number of Youth (Age 1160-1164)	Number of Youth (Age 1165-1169)	Number of Youth (Age 1170-1174)	Number of Youth (Age 1175-1179)	Number of Youth (Age 1180-1184)	Number of Youth (Age 1185-1189)	Number of Youth (Age 1190-1194)	Number of Youth (Age 1195-1199)	Number of Youth (Age 1200-1204)	Number of Youth (Age 1205-1209)	Number of Youth (Age 1210-1214)	Number of Youth (Age 1215-1219)	Number of Youth (Age 1220-1224)	Number of Youth (Age 1225-1229)	Number of Youth (Age 1230-1234)	Number of Youth (Age 1235-1239)	Number of Youth (Age 1240-1244)	Number of Youth (Age 1245-1249)	Number of Youth (Age 1250-1254)	Number of Youth (Age 1255-1259)	Number of Youth (Age 1260-1264)	Number of Youth (Age 1265-1269)	Number of Youth (Age 1270-1274)	Number of Youth (Age 1275-1279)	Number of Youth (Age 1280-1284)	Number of Youth (Age 1285-1289)	Number of Youth (Age 1290-1294)	Number of Youth (Age 1295-1299)	Number of Youth (Age 1300-1304)	Number of Youth (Age 1305-1309)	Number of Youth (Age 1310-1314)	Number of Youth (Age 1315-1319)	Number of Youth (Age 1320-1324)	Number of Youth (Age 1325-1329)	Number of Youth (Age 1330-1334)	Number of Youth (Age 1335-1339)	Number of Youth (Age 1340-1344)	Number of Youth (Age 1345-1349)	Number of Youth (Age 1350-1354)	Number of Youth (Age 1355-1359)	Number of Youth (Age 1360-1364)	Number of Youth (Age 1365-1369)	Number of Youth (Age 1370-1374)	Number of Youth (Age 1375-1379)	Number of Youth (Age 1380-1384)	Number of Youth (Age 1385-1389)	Number of Youth (Age 1390-1394)	Number of Youth (Age 1395-1399)	Number of Youth (Age 1400-1404)	Number of Youth (Age 1405-1409)	Number of Youth (Age 1410-1414)	Number of Youth (Age 1415-1419)	Number of Youth (Age 1420-1424)	Number of Youth (Age 1425-1429)	Number of Youth (Age 1430-1434)	Number of Youth (Age 1435-1439)	Number of Youth (Age 1440-1444)	Number of Youth (Age 1445-1449)	Number of Youth (Age 1450-1454)	Number of Youth (Age 1455-1459)	Number of Youth (Age 1460-1464)	Number of Youth (Age 1465-1469)	Number of Youth (Age 1470-1474)	Number of Youth (Age 1475-1479)	Number of Youth (Age 1480-1484)	Number of Youth (Age 1485-1489)	Number of Youth (Age 1490-1494)	Number of Youth (Age 1495-1499)	Number of Youth (Age 1500-1504)	Number of Youth (Age 1505-1509)	Number of Youth (Age 1510-1514)	Number of Youth (Age 1515-1519)	Number of Youth (Age 1520-1524)	Number of Youth (Age 1525-1529)	Number of Youth (Age 1530-1534)	Number of Youth (Age 1535-1539)	Number of Youth (Age 1540-1544)	Number of Youth (Age 1545-1549)	Number of Youth (Age 1550-1554)	Number of Youth (Age 1555-1559)	Number of Youth (Age 1560-1564)	Number of Youth (Age 1565-1569)	Number of Youth (Age 1570-1574)	Number of Youth (Age 1575-1579)	Number of Youth (Age 1580-1584)	Number of Youth (Age 1585-1589)	Number of Youth (Age 1590-1594)	Number of Youth (Age 1595-1599)	Number of Youth (Age 1600-1604)	Number of Youth (Age 1605-1609)	Number of Youth (Age 1610-1614)	Number of Youth (Age 1615-1619)	Number of Youth (Age 1620-1624)	Number of Youth (Age 1625-1629)	Number of Youth (Age 1630-1634)	Number of Youth (Age 1635-1639)	Number of Youth (Age 1640-1644)	Number of Youth (Age 1645-1649)	Number of Youth (Age 1650-1654)	Number of Youth (Age 1655-1659)	Number of Youth (Age 1660-1664)	Number of Youth (Age 1665-1669)	Number of Youth (Age 1670-1674)	Number of Youth (Age 1675-1679)	Number of Youth (Age 1680-1684)	Number of Youth (Age 1685-1689)	Number of Youth (Age 1690-1694)	Number of Youth (Age 1695-1699)	Number of Youth (Age 1700-1704)	Number of Youth (Age 1705-1709)	Number of Youth (Age 1710-1714)	Number of Youth (Age 1715-1719)	Number of Youth (Age 1720-1724)	Number of Youth (Age 1725-1729)	Number of Youth (Age 1730-1734)	Number of Youth (Age 1735-1739)	Number of Youth (Age 1740-1744)	Number of Youth (Age 1745-1749)	Number of Youth (Age 1750-1754)	Number of Youth (Age 1755-1759)	Number of Youth (Age 1760-1764)	Number of Youth (Age 1765-1769)	Number of Youth (Age 1770-1774)	Number of Youth (Age 1775-1779)	Number of Youth (Age 1780-1784)	Number of Youth (Age 1785-1789)	Number of Youth (Age 1790-1794)	Number of Youth (Age 1795-1799)	Number of Youth (Age 1800-1804)	Number of Youth (Age 1805-1809)	Number of Youth (Age 1810-1814)	Number of Youth (Age 1815-1819)	Number of Youth (Age 1820-1824)	Number of Youth (Age 1825-1829)	Number of Youth (Age 1830-1834)	Number of Youth (Age 1835-1839)	Number of Youth (Age 1840-1844)	Number of Youth (Age 1845-1849)	Number of Youth (Age 1850-1854)	Number of Youth (Age 1855-1859)	Number of Youth (Age 1860-1864)	Number of Youth (Age 1865-1869)	Number of Youth (Age 1870-1874)	Number of Youth (Age 1875-1879)	Number of Youth (Age 1880-1884)	Number of Youth (Age 1885-1889)	Number of Youth (Age 1890-1894)	Number of Youth (Age 1895-1899)	Number of Youth (Age 1900-1904)	Number of Youth (Age 1905-1909)	Number of Youth (Age 1910-1914)	Number of Youth (Age 1915-1919)	Number of Youth (Age 1920-1924)	Number of Youth (Age 1925-1929)	Number of Youth (Age 1930-1934)	Number of Youth (Age 1935-1939)	Number of Youth (Age 1940-1944)	Number of Youth (Age 1945-1949)	Number of Youth (Age 1950-1954)	Number of Youth (Age 1955-1959)	Number of Youth (Age 1960-1964)	Number of Youth (Age 1965-1969)	Number of Youth (Age 1970-1974)	Number of Youth (Age 1975-1979)	Number of Youth (Age 1980-1984)	Number of Youth (Age 1985-1989)	Number of Youth (Age 1990-1994)	Number of Youth (Age 1995-1999)	Number of Youth (Age 2000-2004)	Number of Youth (Age 2005-2009)	Number of Youth (Age 2010-2014)	Number of Youth (Age 2015-2019)	Number of Youth (Age 2020-2024)	Number of Youth (Age 2025-2029)	Number of Youth (Age 2030-2034)	Number of Youth (Age 2035-2039)	Number of Youth (Age 2040-2044)	Number of Youth (Age 2045-2049)	Number of Youth (Age 2050-2054)	Number of Youth (Age 2055-2059)	Number of Youth (Age 2060-2064)	Number of Youth (Age 2065-2069)	Number of Youth (Age 2070-2074)	Number of Youth (Age 2075-2079)	Number of Youth (Age 2080-20



COMPLETE THIS SECTION FOR EVERY TRIP

INSTRUCTIONS: Complete one row below for each client and crew who fished on this trip

