



P.O. Box 478 • Homer • Alaska • 99603

info@alaskacharter.org

www.alaskacharter.org

September 26, 2018

The Alaska Charter Association represents over 200 vessels that provide fishing access to guided recreational anglers, and we appreciate the opportunity to comment on the issues being considered by the North Pacific Fishery Management Council. ACA members have a wide range of business models and geographic locations around the state. We thank all the Council members for their consideration and we also thank the Council staff for their work for sustainable fishery management.

We offer the following recommendations on Agenda Item:

C1 – Charter Halibut Permit Renewal

The measures under consideration include implementing an annual renewal process for the Charter Halibut Permit (CHP), which is a component of the Charter Halibut Limited Access Program. The information collected in an annual registration process would update and/ or expand on the CHP data, providing more complete and useful information on the charter halibut users.

ACA Position

Support Alternative 2. Implement an annual registration process for transferable and non-transferable charter halibut permits (CHP). A CHP holder must submit the following information to NMFS on an annual basis to register a CHP:

- CHP number,
- CHP holder name (individual or non-individual entity), and
- CHP holder address.

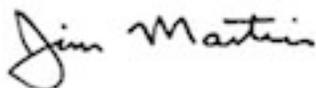
If a CHP is not registered with NMFS, the CHP would not be valid for use during the applicable fishing year.

Option 1. CHP ownership (e.g., ownership holdings for the CHP by individual(s), partners, or a corporate entity).

Non-Support for Alternative 2. Options 2 and Option 3.

ACA believes there is merit in updating CHP ownership and contact information as this information may have changed from original issue and having this done annually is prudent. However, gathering information as to how one intends to use a permit, goes beyond the intended purpose of a limited access program. If there is a need to further restrict access to the guided halibut fishery, then this problem statement needs to precede any action to identify who, what, and when such permits should be restricted.

Respectfully,

A handwritten signature in black ink that reads "Jim Martin". The signature is written in a cursive, slightly slanted style.

Jim Martin
Executive Director
Alaska Charter Association



BestDamnCharters

9158 Skywood Lane Juneau AK | 907-957-4052 | info@bestdamncharters.co

North Pacific Fishery Management Council

**605 W 4th Ave, Suite 306,
Anchorage, AK 99501**

9/25/17

Ref: C1 CHP Annual renewal

To Whom It May Concern:

My name is Duane Cummings, I am co-owner BestDamnCharters out of Juneau Alaska. We have been in the charter business for 7 years and we lease two 2C CHP permits at an annual cost of over \$10k/year. We would like to purchase CHP permits for our charter business but there just are not many for sale. The few permits that come up for sale each year are priced beyond what a reasonable business plan would allow. This leaves us with the option of leasing on a yearly basis. Restricting or restructuring the CHP permit process will only drive up the cost of purchasing or leasing a CHP permit. Not having a CHP permit for halibut fishing would greatly impact the financial stability of our company and others. This would directly affect the ability of tourists coming to Juneau to find suitable charters for sport fishing. Something to think about... When tourists visiting Alaska think of fishing it's mainly King salmon or halibut that they come for.

In reading through this proposal I could not see any benefit to starting a renewal/reregistration program. It would only be another regulation on an already heavily regulated fishery. It will be costly and burdensome. All these permits are registered, all the data already is in the Alaska Fish and Game Log Books, so all the numbers are already there, all the totals are there, who is using which permits is there and NOAA has the information on what type of permits they are. I encourage you to use the data that you already have, if you don't then why is it being collected. Getting the same data again just doesn't make sense.

I can only support Alternative 1 (Status Que) as none of the others are necessary or sensible.

Sincerely,

**Captain Duane Cummings
BestDamnCharters**

Bruce J Gabrys
10229 Baffin Street
Eagle River, AK 99577

September 25, 2017

Mr. Dan Hull, Chairman
North Pacific Fisheries Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

(agenda Item C-1 Charter Halibut Permit Renewal)

Subject: SUPPORT for Alternative 2, "Implement an Annual Registration Process for Transferable and Non-transferable Charter Halibut Permits (CHP)"

Dear Chairman Hull and Council Members,

I am an Alaska resident that currently owns IPHC area 3A transferable Charter Halibut Permits. I SUPPORT alternative 2, to implement an Annual Registration Process for transferable and non-transferable Charter Halibut Permits (CHPs). I would also support adding of an annual "application fee" to cover the cost of processing and issuing of the annual CHP permit card.

