

MEMORANDUM

TO: Council Members
FROM: Chris Oliver *for*
Executive Director
DATE: May 20, 2013
SUBJECT: Groundfish Issues
ACTION: Initial Review of Charter Halibut Definition RIR (Council only)

ESTIMATED TIME 4 HOURS All D-1 items
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BACKGROUND

The Council is considering whether to amend the definition of "sport fishing guide services" in Federal regulations that govern the charter halibut fishery in Southeast and Southcentral Alaska to be more consistent with State of Alaska regulations. The Council adopted a problem statement and a suite of alternatives and options in February 2013 for analysis, based on a discussion paper it reviewed at that meeting. A few businesses have developed a guide-assisted model that allows them to provide indirect assistance to anglers to harvest halibut for compensation from shore or adjacent vessels. This practice is not considered to be "sport fishing guide services" in Federal regulations because the guide is not on board the vessel. As a result, anglers on these vessels are allowed to fish under more liberal regulations in effect for unguided anglers.

In addition to the no action alternative (Alternative 1), Alternative 2, Option 1 would not require a guide to be onboard the same vessel as the guided angler. The Council also adopted placeholders for possible definitions of "compensation" and "assistance" in the Federal definition for sport fishing guide services; this resulted in Alternative 2, Option 2 and Alternative 2, Option 3. The analysis contains one suboption that would adopt State regulatory text for the Federal definition; a second suboption would revise one word in the State text. The Council may consider State regulatory text as the basis for Option 3 for analysis. The Council may proceed with final action on Option 1 alone, or Options 1 and 2, even if a preferred alternative under Option 3 cannot be identified at the time of final action on the proposed action. Final action may be scheduled for October 2013.

The analysis was distributed to the Council during the week of May 20, 2013 and is attached as Item D-1(a). The suite of alternatives that was adopted by the Council, as well as suggested revisions by the analysts, are contained in the document.