**BUSINESS AND VESSEL INFORMATION**

42 2001 ADFG BUSINESS CHARTER LICENSE # 1234  
ALASKA DEPARTMENT OF FISH & GAME

43 2001 ADFG GUIDE LICENSE # 1234  
ALASKA DEPARTMENT OF FISH & GAME

44 VESSEL AK OR US C/G # AK 4321

**INDIVIDUAL ANGLER AND CATCH INFORMATION**

Sport Fishing License Number of each Client and Crew Fishing OR Record those anglers under 18 as "Youth Angler" (F1, #1 etc.)	Sex and Age	Number of King Salmon					Number of Other Salmon					Number of Trout	Number of Halibut	Number of Petting Salmon etc.	Number of Herring/Bass/etc.	Number of Recreational Herring (up to 100 lbs)	Number of Other Fish	All Other Fish
		Male	Female	Age 12-17	Age 18-24	Age 25-34	Age 35-44	Age 45-54	Age 55-64	Age 65-74	Age 75+							

**TRIP INFORMATION**

45 DATE OF OFF-LOADING MO 7 DAY 21 YEAR 2000

46 PORT OR SITE OF OFF-LOADING Homer

47 TOTAL NO. CLIENTS ON THE VESSEL 6

48 PRIMARY FISHERY NO. OF BOGS TAKEN & BOAT HOURS

Targeted Species	Primary Fish Area where Boat Club were caught (Subgeographic Code)	Max No. of Boats Fished	No. of Boats Fished This Trip
Salmon			
Halibut	<u>525902</u>	<u>6</u>	<u>4</u>

49 DAY NO. 1 OF 1 (if off-loaded on other days list day)

50 PAGE NO. 1 OF 1 (TOTAL NO. OF PAGES FOR THIS TRIP)

**RETURN LOGBOOK REPORTS WEEKLY**

51 LOGBOOK FOR REPORTS MUST BE COMPLETED AFTER 5:00 PM (SEE REPORTING OFF-LOADING AND CLOSING SCHEDULES) (SEE PG. 99 FOR ANCHORAGE REGULATIONS)

52 RETURN COMPLETED REPORTS FOR THE WEEKLY SCHEDULED PRINTING ON THE BASES OF THE TRIP/BOAT

53 LOGBOOKS FOR REPORTS MUST BE RETURNED BY ADFG OFFICES OR FORWARDERS BY THE DATE SPECIFIED ON THE SCHEDULES SERVING THIS LOGBOOK

**CERTIFICATION:** I certify that the information contained in this document is true and correct to the best of my knowledge. X [Signature] REGULATOR CONTINUE ON NEXT PAGE IF MORE ANGLERS ON TRIP.

FORM 60170 (01/99)



COMPLETE THIS SECTION FOR EVERY TRIP

INSTRUCTIONS: Complete one row below for each client and crew who fished on this trip

**BUSINESS AND VESSEL INFORMATION**

42 2001 ADFG BUSINESS CHARTER LICENSE # 1234  
ALASKA DEPARTMENT OF FISH & GAME

43 2001 ADFG GUIDE LICENSE # 1234  
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		Male	Female	Age 12-17	Age 18-24	Age 25-34	Age 35-44	Age 45-54	Age 55-64	Age 65-74	Age 75+							

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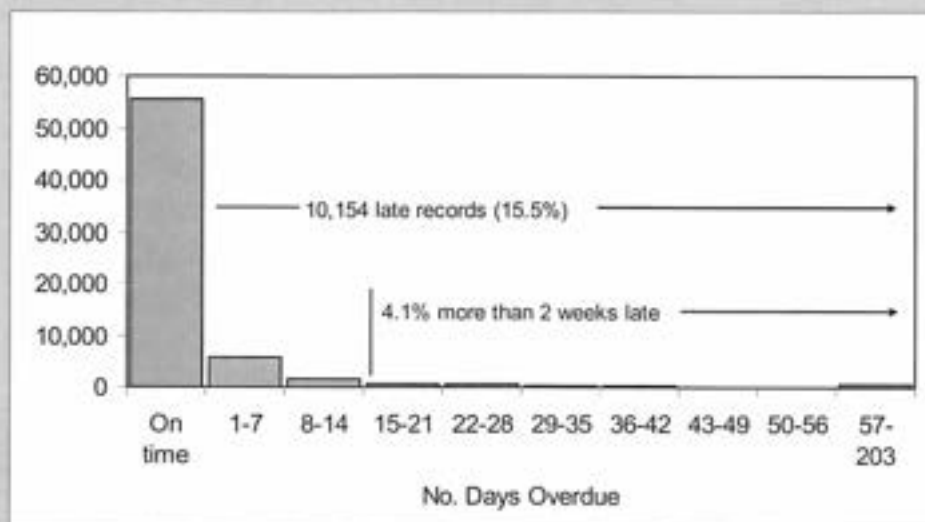
**CERTIFICATION:** I certify that the information contained in this document is true and correct to the best of my knowledge. X [Signature] REGULATOR CONTINUE ON NEXT PAGE IF MORE ANGLERS ON TRIP.

FORM 60170 (01/99)

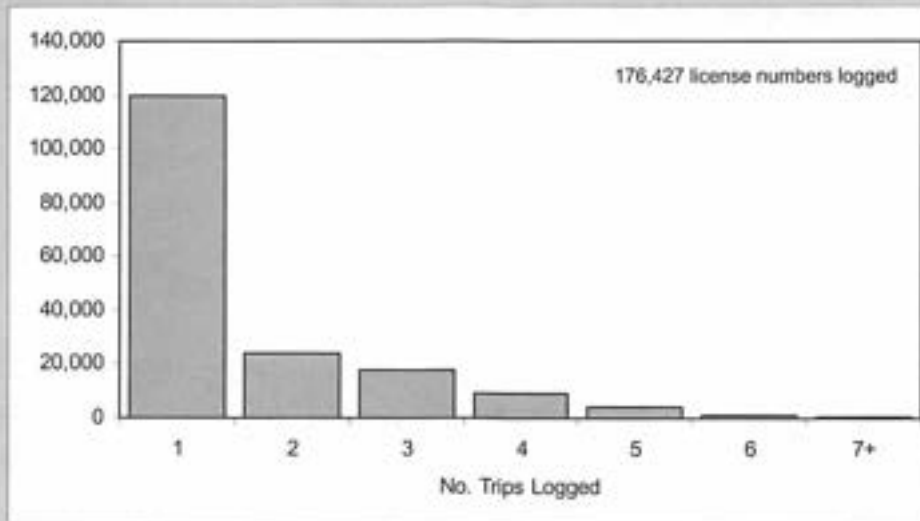
## Objective 1 - Logbook Errors

Error	Error Rate 2006		1998-04
	2C	3A	3A
Angler type missing	1.3%	0.6%	--
Number of clients not reported	0.0%	0.0%	17.5%
Port of landing invalid or missing	0.06%	0.0%	4.5%
Hours of fishing effort missing	1.1%	1.5%	6.8%
Number of rods missing	0.3%	0.9%	3.6%
Bottomfish effort, no stat area	0.03%	0.02%	2.9%

## Logbooks submitted late




## Frequency of License Numbers



## Objective 2 - End-of-Season Client Survey

2006 License #: **6454791**

 **2006 SALTWATER CHARTERED SPORT FISHING SURVEY**  
ALASKA DEPT. OF FISH AND GAME, SPORT FISH DIVISION, 315 RASPERY RD., ANCHORAGE, ALASKA 99511

Did you hire a sport fish charter service to conduct saltwater sport fishing in Alaska between June 1, 2006 and July 31, 2006? YES  NO

Did you go on more than one charter trip during this time period? YES  NO

Date of last trip within this period: \_\_\_\_\_  
Date

Name of company you chartered with OR the name of the vessel you fished on:  
 \_\_\_\_\_ OR \_\_\_\_\_  
Charter Company Name Vessel Name