I believe a major deficiency in the current CHP program is the inability to identify and track when a "non-transferable" CHP is required to be phased out and revoked. An annual registration process would provide a systematic way to identify these permits as they become invalid.

The Halibut Charter industry has brought to the Council's attention the "latent capacity" issue. Eliminating as soon as possible the "non-transferable" CHPs will resolve a major part of this "latent capacity" issue. Thirty percent (30%) of area 2C CHPs are of the "non-transferable" type. In area 3A twenty-one percent (21%) of the CHPs are of the "non-transferable" type. (Table 5, Marrinan analysis dated October 2017)

Other benefits of an annual renewal process are: (1) Current CHP permit cards are printed on waterproof paper but are not very durable and need to be replaced every few years anyway. (2) Easier for Enforcement Officers to identify a valid CHP if it has the current year on the card. (3) Renewal process would provide a systematic way to update CHP holder information and usage that would be useful to the Council in making future decisions.

Sincerely,



Bruce J Gabrys



PO Box 22073
Juneau, AK 99802-2073
(425) 949-1810msg (206) 260-9111efax

halibutcoalition@gmail.com
www.halibutcoalition.org

September 26, 2017

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

Dear Chairman Hull and Members of the North Pacific Fishery Management Council,

Re: C1 Charter Halibut Permit (CHP) Annual Renewal

We appreciate the opportunity to comment on the Initial Review Draft analysis.

We support an annual CHP registration since it will add to the integrity and transparency of the management program and facilitate enforcement efforts by the U.S. Coast Guard, NMFS, and Alaska Wildlife Troopers.

We offer the following comments to improve the analysis that supports this action and to improve the credibility and transparency of the CHP renewal process.

We support adopting Alternative 2, sub-option 1. For non-transferable permits, this sub-option will help RAM identify CHPs that become invalid due to changes in ownership (50CFR300.67 (j) (3)). RAM should then review the ownership data listed in the Alaska Department of Commerce and Economic Development, Division of Corporations, Business, and Professional Licensing corporations/business data bases in order to verify changes in ownership (or consult the appropriate non-Alaska corporations data bases if the business is incorporated in another state): <https://www.commerce.alaska.gov/web/cbpl/Corporations.aspx> See ENCLOSURE 1 for an example of an ownership change in 2011 (Involuntary dissolution of business) and 11 non-transferable CHPs that should have terminated but were still listed as valid on 29Aug2017. Alternative 2, sub-option 1 should be expanded to include information on foreign ownership to help comply with existing restrictions on foreign ownership (50CFR300.67 (i)(2)(i)).

Page 11. Statement: *NMFS Alaska will encounter significant costs, primarily in employee-hours to annually issue and track ownership of up to 1,000 CHPs.* NMFS has authority to charge for the annual renewal process. Renewal fees should be set to offset costs.

Alaska Longline Fishermen's Association • Cordova District Fishermen • Deep Sea Fishermen's Union • Fishing Vessel Owners Association • Halibut Association of North America • Kachemak Bay Fisheries Association • North Pacific Fisheries Association • Petersburg Vessel Owners Association • Sea Food Producers Cooperative • Southeast Alaska Fishermen's Alliance • United Cook Inlet Driftnetters Association • United Fishermen's Marketing Association • United Southeast Alaska Gillnetters Association

Page 17. Statement: *It is unclear if whether this option applies to non-transferable CHPs only, or both transferable and non-transferable CHP's* RESPONSE: Recommend both.

Page 17. Statement: *The Council did not specify consequences under Alternative 2, Option 1 if the CHP holder did submit the necessary information on ownership structure.* RESPONSE: It seems reasonable that if the application is incomplete, the permit should not be issued. See also Page 53, 4.2.3, Implementation logistics.

Page 21. Statement: *... the guide is required to have a current U.S. Coast Guard Operator's License ...* RESPONSE: This is an incomplete statement since U.S. Coast Guard Licensed Masters (of the appropriate area and tonnage) can operate passenger carrying vessels. See <https://www.uscg.mil/pvs/UPV.asp> "... the operator must hold **(minimally)** an Operator Uninspected Passenger Vessel (OUPV) license" RESPONSE: Suggest incorporating the Coast Guard language into the analysis.