PLEASE WRITE IN THE NUMBER OF FISH KEPT AND THE NUMBER RELEASED FOR THE ABOVE DATE FISHED. RECORD ONLY THOSE FISH YOU PERSONALLY KEPT AND RELEASED.\*

HALIBUT		KING SALMON		ROCKFISH		OTHER FISH	
KEPT	RELEASED	KEPT	RELEASED	KEPT	RELEASED	KEPT	RELEASED

(Please return by February 7, 2007)

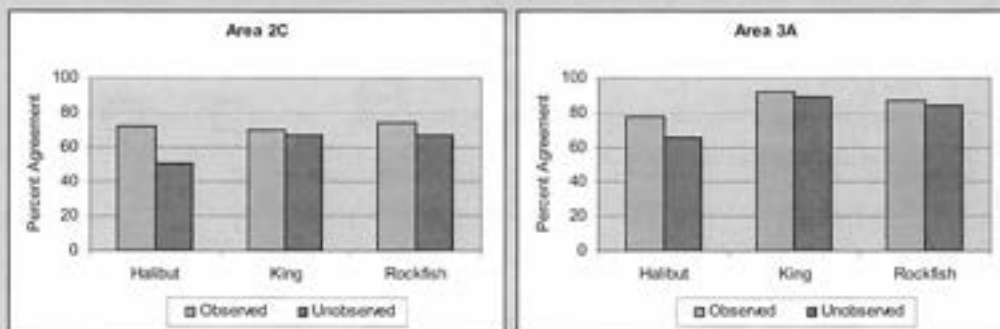
## End-of-Season Survey Results

- Random sample of 16,000 clients.  
(12,164 "observed," 3,836 "unobserved")
- 6,512 useable questionnaires returned.
- 443 (6.8%) did not fish on a charter boat.

Observed	326 (6.5%)
Unobserved	117 (7.9%)

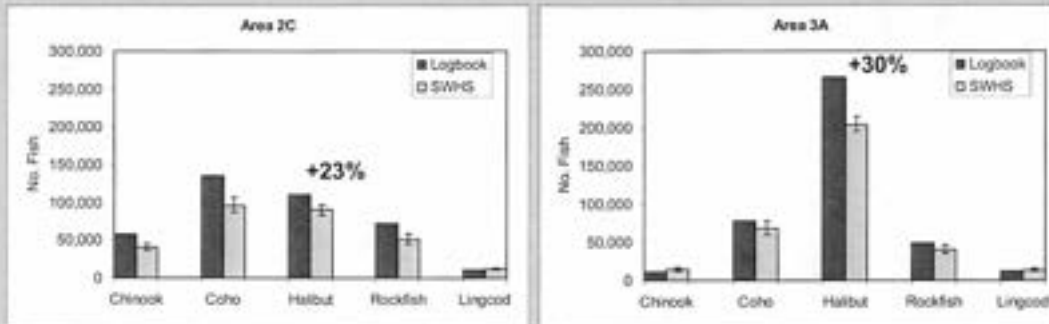
## End-of-Season Survey Results

- Client-logbook harvest comparisons:



## Objective 3 - SWHS Comparison

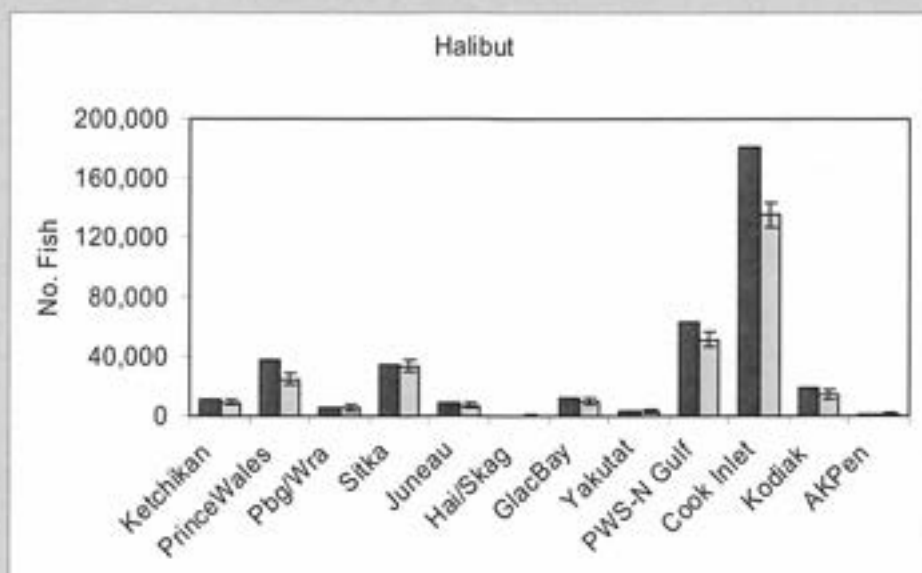
Harvest in Numbers of Fish



Halbut:			
Area	Logbook	SWHS	Relative Diff
Area 2C	111,054	90,471	+23%
Area 3A	265,817	204,115	+30%

## SWHS Comparison

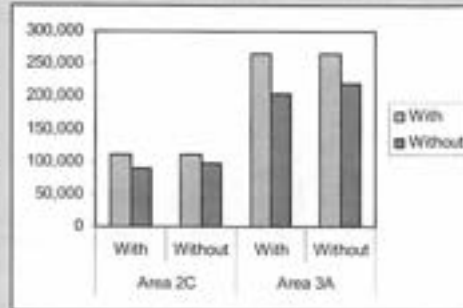
Harvest in Numbers of Fish



## SWHS Comparison

- Bag limit edits

- Assume number of trips recalled more accurately.
- Some bag limit edits probably are appropriate.
- Halibut harvest without bag limits:
  - 7.6% higher in Area 2C
  - 7.4% higher in Area 3A
- Differences smaller but still substantial.



## SWHS Comparison

- Also looked at estimation of charter percentage

- Cook Inlet charter harvest estimated using both survey types.
- All other areas use % charter from supplemental.
- Re-estimation of Cook Inlet guided harvest similar.

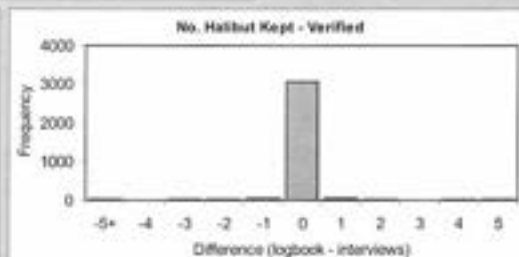
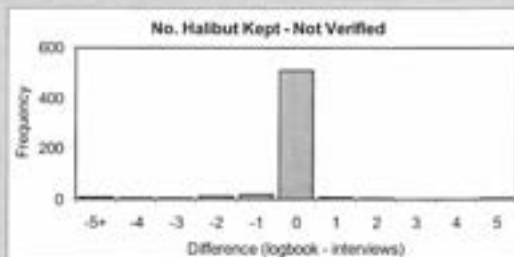
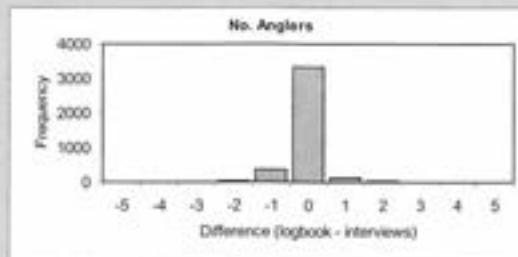
Year	Published	Alternate	Difference
2004	125,867	127,896	1.6%
2005	133,673	129,606	-3.0%
2006	135,475	135,776	0.2%



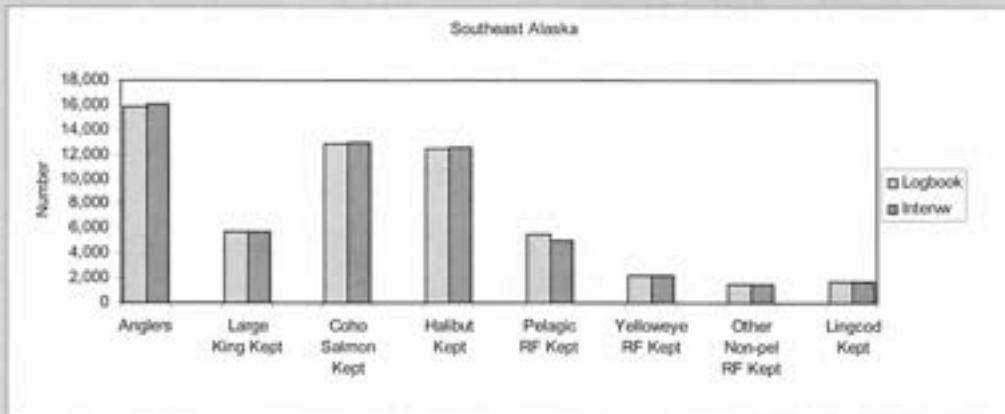
## Objective 4 – Interview Comparisons

- Southeast Alaska
  - 3,929 interviews matched to logbooks (10.1% of trips)
    - Halibut verified for 3,344 interviews (8.6% of trips)
- Southcentral Alaska
  - 1,860 interviews matched to logbooks (7.0% of trips)
    - Halibut verified for 899 interviews (3.4% of trips)

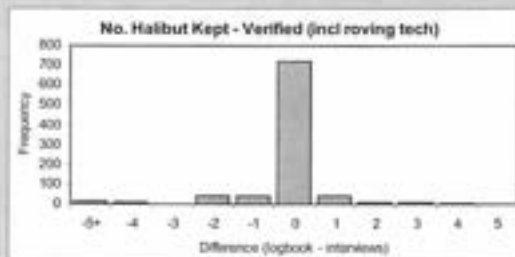
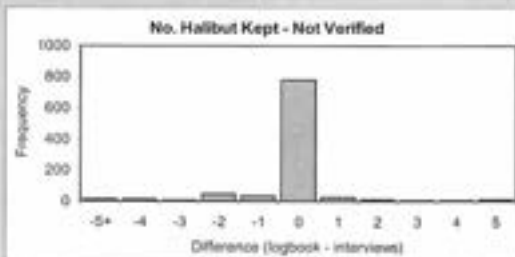
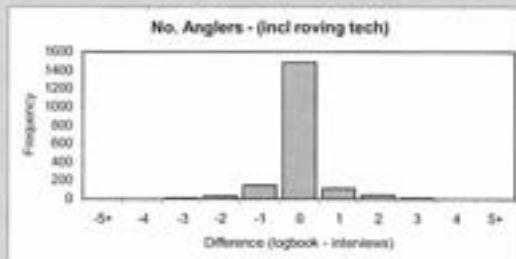
## Southeast Comparisons



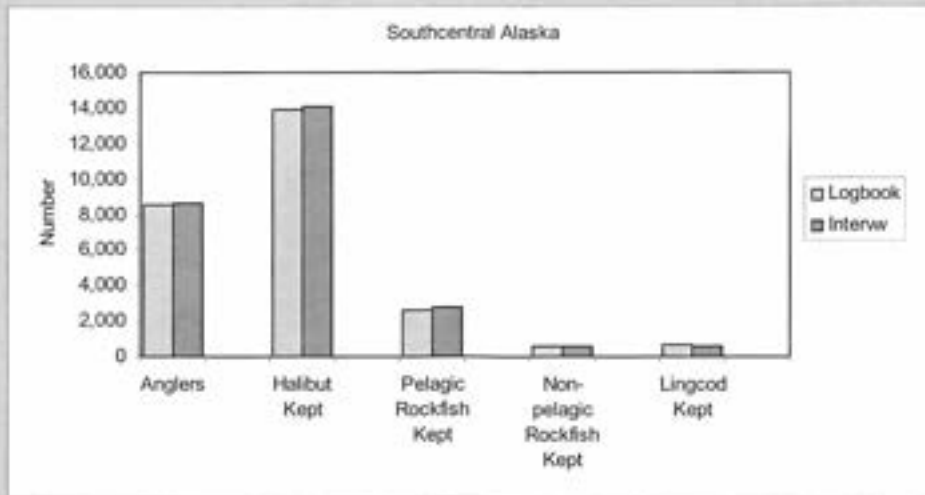
## Southeast Comparisons (cont.)



## Southcentral Comparisons



## Southcentral Comparisons (cont.)

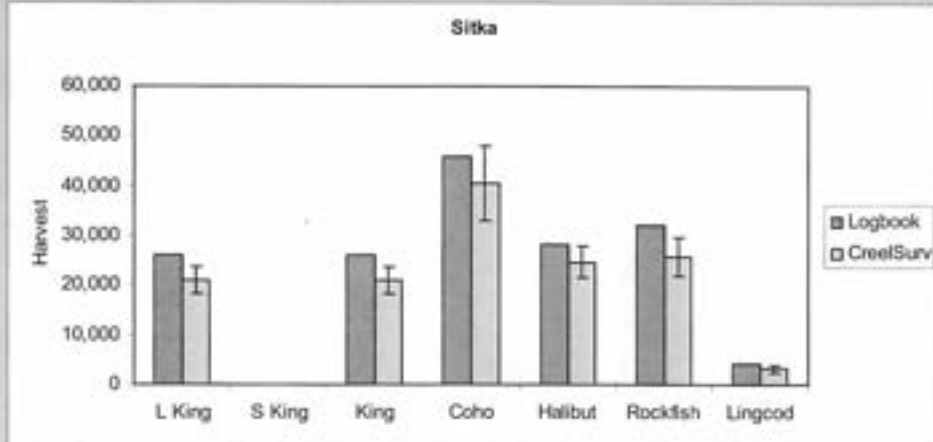


## Objective 5 - Creel Survey Comparisons

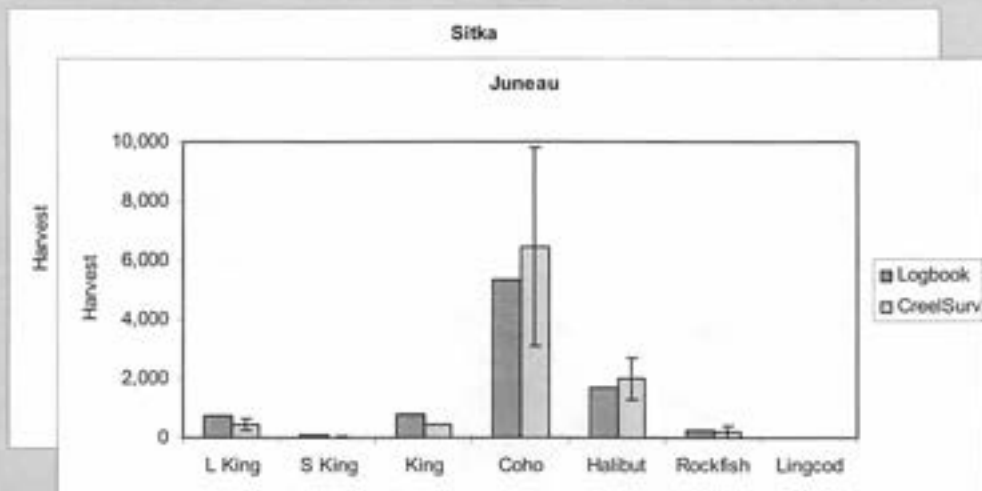
- Ketchikan, Juneau, Sitka.
- Apr 24 – Sep 24.
- Logbook data for boats interviewed at least once.