Page 25. Several tables in the analysis include information sourced in 2015, 2016, and 2017. It would be helpful if a current, consistent date was used so the readers are not left wondering what changed between the various dates. Examples: Tables 7 & 8 are dated 7/28/17; Table 9 is dated 9/10/2015, and Figure 2 & 3 are dated 11/3/16.

Pages 47-49. Administrative Cost Estimate for an annual CHP renewal. If an annual renewal is not conducted, RAM sends the message that the rules regarding ownership changes and foreign ownership can be ignored. Also, by not collecting renewal fees NMFS charges taxpayers, other programs, or IFQ holders for the cost of all aspects of administering the halibut charter sector program (e.g. transfer in ownership of a \$40K+ permit).

Page 50. We agree with this statement: *Thus, OLE believe that continuing to require a single, original CHP issued annually by NMFS and carried onboard participating vessels would enhance compliance with program rules and help enforcement.*

Page 53, 4.2.2.2 Drawbacks of Action. Statement: *In addition, requiring information on ownership structure on an annual basis again imposes a burden on both the part of CHP holders as well as NMFS Alaska Region.* RESPONSE: Alaska Corporations are required to file changes in ownership when they occur and detailed ownership information on a biennial basis, in addition to purchasing a business license. See, <https://www.commerce.alaska.gov/web/cbpl/Corporations/OnlineFilingInstructionsBR.aspx> Since businesses already do this, there should not be much of a burden to providing that same information to RAM.

Page 54. The analyst is asking for clarification/guidance from the Council on two issues and we ask that the Council provide this clarification.

Page 56. Limitation of non-transferable permits. Statement: *...the intention of this limitation is unclear...*” RESPONSE: Request Council respond, clarifying that intent is to identify active and latent permits, halt the transfer of non-transferable permits, and create a credible database of charter businesses.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink that reads "Tom Gemmell". The signature is written in a cursive style.

Thomas M Gemmell
Executive Director

Enclosure 1. Salmon Falls Resort

ENCLOSURE 1 Salmon Falls Resort

Holder name/Business Name: White, Alvin- et.al / Salmon Falls Resort

Non-transferable CHP. #5101, 5102, 5103, 5104, 5105, 5106, 5107, 5108, 5109, 5110,5111.

Transferable CHP. #5097, 5098, 5099, 5100.

12/31/2010. The last business license for Salmon Falls Resort, LLC expired.

7/22/2011. The owner of Salmon Falls Resort, LLC was listed as Wilderness Resort, Inc., and they were involuntarily dissolved.

09/29/2015 SF Alaska Limited Partnership formed in the state of Delaware and registered as a “Foreign Limited Partnership” in the State of Alaska 10/14/2015.

2/29/2016. The Alaska Business License office advised that Salmon Falls Resort does not have a business license even though they have a website advertising fishing and lodging.

<http://www.salmonfallsresort.com/>

6/16/2016. SF Alaska Limited Partnership (16074 N 78th St Ste B104, Scottsdale, AZ 85260) registered the Business Name: Salmon Falls Resort.

March- July 2017. Salmon Falls CHPS LLC obtained transferable CHPs (5097, 5098, 5099, 5100) in their name from RAM; but non-transferable registered to Alvin White were still listed as active on 29 Aug 2017 (RAM CHP List). As of September 24, 2017, SALMON FALLS CHPS LLC does not have an Alaska Business License nor is it registered as a foreign corporation in Alaska. Who owns CHPs 5097, 5098, 5099, 5100?

State of Alaska
Department of Commerce, Community, and
Economic Development
Corporations, Business and Professional Licensing

105218

KEENE & CURRALL, A PROFESSIONAL CORPORATION

Salmon Falls Resort, LLC

PO Box 5700

Ketchikan, AK 99901

CERTIFICATE
OF
INVOLUNTARY
DISSOLUTION / REVOCATION

Susan Bell, as Commissioner of Commerce, Community and Economic Development of the State of Alaska, and custodian of records for said state, pursuant to Alaska Statutes, hereby issues this Certificate of Involuntary Dissolution or Revocation to the above-mentioned entity.

The corporation is dissolved/revoked for failure to file a biennial report and/or pay the biennial tax/fees for the period ending January 2, 2010.

The corporation will cease to exist as of the date of this certificate, except as provided for by Alaska Statutes.

IN TESTIMONY WHEREOF, I execute this certificate and affix the Great Seal of the State of Alaska on **July 22, 2011**.