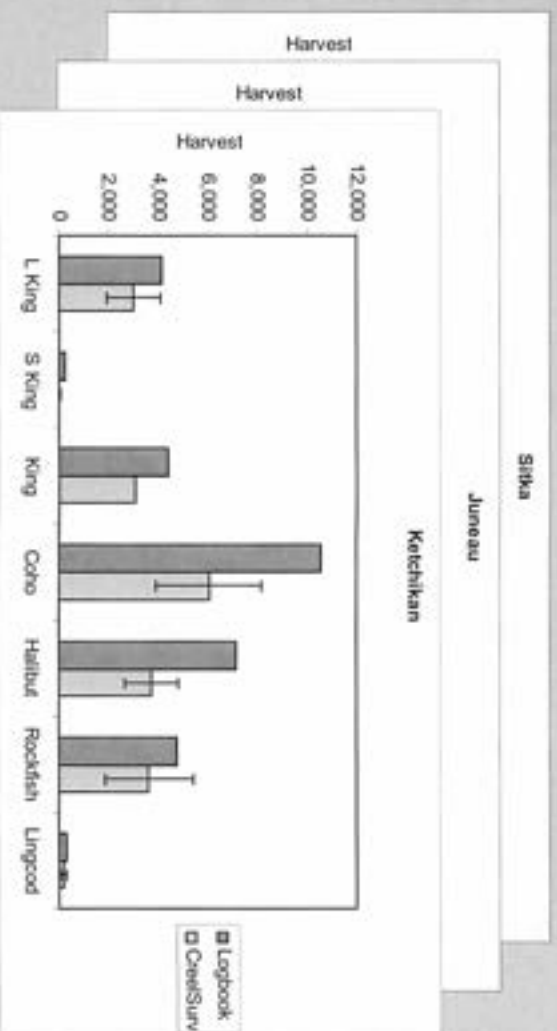
## Creel Survey Comparisons



## Creel Survey Comparisons



## Creel Survey Comparisons



## Summary

- 2006 logbook data relatively clean.
- Angler licenses allowed additional diagnostics.
- Unable to detect falsification of trips.
- Logbook harvest still higher than SWHS.
- Logbook and on-site interview data agree on average.
- Logbook and creel survey comparisons variable.

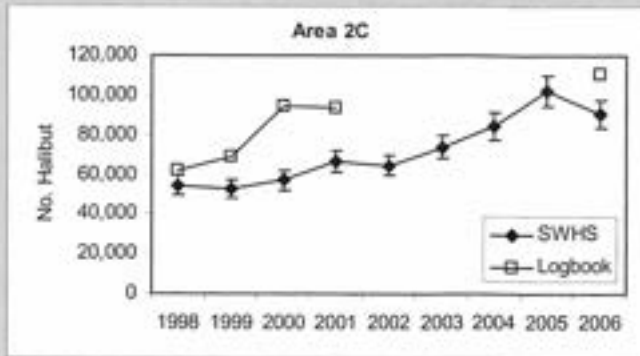
## What Does It All Mean?



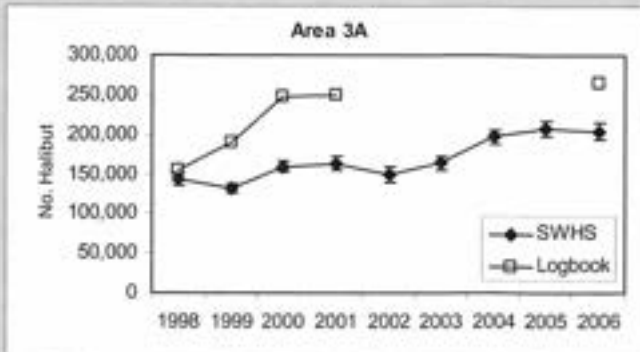
- Evaluation of 2006 logbook only, not an endorsement of earlier logbook data.
- Unable to find any systematic strategic bias in logbook data.
- Unable to find any major fault with SWHS.



- Logbook data has advantages over SWHS.
  - Data intended to be a complete census.
  - Data at daily, boat-trip, and vessel level.
  - Data already used for 2C and 3A analyses of regulatory options.
  - Potential for more timely numbers or projections
    - 3-year timeline in EA/RIR/IRFA.
- Mismatch between allocations based on SWHS and harvest reported in logbooks.
  - Regulatory measures implemented even if real harvest unchanged.



Area 2C:	Difference
1998	14%
1999	31%
2000	66%
2001	40%
--2006--	23%



Area 3A:	Difference
1998	8%
1999	45%
2000	56%
2001	53%
--2006--	30%

## Charter Harvest 2006 (by weight)

Area	Measure	SWHS	Logbook	Difference
2C	Number	90,471	111,054	+22.8%
	Weight (M lb)	1.804	2.094	+16.1
	Mean Wt (lb)	19.9	18.9	-5.4%
3A	Number	204,115	265,817	+30.2%
	Weight (M lb)	3.664	4.691	+28.0%
	Mean Wt (lb)	17.9	17.6	-1.7%

## What's the Plan?

- Continued logbook with outreach
  - 2008 logbook includes angler name
- Evaluate 2007 and 2008 logbooks
  - End-of-season survey 2007
  - Compare to SWHS
  - Compare to onsite interview data
  - Compare to creel survey estimates
- Continue SWHS
  - Evaluate SWHS for sources of bias and account for differences

### Thanks:

Bob Powers  
Allen Bingham  
Mike Jaenicke  
Bob Clark  
Kathrin Sundet  
Dora Sigurdsson

And

Numerous technicians, data entry staff,  
area management staff.







LATE COMMENT

REPRESENTATIVE BILL THOMAS

ALASKA STATE LEGISLATURE DISTRICT 5

State Capitol  
Juneau, AK 99801-1182  
(907) 465-3732  
(888) 461-3732  
FAX (907) 465-2652

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

RECEIVED  
MAR 2 2008  
MRS. G.

Dear Council Members,

I write to you today as a concerned halibut fisherman and as the State Representative for House District 5, covering rural Southeast Alaska, Yakutat and Prince William Sound.

I am a Native Alaskan, born and raised in the Haines / Klukwan area. I have harvested halibut for 35 years, and over that time I have seen remarkable changes in the management structure. Halibut is a fully allocated resource that provides a critical economic base for the people of my region. It is this essential base economic activity that keeps the villages of coastal Alaska viable as communities. 80% of 2C quota is held by Alaska residents, and 63% of those Alaskans are from rural communities. Villages in my region depend on the commercial industry for the significant number of jobs and wealth it creates. Furthermore, the Fisheries Business Tax revenue received by local governments helps pay for essential basic services such as education funding, police and fire protection, public water and sewer services, and harbor maintenance.

Over my long career as a commercial fisherman I have gone through the painful process of rationalizing our fishery to prevent the tragedy of the commons. My fellow fishermen with whom I grew up and who are the lifeblood of our communities have gone through the same process. Many have had to take on huge debts in order to continue their participation in the industry and to be able to remain in their home communities. Indeed many others simply haven't been able to continue as halibut fishermen. Collectively, we in the commercial sector recognized that we would have to sacrifice open access to the resource in order to stabilize the industry, improve quality and ensure conservation of the resource. Since then, the growth of the charter sector has eaten away at the commercial quotas, causing considerable hardship for those of us who have long since taken the difficult steps necessary to mitigate our own growth.

With this history in mind, I am very concerned about the fixed allocation options for the charter sector in the catch sharing plan that the Council is currently considering. It is patently unfair to allow the charter sector to have a fixed quota level, while other user groups are allocated quota on a "floating" basis. Other species, such as king salmon, ling cod and rockfish are allocated based on abundance based management. I strongly believe that all user groups should be held to the same standard: when stocks are high, everyone

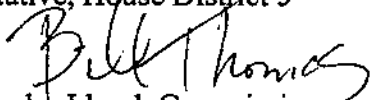
benefits by higher catch allocations, and conversely, in times of lower abundance everyone suffers equally. Abundance based management is the hallmark of fisheries management in the North Pacific. The Council should not depart from that concept in adopting a catch sharing plan for the various users of the halibut resource.