Susan Bell
Commissioner

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Search & Database Download > Corp. > Corporation Details

NAME(S)

Type	Name
Legal Name	WILDERNESS RESORTS, INC.

ENTITY DETAILS

Entity Type: Business Corporation
Entity #: 45823D
Status: Involuntarily Dissolved
AK Formed Date: 4/30/1990
Duration/Expiration: Perpetual
Home State: ALASKA
Next Biennial Report Due: 1/2/2010
Entity Mailing Address:
Entity Physical Address: PO Box 5454, Ketchikan, AK 99901

REGISTERED AGENT

Agent Name: Alvin A White
Registered Mailing Address: PO BOX 5700, KETCHIKAN, AK 99901
Registered Physical Address: 16707 N Tongass Hwy, Ketchikan, AK 99901

OFFICIALS

Show Former

AK Entity #	Name	Titles	Owned
	Alvin A. White	Director, President	50
	Lance A. White	Director	0
	Lisa L. White	Director, Secretary	0
	Shirley F. White	Director, Treasurer	50
	Tommy A. White	Director, Vice President	0

FILED DOCUMENTS

Date Filed	Type	Filing	Certificate
4/30/1990	Creation Filing		
1/14/1991	Biennial Report		
1/31/1992	Biennial Report	Click to View	
1/21/1994	Biennial Report	Click to View	
1/23/1998	Biennial Report	Click to View	
12/27/1999	Biennial Report	Click to View	
10/02/2002	Biennial Report	Click to View	
4/03/2003	Election or Resolution to Dissolve	Click to View	
4/13/2004	Biennial Report	Click to View	
4/29/2004	Agent Change	Click to View	

C1 Public Comment
October 2017

Date Filed	Type	Filing	Certificate
2/22/2005	Change of Officials	Click to View	
4/26/2005	Agent Change	Click to View	
4/14/2006	Biennial Report	Click to View	
4/17/2006	Agent Change	Click to View	
10/17/2007	Biennial Report	Click to View	
7/22/2011	Admin Dissolution		Click to View

Juneau Mailing AddressP.O. Box 110806
Juneau, AK 99811-0806**Physical Address**333 Willoughby Avenue
9th Floor
Juneau, AK 99801-1770**Phone Numbers**Main Phone: (907) 465-2550
FAX: (907) 465-2974**Anchorage Mailing/Physical Address**550 West Seventh Avenue
Suite 1500
Anchorage, AK 99501-3567**Phone Numbers**Main Phone: (907) 269-8160
FAX: (907) 269-8156

State of Alaska © 2017



State of Alaska
 Division of Corporations, Business and Professional Licensing
CORPORATIONS SECTION
 PO Box 110806
 Juneau, AK 99811-0806
 Phone: (907) 405-2550
 Fax: (907) 465-2974
 Website: www.commerce.alaska.gov/occ

AK Entity #: 10033910
 Date Filed: 12/08/2015
 State of Alaska, DCCED

DO NOT STAMP ABOVE THIS BOX

Office Use Only	CORP
RECEIVED Juneau	
DEC 08 2015	
CBPL	
NOBJA	

CERTIFICATE OF REGISTRATION
Foreign Limited Partnership
AS 32.11.420

\$150.00 Filing Fee

Pursuant to Alaska Statutes 32.11.420, the undersigned partnership applies for a Certificate of Registration and, for that purpose, submits the following statement:

ITEM 1: The legal name of the limited partnership (the name must include the words "limited partnership" without abbreviation):

SF Alaska Limited Partnership

This foreign entity is active and in good standing in the state/country of domicile.

ITEM 2: The assumed name the partnership elects to use in Alaska if the legal name is not available:

Salmon Falls Alaska LP

ITEM 3: The state of domicile, or "home state", and the date of formation in the state of domicile:

State of domicile: Delaware	Date of Formation: <u>09/29/2015</u>
-----------------------------	--------------------------------------

ITEM 4: Registered agent name and address (must include a physical and mailing address in Alaska):

Name: Alaska Registered Agent, LLC			
Physical address: 745 W. 4th Ave Suite 200B	City: Anchorage	AK	Zip Code: 99501
Mailing address: 745 W. 4th Ave Suite 200B	City: Anchorage	AK	Zip Code: 99501

ITEM 5: The commissioner is appointed the agent of the partnership for service of process in the event that the foreign limited partnership fails to appoint or maintain a registered agent.

ITEM 6: Principal office address of the company in the state or country of domicile.

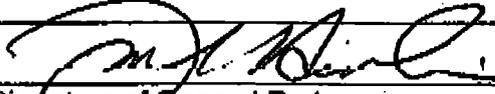
Name: SF Alaska LP		
Mailing address: 16074 N. 78th Street Suite B-104		
City: Scottsdale	State/Province: AZ	Country: USA



ITEM 8: Address of the administrative office of the partnership where a list is kept of the names of the limited partners and their capital contributions:

Name: SF Alaska Manager LLC		RECEIVED Juneau
Mailing address: 16074 N. 78th St Suite B-104		DEC 08 2015
City: Scottsdale	State/Province: AZ	Country: USA
GBPL		

Signatures: The Certificate of Registration must be signed and sworn by a general partner.

	Frank Heavlin	10/14/15
Signature of General Partner <i>for SF Alaska, LP</i>	Printed Name of General Partner	Date

NOTE: No one who signs documents filed with the commissioner that are known to be false in material respects, is guilty of a class A misdemeanor.

Mail the Certificate of Registration and the \$150.00 filing fee in U.S. dollars to:
State of Alaska, Corporations Section, PO Box 110806, Juneau, AK 99811-0806

STANDARD PROCESSING TIME for complete and correct applications submitted to this office is approximately 10-15 business days. All applications are reviewed in the date order they are received.



THE STATE
of **ALASKA**

Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806
(907) 465-2550 • Email: corporations@alaska.gov
Website: Corporations.Alaska.gov

AK Entity #: 10039344
Date Filed: 06/16/2016
State of Alaska, DCCED
October 2017

FOR DIVISION USE ONLY

**Business Name
Registration**
AS 10.35.050

Web-6/16/2016 3:42:28 PM

Pursuant to Alaska Statutes 10.35.050, a person conducting a business may register its name if the name is distinguishable on the record. A corresponding business license must be obtained first in order to register a business name.

Business Name

Business License #

SALMON FALLS RESORT	1038576
---------------------	---------

Business Address

Mailing Address: 16707 N. Tongass Hwy, Ketchikan, AK 99901
Physical Address: 16707 N. Tongass Hwy, Ketchikan, AK 99901

Nature of Business

Hotel and Full-Service Restaurant.

Owner(s)

SF Alaska Limited Partnership	16074 N 78TH ST STE B104, SCOTTSDALE, AZ 85260
-------------------------------	--

Name of person completing this online application

I certify under penalty of perjury under the Uniform Electronic Transaction Act and the laws of the State of Alaska that the information provided in this application is true and correct, and further certify that by submitting this electronic filing I am contractually authorized by the Official(s) listed above to act on behalf of this entity.

Name: H. Clay Keene

Department of Commerce, Community, and Economic Development
Division of Corporations, Business and Professional
Licensing

State of Alaska > Commerce > Corporations, Business, & Professional Licensing > Search & Database Download > Bus. Lic. > License Details

LICENSE DETAILS

License #: 1038576 [Print Business License](#)

Business Name: SALMON FALLS RESORT

Status: ACTIVE

Business Type: LP

Issue Date: 06/16/2016

Expiration Date: 12/31/2017

Primary Line Of Business: 72 - Accommodation and Food Services

Primary NAICS: 721110 - HOTELS (EXCEPT CASINO HOTELS) AND MOTELS

Secondary Line Of Business: 72 - Accommodation and Food Services

Secondary NAICS: 722110 - FULL-SERVICE RESTAURANTS

Mailing Address: 16707 N. TONGASS HWY, KETCHIKAN, AK 99901

Physical Address: 16707 N. TONGASS HWY, KETCHIKAN, AK 99901

OWNERS

SF ALASKA LIMITED PARTNERSHIP

TOBACCO ENDORSEMENTS

Juneau Mailing Address

P.O. Box 110806
Juneau, AK 99811-0806

Physical Address

333 Willoughby Avenue
9th Floor
Juneau, AK 99801-1770

Phone Numbers

Main Phone: (907) 465-2550
FAX: (907) 465-2974

Anchorage Mailing/Physical Address

550 West Seventh Avenue
Suite 1500
Anchorage, AK 99501-3567

Phone Numbers

Main Phone: (907) 269-8160
FAX: (907) 269-8156



NPFMC comments - NOAA Service Account <npfmc.comments@noaa.gov>

CHP Annual Renewal Concerns

1 message

Louis Juergens <aktrophy@gmail.com>
To: npfmc.comments@noaa.gov

Mon, Sep 25, 2017 at 9:48 PM

Hello,

My name is Louis Juergens. I live in Juneau, Alaska and have been guiding halibut fishing charters since 1997 and have been operating my own charter operation since 2003.