The charter sector must understand that they cannot be held to a different standard than the rest of us. Those businesses should not grow at the expense of those of us whose participation in the fishery has supported the regional economy for decades.

I urge the council to adopt an allocation plan that is fair to all user groups and does not hold one sector to a different standard than the others.

Sincerely,

William A. "Bill" Thomas, Jr.  
Representative, House District 5



cc: Denby Lloyd, Commissioner of Fish and Game  
Cora Crome, Fisheries Policy Advisor, Office of the Governor

FAX (907) 271-2817

Ms Stephanie Madsen  
Chair  
North Pacific Fishery Management Council  
605 West 4th Ave, Ste 306  
Anchorage, AK 99501

LATE

AMF

I am writing to urge you to adopt effective management measures to control charter harvest in Area 2C to the GHL and to ensure that these measures are implemented in time for the 2008 charter season. I would also urge you to move forward as quickly as possible with similarly effective measures in Area 3A. Commercial fishermen have asked the Council for the past 14 years to stop the open-ended reallocation of halibut from the commercial to the charter sector. Fourteen years is a long time to wait. In April 2006, the Council committed by unanimous vote to manage the halibut charter sector to the GHL until superseded by a long-term management strategy. Please keep that commitment. Each sector needs to live within its allocation until a mechanism for compensated reallocation is established.

I further request that the Council convert the GHL to a percentage-based allocation that fluctuates with abundance and implement a mechanism that allows compensated transfer between the commercial and charter sectors. The percentage must be derived from the existing GHL and all subsequent transfers must be between willing buyers and willing sellers. Finally, I oppose any permanent revenue streams to the charter sector that would subsidize charter purchase of quota share. Charter operators that want to increase their halibut harvest should pay more for that opportunity.

I have invested in the halibut quota share program and fishery with the expectation that the resource will continue to be well managed and that the Council will fairly balance the needs of all who depend on the halibut resource, from consumers through fishermen and processors. I respectfully request that the Council live up to that expectation.

Sincerely,

*Michael Kampich*

Address PO Box 119, 507 Second St.

Craig, AK 99921

Date: 3-28-08

NPFMC  
605 W 4th Ave. Ste. 306  
Anchorage, Ak. 99501

Scott Visscher  
Hc 60 #2842  
HNS, AK. 99827

RECEIVED  
MAR 27 2008  
LATE COMMENT

Council,

I understand there are options for the 2C/3A Halibut charter interim management plan that include:

- a. Increasing the GHL without compensating commercial share holders
- b. Changing the GHL to either a fixed allocation or one that fluctuates with abundance
- c. Allow Charter operators to lease quota from the commercial sector

As a Commercial Halibut fisherman I think it is unjust, unfair, and perhaps unlawful to increase the charter GHL w/o compensating commercial share holders. We entered into the IFQ system in good faith for the good of fisherman, halibut conservation, and the consumer. To see another commercial sector want resource for nothing and at the expense of long term vested interest is aggravating. The charter fleet needs to play on the same page as the commercial fleet.

The current GHL should fluctuate with abundance as does the commercial TAC. Charter operators have to share in conservation; indeed you would think they would demand it or risk being hounded by marine environmental groups with their lawyers and courts.

Allowing charter operators to lease quota is a good idea in that it is a precursor to a charter IFQ system which is the only fair and honest way to reach management parity between the commercial and charter fleets. Commercial fisherman have their 'consumer clients' and charter guides have their 'sport clients'. Both groups should access the halibut resource thru a management scenario that provides a fair and level playing field, and ensures conservation of the resource. We must continue the long tradition of good management of the fishery.

Thankyou,



Scott Visscher

NPFMC  
605 West 4<sup>th</sup> Ave., Ste 306  
Anchorage, AK 99501.

LATE COMMENT

**Dear Council,**

In 2006 I purchased 6000 pounds of halibut quota to add to my existing 10,000 pounds. I did this to make extra money to pay for my son's college. He works for me during that time also, helping himself through college as well. The reduction in pounds puts me clear back to just over my original 10,000 pounds. So basically I am back financially to where I was before purchasing the IFQ's but still having to pay for them. Going backwards was not my idea when I purchased them.

On the issue of the DHL, I am against an increase for the charter fleet. They have expanded themselves to the point of hurting other people's business. They need to learn to live within their means without hurting others around them. They also shouldn't get an increase until they are 100% accountable for the fish they already catch. They do not report all that is caught.

All sectors should share in resource conservation by changing the current GHL to a percentage that fluctuates with abundance.

We also support the North Pacific Fishery Management Council on the issue of providing charter operators with the opportunity to lease QS, investing in the resource and their future as we have.

In closing I would like to reiterate that I have been financially burdened by the cut in the halibut quota. It is impacting my family, my livelihood, and the educational opportunity for my son.

Sincerely,

*Mark Roberts*

Mark Roberts  
F/V Cape Cross  
P.O. Box 246  
Petersburg, AK 99833

RECEIVED

MAR 27 2008

N.P.F.M.C.

MEMORANDUM FOR THE RECORD

On 10/10/54, the following information was received from the [illegible] office:

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

# F/V Castaway

RECEIVED

MAR 27 2008

North Pacific Fishery Management Council  
Eric Olson, Chair  
605 W 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

N.P.F.M.C.  
LATE COMMENT

March 23, 2008

Dear Eric Olsen, Chair

I am writing this testimony as a halibut fisherman from Haines Alaska. Although many communities in Alaska have tourist industry, Haines has a very small or nonexistent charter fleet. Our community relies very heavily on commercial fishing as a mainstay of our economy. Raw fish tax is a major part of our schools budget. The halibut Quota owned in this town is a major part of the economy. I am 34 years old I began fishing the halibut with my Dad in 1982. Although I was not old enough to own a license or a boat I crewed in every qualifying year of the IFQ program, I was issued no Quota. In 1995 I had saved my money and managed to buy my first boat and halibut quota. I had big payments I survived by taking other Quota share holders fishing and catch their Quotas on my boat. I did not agree with the IFQ program entirely, but I accepted it and invested heavily in it. I have found the cuts the last few years painful. My boat represents the main income for nine households in my area. That just counts the crew and the quota share I catch, that does not count goods and services my vessel uses. Each of these households has children that attend school and families that reside in small communities year round. The reallocation in area 2/C, is from management not keeping the charter industry within the guideline harvest level. When they go over their harvest it is deducted from my quota and my business suffers. I feel that there is not an accurate system in place to monitor them. They have had a larger impact on the halibut resource than has been reported. It feels like buying a piece of property and having part of it taken from you and given to someone else and still paying taxes on it!

Under the current system here are the problems with the charter industry. While I have no problem with the concept of a charter fishery, they should have to pay for their share of enforcement and preservation of the industry. Every Quota share holder pays a tax based on their catch for enforcement and management of their fishery. I would like to see this enforced on the charter industry also I would like to see both parties having a vested interest in the health of the industry. I would like to see the charter industry kept within the guideline harvest level. Any harvest above and beyond that should be purchased or leased in the form of commercial IFQ with all of the applicable taxes and user fees. It is not fair that one group pays for the conservation and infrastructure to preserve a fishery for it to be harvested by someone else. Let me remind you that the Halibut commission was formed by commercial fisherman who wanted to be sure the halibut stocks would not be exploited and be around for us today. For last part of the century the halibut commission has managed the fishery in a very responsible manner.

It is very confusing to me on one hand spokesmen for the charter industry say that charter fish are worth more money than commercial. They also testify that if they had to buy IFQ'S it would be a devastating financial burden on them. When they make statements like this to me I wonder how



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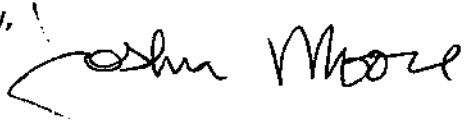
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valuable their fish really is. As our country heads toward a recession and banks have problems, some thought should be given to those banks and lending institutions that have financed quota to commercial fishermen. The overages by the charter industry have taken a large part of our debt paying ability away. Maybe some thought should also be given to how sustainable the charter industry will be during a recession as peoples wallets tighten up. We provide roughly 50 million pounds of fish; in a 4 ounce portion that is a lot of people we give access to the resource.