I can understand how some feel the need to further regulate this industry, however I think that the actions of a few are going to lead to an 'over-regulation' of an already heavily regulated industry with many unintended consequences. I was awarded two 6-passenger non-transferable permits. (Long story short, a couple of my guides either failed to turn in a couple sheets or it was lost in the mail, and I was short by two days to be eligible for transferable permits....) So, when I went to the NOAA office to discuss my options, I was given the advice to register the permits to me personally because if I registered to my business it will become void if the ownership changes. So, out of convenience and with the sound advice from our local NOAA office, I registered two 6-passenger CHP's to myself. This has worked fine thus far since it is also impossible for me personally to be able to fish two 6-passenger CHP's at the same time, it makes sense to personally lease the permits to my LLC which owns the vessels.

My issue with what is being proposed is that it looks like one of the goals is to stop leasing of non-transferrable CHP's. The reason why I registered them to myself personally was because of the guidance and recommendation of NOAA. This rule change would be catastrophic for my business and I am sure many others. I was assured that I would be able to continue to operate my business as I have been doing without any negative impact. I have always been able to operate a vessel myself or hire another captain to fish one or both of my boats for my charter company with my personally registered CHP's. This would definitely put me out of business if this practice to be no longer allowed.

Here are some options to consider.

1. Keep the status quo. This is the best option, due to not fully understanding the impact of the catastrophic consequences that any of the proposed changes would have on many small charter operators, especially in 2C.
2. If an annual update registration is deemed necessary, continue without any language that targets leasing. This will eliminate the rogue offenders and bring a tracking system on the CHP program.
3. Grandfather certain cases like myself that followed NOAA's guidance to register it to myself and lease it to my LLC as an exception to the rule.

Thank you for looking over my particular situation and giving it some consideration. I love this industry and wish to continue to operating my fishing boats in Juneau as I have been doing for the past 15+ years. My wife and I have a family with 3 young children and we wish to continue to live and operate here. Please do not change the rules and end up pushing consequences on those who have only followed the rules from the beginning and listened to the advice of the local NOAA office. Please feel free to reach out to me if you have any questions.

Thank you

Louis Juergens

907-209-3233

2017 Board of Directors

President – J. Kevin Burchfield
Vice President – Chris Conder
Secretary – Grantley Moore
Treasurer – Jackie Yamada



C1 Public Comment
2017 Members at Large
October 2017
Richard Yamada
Mike Bonfils
Terry White
Chris White

North Pacific Fishery Management Council
605 W 4th
Ave, Suite 306, Anchorage, AK 99501

To Whom it May Concern:

The 79 page draft of proposed alternatives to the status quo regarding CHP demonstrates an enormous effort of examining ways to fine-tune the annual data. Clearly, however, the proposed alternatives other than Alternative 1 would add yet another annual hurdle for operators to jump correctly or risk an enforcement penalty. We fail to see how any of the proposed added burdens would provide any significant difference in controlling the harvesting of the resource or improve the data collected through the existing system.

It was our understanding that the rationale for CHP's was both to monitor and to limit the charter recreational fishing halibut catch. After carefully reading the 79 pages we were unable to find any evidence or estimation of how any alternatives beyond Alternative 1 would enhance that goal. Further, there were no statistics listed enumerating or estimating any particular allegations of misuse of the existing permits.

Therefore, beyond complimenting the authors on their lengthy and detailed efforts to provide a more perfect data input, we would strongly urge that the report be considered in the light of interesting data that substantiates no changes being required in the existing system of control of the resource nor post-season data collection. The alternatives beyond Alternative 1 would not only be a significant burden on charter boat operators but also further burden personnel in NOAA and perhaps ADF&G.

We feel this is a veiled attempt at a further reduction of the fleet when we firmly believe one is not needed at this time. We also see the mention of the possibility of ending or limiting the leasing of permits as being hugely detrimental to many small operators. For these reasons, we can only support Alternative 1 (Status Quo) as the only viable option.