Please keep the charter industry within its guideline harvest and give them the opportunity to partner with the commercial fleet on paying for the use and care of one of Alaska's greatest resources.

Sincerely,



Joshua A. Moore  
PO Box 1213  
Haines, AK 99827  
907-723-8070



The first part of the report is devoted to a description of the experimental apparatus and the method of measurement. The second part contains the results of the measurements and a discussion of the results. The third part is a summary of the work.

The experimental apparatus consists of a gas cylinder of known volume and a gas thermometer. The gas is expanded into a larger volume and the temperature is measured. The pressure is measured by a manometer. The results are plotted on a graph of  $\log p$  versus  $1/T$  and a straight line is obtained. The slope of the line is used to determine the heat of vaporization of the gas.

The results of the measurements are shown in the following table:

$1/T$ (K <sup>-1</sup> )	$\log p$
0.0025	1.5
0.0030	1.8
0.0035	2.1
0.0040	2.4
0.0045	2.7
0.0050	3.0

The slope of the line is  $4.5 \times 10^4$  K. The heat of vaporization of the gas is  $4.5 \times 10^4$  cal/mole.

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

RECEIVED  
MAR 27 2008

LATE COMMENT  
NPS

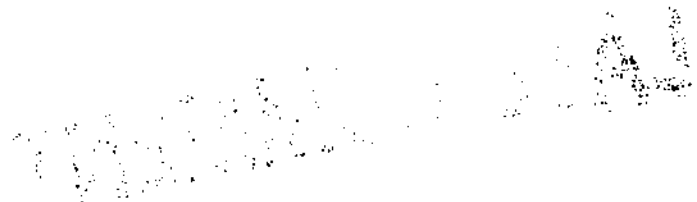
Dear Chairman Olson:

I have been operating a small charter business for the past 13 years in Valdez Alaska. In the past three years the threat of the halibut limit being cut has caused a tremendous amount of unrest when it comes to advanced booking. I have had several cancellations and lost a sizeable amount of money because my customers simply will not go to the expense of booking air fair and lodging to have the rug pulled out from under them. 99% of the charter operators would understand the problem if it was a lack of fish causing it, but it is not. It is purely a case of allocation. This issue must be taken care of for the sake of everyone. It has gone on quite long enough.

In Area 3A, which includes all of South Central Alaska and Kodiak, approximately 470 charter businesses operating about 625 vessels served over 138,000 anglers in 2006. While Area 3A has a greater proportion of Alaska resident anglers and fewer remote lodges than Area 2C, a 10% to 20% reduction in the number of anglers in Area 2C would still result in significant local economic impacts as 13,000 to 26,000 fewer people purchase meals, lodging, fuel, and supplies in local communities.

The North Pacific Fisheries Management Council is currently considering charter halibut allocation. I'm writing to advocate that the Council expand its options for analysis to include a fixed pound allocation for Area 2C and Area 3A that is high enough to support the fleet that will exist under the charter moratorium plan that the Council adopted last year. That amount should be sufficient to allow for a season of traditional length with a two fish daily bag limit, the same limit the industry has historically operated under for decades without adversely affecting the halibut resource. It should also include additional pounds beyond the 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A, the highest levels currently in the analysis, to accommodate the 72 new permits in Area 2C and 91 new permits in Area 3A that the Council included for qualified communities in those areas. The current options before the Council do not include an amount that will support the moratorium qualified fleet plus the new community permits, and adopting a allocation that will not support the effort levels the Council agreed to in the moratorium is certain to mean this allocation issue will remain a problem for years to come.

At a minimum, the Council needs to select as its preferred alternative a **fixed allocation of at least 1.9 million pounds in Area 2C and 4.15 million pounds in Area 3A**. This is presently the highest option before the Council, and still represents less than what has already been harvested in Area 2C in 2005. A fixed allocation is needed so charter operators and sport fishermen can plan for the each upcoming season. A fixed allocation also ensures that the Council, NMFS, and the State won't have to devote time and resources to annual changes in halibut regulations.



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Second main paragraph of handwritten text, continuing the narrative or list of items.

Third main paragraph of handwritten text, showing a continuation of the document's content.

Fourth main paragraph of handwritten text, appearing to be a concluding or transitional section.

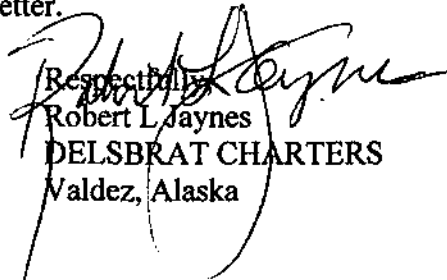
Fifth main paragraph of handwritten text, the final block of text on the page.

The constantly changing halibut regulations and potential one fish daily bag limit could bring the charter industry – a vital part of Southeast Alaska’s economy – to collapse. Canada and Area 3A are not facing a similar one fish daily limit—what is to stop sport fishermen from going to either of these areas to obtain two fish? The NMFS estimates that a one fish daily bag limit would result in 9,000 to 27,000 fewer anglers fishing in Area 2C. At \$500 per angler (a very conservative estimate) these reductions would translate into a direct loss of at least \$4.5 to \$13.5 million annually in Area 2C. This is a tremendous risk that the Council need not impose on Southeast Alaska communities.

The charter industry differs from the commercial industry in that it depends on stability and advance notice of rules—most clients book their trips a year out. Also, my business and other charter operators cannot significantly increase or decrease capacity from year to year, adjusting to annual increases/decreases in allocation. You simply can’t build more rooms or put more people on a boat you don’t have, any more than you can mothball rooms or boats you do have. This is why a fixed allocation is as important as the number of pounds of fish.

Alaska needs a charter halibut industry with stability. That is why the Council should add to the options for analysis a new higher fixed allocation that would actually accommodate the charter fleet as it will exist under the moratorium. At a minimum, the Council should select as the preferred alternative a fixed pound allocation at least 1.9 million pounds for Area 2C and 4.15 million pounds for Area 3A to preserve the charter industry in Alaska as it exists today. Allocating a minimum of 6.05 million pounds – a mere 8.2 percent of the average amount of halibut allocated by the International Pacific Halibut Commission to the fisheries off Alaska – is a viable solution. The Council regularly adopts rules that allow commercial fisheries off Alaska to take more than 10 million pounds of halibut annually in the form of bycatch – forty percent more than the minimum amount the charter industry is seeking to stay in business.

Thank you for your consideration of my letter.

  
Respectfully,  
Robert L. Jaynes  
DELSBRAT CHARTERS  
Valdez, Alaska





# SEAFOOD PRODUCERS COOPERATIVE

PRODUCERS, PROCESSORS & MARKETERS OF PREMIUM QUALITY SEAFOODS

March 26, 2008

North Pacific Fisheries Management Council  
Eric Olsen, Chair  
605 W. 4<sup>th</sup> Ave., Suite 306  
Anchorage, AK 99501

Re: Charter Halibut

RECEIVED  
MAR 27 2008

LATE COMMENT  
N.P.F.M.C.

Dear Chairman Olsen and Council Members:

Seafood Producers Cooperative is the oldest and largest fishermen owned cooperative in the United States. Our business model is similar to major agricultural cooperatives in the U.S. Each of our owner/members has a capital investment in the business, in addition to their investment in Halibut I.F.Q's. Halibut represents 25% of our business. We have seen the quota decline about 40% over the last 2 years. While we recognize and support good resource management, the commercial charter industry apparently cares little for resource preservation. Our production facility in Sitka (area 2c) employs over one hundred people and operates year-round. Alaskan families throughout the coastal communities rely upon the commercial seafood industry.