Sincerely,

Capt. J. Kevin Burchfield
President
JCBOA

Lost in Alaska Adventures, LLC
Capt. Kevin Burchfield
1016 Edwin Place
Juneau, AK 99801
907-321-1405 (Phone or text)
www.lostinalaskaadventures.com
lostinalaska@gci.net



North Pacific Fishery Management Council

605 W 4th

Ave, Suite 306, Anchorage, AK 99501

To Whom it May Concern:

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Best Fishes!

Capt. Kevin Burchfield

Owner

Lost in Alaska Adventures



NPFMC comments - NOAA Service Account <npfmc.comments@noaa.gov>

C1 CHP annual renewal opposition

1 message

Grantley Moore <grant@moorecharters.com>
To: Npfmc.comments@noaa.gov

Tue, Sep 26, 2017 at 10:34 PM

Dear North Pacific Fishery Management Council

9-26-17

Re: C1 CHP Annual renewal

To Whom it May Concern:

I own one CHP and lease 2 to 3 others for my Moore Charters charter fishing business here in Juneau, Alaska. I don't think we should have even more renewal/registrations on something that is already registered and regulated. There would be even more of a strain for paperwork than there already is and too many more potential fines as well.

I support only Alternative 1 (Status Quo)

Sincerely,

Captain Grantley Moore

Owner of Moore Charters

--

*Captain Grantley Moore*Owner, *Moore Charters LLC*

Juneau, Alaska 99801

907.723.2260 | grant@moorecharters.com[Moore Charters Website](#)

9/27/2017

National Oceanic and Atmospheric Administration Mail - C1 CHP annual renewal opposition

Public Comment

October 2017

Stop Wishing. Start Fishing!



September 26, 2017

Chairman Dan Hull
North Pacific Fishery Management Council
605 West 4th, Suite 306
Anchorage, AK 99501
Npfmc.comments@noaa.gov
RE: C1 Charter Halibut Permit Annual Registration

Dear Chairman Hull,

The Southeast Alaska Guides Organization (SEAGO) is a non-profit dedicated to the sustainability of the guided sport fishing industry in Southeast Alaska. We work to promote the tradition of sport fishing in Southeast Alaska through reasonable regulations that ensure the long-term sustainability of our members' businesses and fish resources. SEAGO appreciates the opportunity to comment on the Council's initial review of a Charter Halibut Permit (CHP) annual registration process. We extend our thanks to Council and Alaska Department of Fish and Game (ADFG) staff for the hundreds of hours of work required to complete a comprehensive initial review, including merging logbook and CHP data to match ownership and use information.

There are multiple long-term benefits which would result from implementing an annual registration of CHPs. Creating a system to regularly update the business and contact information of CHP holders facilitates better communication with operators and the fleet. Updated CHP cards can provide enforcement benefits by listing information such as the current registration year. This system also encourages actively connecting the information contained in ADFG logbooks, such as past guides, vessels, and ports, with information provided to the National Marine Fisheries Service (NMFS). SEAGO believes that these benefits are important steps towards efficient and effective management of the charter fleet, which requires dedicated personnel and an understanding of the fleet's operations.

SEAGO requests that the Council consider the options proposed in Alternative 2 in light of the following.

Initial and Annual Registration

SEAGO agrees with Council staff that the registration process should not have a deadline, and suggests that the renewal have an interim license option, much like the Department of Motor Vehicles issues a temporary paper driver's license. Many charter business operators engage in other lines of business in and outside of Alaska prior to the fishing season. Requiring a wait time of up to a month to receive annual CHP cards could negatively affect hundreds of operations. This is especially important during the first few years of implementing an annual registration, when NMFS may have a backlog of applications for businesses aiming to begin operations within days or weeks.

Restrictions and Punitive Measures for Unlisted Uses

In Alternative 2, Options 2 and 3, Council staff assumes the Council's intent is to limit CHP use by non-permit holders, create an incentive to plan, and discourage spontaneous leasing. The proposed options and sub-options go beyond this intent to revoking CHPs if they are used by a captain, on a vessel, or in a port not listed in the annual registration process. In doing so, these options create an arbitrary punishment for owners, including those who do not engage in leasing-like behavior. There are various situations where use by, on, or in an unlisted element is unavoidable for safety or practical operations. These examples can parallel the circumstances allowed under the initial listing of multiple captains, vessels, or ports.

For example, a CHP holder with multiple CHPs may hire four captains to use them during the season. One of these captains may sustain a non-work injury, develop an illness, or be let go mid-season, requiring the owner to hire a new captain. Under the current interpretation of Options 2 and 3, the CHP holder risks losing the CHP if the new, unlisted captain uses it, or risks losing half a season of bookings. Alternatively, an operator's boat may have engine troubles and be pulled out of the water for repairs. To maintain their business, the CHP holder may borrow an available boat which meets all operating requirements, but is not listed on the CHP registration. Again, to maintain their business, the operator risks their CHP. Similar concerns arise if a CHP holder rotates use of three of their four permits, but leases a fourth vessel in the event of a busy day. Finally, a vessel may encounter an unexpected weather event or safety hazard which requires them to pull into an unanticipated port. To maintain the safety of their clients, the operator is now risking their CHP.

SEAGO agrees with Council staff that the application and intent of these options requires clarification. Information collection and tracking should allow NMFS a view of how CHP holders operate in-season. To facilitate this, CHP holders should not be penalized for operating off the registration list. If there is an explicit or implicit penalty for using non-listed captains, vessels, or ports, CHP holders must be allowed to update their list, mid- or post-season, in the event of an unanticipated change in their original reports. This additional opportunity for information collection will give NMFS a better understanding of charter operations and real-time updates to the Office of Law Enforcement (OLE) can help agents in the field.

Latency and Leasing

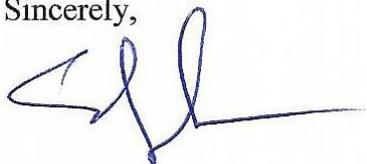
SEAGO understands that the Council originally intended to prohibit all CHP leasing, but engaged in a protracted discussion on its practical challenges and philosophical application. The debate surrounding leasing differs based on the individual program and the type of operations existing prior to limited access. In the current case, the Council should review leasing opportunities based on charter operations since 2011 and monitor operations which engage in leasing-like behavior before taking further action. Continued monitoring and discussion is important in 2C because a number of operators rely on non-transferable permits to sustain their operations. The 160 non-transferable permits in 2C are used at a consistently high rate (70-74% annually), and are used by operators other than the 100 permit holders. The ability for owners

and non-owners to use these permits is vitally important for 20% of Southeast small boat operators, and they have invested heavily in these opportunities.

SEAGO will wait to weigh in further on the use of non-transferable CHPs by non-owners until given the opportunity to review the Council's forthcoming discussion papers focusing on mechanisms for restricting use and the impacts of allowing a Recreational Quota Entity to purchase CHPs.

Thank you for considering SEAGO's input on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Weinstein', with a long horizontal line extending to the right.

Samantha Weinstein
Executive Director, SEAGO
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September 26, 2017

North Pacific Fishery Management Council

605 West 4th Ave, Ste 306

Anchorage, AK 99501

Dear Chairman Hull and Members of the North Pacific Fishery Management Council,

Re: C1 Charter Halibut Permit (CHP) Annual Renewal

Southeast Alaska Fishermen's Alliance (SEAFA) **supports Alternative 2** creating an annual registration process for charter halibut permits. As a member of the charter halibut stakeholder committee that designed the Charter Halibut permit program, we believe that annual registration serves a need to confirm that ownership entities have not changed from year to year, that an individual or business has not exceeded the cap on CHP's and non-transferable permits are extinguished when appropriate as well as meeting the purpose and needs statement developed by the Council. SEAFA supports options 1 and 2. We do not support option 3 as it does not serve a useful purpose and can create enforcement issues unnecessarily.

Section 4.2.1.3 Implementation Logistics asks some clarifying questions, in this paragraph we offer our opinion of the issues raised. By providing new annual permits every year **issued by the agency** with no deadline for applying for the registration, enforcement on grounds is greatly improved and the possibility of invalid permit being used reduced. We support that incomplete applications are not issued as this enforces the importance of the information being gathered. For facilitating a faster turnaround of a permit so it is in possession sooner, you could consider the permit holder to pay an additional fee for express mail as CFEC does. SEAFA believes that CQE and MWR permits should be issued annually also.

Southeast Alaska Fishermen's Alliance is a multi-gear/multi-species fishermen's organization representing our 300+ members involved in salmon, crab, shrimp and longline fisheries. Thank you for this opportunity to comment on this proposal.

Sincerely,

Kathy Hansen
Executive Director