### Element 1 – Initial Allocation

SPC supports Option 1, sub-options a or c. Sub-options b and d move the goalposts of the GHL to accommodate the charter industry's over-harvest of that limit. There is no compelling reason to ignore the standard of the previously set and often reiterated Guideline Harvest Limit over the past eight years, including, especially, the growth of an industry sector. We urge the Council to eliminate Option 2 and 3 because of their use of fixed pounds. Allocations to the charter industry should float with resource abundance, as they do with the setline sector and indeed all other sectors who harvest this resource.

### Element 2 – Annual Regulatory Cycle

SPC agrees that initial charter allocation would be a common harvest pool for all charter limited entry permit holders. We support the automatic trigger of management measures in the event of an allocation overage, but are gravely concerned that the catch accounting system is not sufficient to correct overages before they create significant damage. We urge the Council to consider in-season closures, area-wide or within regions in areas, in cases of exceptional overages that have been identified during the season.

Element 3 – Management Toolbox

SPC supports Element 3 and recommends that the first three items under Tier 1 management measures, i.e. 1 trip per vessel per day, no retention by skipper or crew, and line limits, be required.

Element 4 – Timeline

We strongly urge the Council to use the most streamlined method of analyzing the catch data to implement relevant management tools as quickly as possible. This element and Element 6-catch accounting system, could not be more symbiotic. We recognize the efforts of Council staff to streamline this process and encourage their continued thinking along these lines.

Element 5 – Catch Accounting System

We support the Council's statement that *"One of the critical issues for successful implementation of a successful interim management regime for charter halibut operators is to shorten the feedback loop for collection of data regarding charter harvests."* And recommend Option 1, Electronic Reporting with logbook verification.

The commercial longline fishery has worked within the harvest guidelines, because we know it is necessary to protect our businesses and maintain economic continuity for many of the coastal communities in Alaska. Halibut has been well managed, SPC would urge to Council to implement the historic GHL and hold the commercial charter industry to the same high standards that other harvesters have maintained.

Sincerely,



Thomas M. McLaughlin  
President/CEO  
Seafood Producers Cooperative

CC: Secretary of Commerce, Carlos Gutierrez [cgutierrez@doc.gov](mailto:cgutierrez@doc.gov)  
Secretary Gutierrez U.S. Department of Commerce  
1401 Constitution Ave., NW, Washington, DC 20230  
Governor Palin's Fishery Advisor [cora.crome@alaska.gov](mailto:cora.crome@alaska.gov)  
Senator Steven's Office [Todd\\_Bortoson@commerce.senate.gov](mailto:Todd_Bortoson@commerce.senate.gov)  
Senator Murkowski's office [arne\\_fuglvog@murkowski.senate.gov](mailto:arne_fuglvog@murkowski.senate.gov)  
Representative Young [dave.whaley@mail.house.gov](mailto:dave.whaley@mail.house.gov)  
Director, NMFS: [jim.balsiger@noaa.gov](mailto:jim.balsiger@noaa.gov)  
Commissioner ADF&G: [Denby,Lloyd@alaska.gov](mailto:Denby,Lloyd@alaska.gov)





ADOPTED AUGUST 1972

**CITY OF WRANGELL, ALASKA**

INCORPORATED JUNE 15, 1903

BOX 531, 99929

(907) 874-2381

FAX: (907) 874-3952

RECEIVED  
MAR 27 2008

March 27, 2008

Sent Via Fax 907-271-2817

North Pacific Fishery Management Council  
Chairman Eric Olson and Council Members  
605 W. 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501-2252

Re: Agenda Item C-6 Halibut Charter

Dear Chairman Olson and Council Members,

The City of Wrangell is writing in support of the Regulatory Amendment for a Catch Sharing Plan between the Halibut Charter and Commercial Longline Sectors in IPHC Regulatory Area 2C and Area 3A, with an allocation that is a fixed percentage using the current GHL formula. (Alternative 2, Element 1, Option 1A)

The City of Wrangell is a rural, subsistence community and we support abundance based management that has all users sharing in the burden of conservation. This has been a basic management principal of the State of Alaska. Protection for one business should not be overly harmful to another industry and by choosing a fixed percentage the impact on both businesses are equally affected in times of decline and times of abundance.

The community of Wrangell has since the decline of the timber industry been working to help maintain and provide the commercial fishing industry the infrastructure necessary for a healthy commercial fishing industry. Wrangell processed 14% of the Alaskan halibut harvest in 2007. Our resident commercial fishermen holds 472,667 lbs. of 2008 IFQ's in 2C or 7.6% of the 2C quota and 79,670 lbs. of 3A IFQ's in 2008.

Again, the Wrangell City Council unanimously supports the GHL as a fixed percentage that floats with abundance.

Sincerely yours,

Tom C. Sims  
Mayor

LATE COMMENT

NPFMC  
605 West 4<sup>th</sup> ave. Suite 306  
Anchorage, AK 99501

RECEIVED  
MAR 27 2008  
LATE COMMENT

To whom it may concern:

My name is Matt Peavey, I am a lifelong commercial fisherman. I have been involved with watching the IPHC guide the halibut resource for the commercial fisherman long before the charter fishermen arrived on the scene. I am dismayed at the way the charter interests are acting over the reduced halibut catch in area 2C. We have taken reductions in the name of conservation and so should the charter fishermen.

My daughter and wife along with myself have invested in our future with halibut quota only to see it drastically reduced to satisfy another entity that has not been forced to purchase quota. The loss directly to my family is devastating; current loans due, fuel prices soaring and college tuition increasing and taxes to pay is overwhelming.

While the IPHC has continued the cutbacks on our halibut quota, I don't mind that as long as it is in the name of conservation. However, to do it for the overpopulated charter fishing fleet then I am 100% opposed.

I am writing this letter in dismay at the way in which the charter fleet is acting over the reduced halibut catch for them. A solution that I think is ideal is limiting the charter fishermen to hook and release. The clients would be satisfied with the thrill of the catch.

This is not the first time that our livelihood has been threatened. Twenty years ago this started with the commercial trollers king salmon quota. The charter fisherman went after slices of that quota and are still after it today.

We chose to live in Alaska and support the economy year round. I encourage you to think about the future of my children and their right to grow up to be commercial fishermen.

We insist upon a fair and financial worry free existence.

Matt Peavey -IFQ holder  
Kathy Peavey - IFQ holder  
Katrina Peavey -IFQ holder  
Steven Peavey - Deckhand  
Melissa Peavey - Deckhand  
F/V Anne Louise  
POB 442 Craig, AK 99921  
907-826-3856  
peavey@aptalaska.net

Thank You,

Matt Peavey

Kathy Peavey

3/23/08

MEMO

11/11/54

TO: SAC, NEW YORK  
FROM: SAC, PHOENIX  
SUBJECT: [Illegible]

Re Phoenix letter to New York dated 11/10/54.

Enclosed for New York are two copies of a letterhead memorandum dated 11/10/54.

Very truly yours,  
[Illegible Signature]

Enclosure

[Illegible text at bottom of page]

**LATE COMMENT** 3/24/08

Dear I P H C, My name is Jeff Hendricks and I am writing this letter to comment on the up coming allocation meeting being held in Anchorage in April concerning the Sport Charter fishermen.

I have been commercially fishing halibut since 1977, I now own + operate the fishing vessel Gaff Rock out of Seward. I feel that you must hold the sport fishermen to the allocation already passed by I P H C. No further allocations should be allowed. We must buy our quota if we want to expand. The same should be true for the sport fishermen. If you reallocate fish to them that we have already paid for it would be a slap in the face to every commercial fisherman. With decreasing quotas I will not be able to make my payments on a share I have already purchased.

respectfully Jeff Hendricks

P.O. Box 210047 Seward AK 99821