


**GULF OF MEXICO FISHERY MANAGEMENT COUNCIL**  
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June 9, 1995

**MEMORANDUM**

TO: Clarence G. Pautzke  
FROM: Wayne E. Swingle   
SUBJECT: Agenda Items Background Material

Enclosed is the Fox memo establishing the "transmit date". We do not have any supporting material for discussion of growth of recreational fisheries for shared fishery resources. Our Vice Chairman, Dr. Kenneth Roberts, was interested in how other Councils have approached management of fisheries with both commercial and recreational allocations or quotas, where there initially was no control on overall effort for the recreational sector. In these fisheries, overall commercial effort is controlled by a quota and fishing ceases when the quota is taken. Other effort controls, such as trip limits with license limitation or ITOs, may also be applied. The recreational sector may be controlled by bag and size limits, but there is no control of overall effort on the number of participants entering the fishery and no control on number of trips. We are also interested whether any of the Councils are considering limited access for the recreational sector.

Since this topic is just to get an update on Council experiences and proposed policies, we question whether it needs to carry over to the general sessions on Tuesday and Wednesday. I have also enclosed a listing of previous Council Chairmen's meetings that you may want to include in the briefing book.

WES:ccm

Enclosures: (1) Memo from William Fox  
(2) Council Chairmen's Meetings List

c: Julius Collins, w/enclosures  
Kenneth Roberts, w/enclosures

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fishery. The Council reaffirmed its previous action on moratorium qualifying criteria and that permits be issued to the owner of a qualified vessel at the time of qualifying. It was also clarified that the appeals process will be a one-step process like the IFQ program. Final review of the FMP and the EA/RIR will take place in April prior to submission to the Secretary of Commerce. Staff contact is David Witherell.

### **Halibut Charter Issue**

In May 1993, the Council received a proposal to limit the catch of halibut by the guided sport industry. The proposal specified that action was needed because the recreational fishery was catching increasing amounts of halibut and reducing that amount available to the commercial fishery. The Council first addressed this issue in September 1993 and announced a control date of September 23, 1993 for a potential moratorium cut-off date for the guided sport fishery, and that individuals or vessels not participating by then would not be guaranteed future access. The Council also established a working group to identify potential alternatives for managing this fishery:

The Halibut Charter Working Group met twice in 1993 and again in 1994, and reported back to the Council at its January 1995 meeting. Based on this report, public testimony, and input from its Advisory Panel, the Council developed the problem statement below and initiated analysis of alternatives to control the amount of halibut taken by the charter industry. These include making an explicit allocation of the halibut quota, a moratorium on charter vessels, and individual transferrable quotas (ITQs). Potential impacts of applying proposed alternatives on a regional or statewide basis also will be evaluated. One sub-option within the explicit allocation alternative would be to delegate management of the sport and/or guided sport fishery to the State after such an allocation was made. A legal opinion on the State's authority over halibut management is expected by April. Analysis of proposed alternatives is expected to be completed for initial review this December, or January 1996. Staff contact is Jane DiCosimo.

### **Draft Problem Statement for Halibut Charter Issue**

as adopted by the Council 1/11/95

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

Specifically, the Council notes the following areas of concern with respect to the recent growth of halibut charter operations, lodges and outfitters:

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.
2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining catches for historic sport and subsistence fishermen in some areas.
3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.
4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty

associated with the present situation and the conflicts that are occurring between the various user groups may also be impacting community stability.

5. Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks: (1) the effort and catch of individual charter operations, lodges, and outfitters; and (2) changes in business patterns.
6. The need for reliable catch data will increase as the magnitude of harvest expands in the charter sector.

### **Alternatives for Analysis of Halibut Charter Issue** as adopted by the Council 1/11/95

The Council initiated analysis of a Regulatory Amendment to establish a management plan for the halibut charter fleet with the goal of addressing the concerns identified in the above problem statement. The following alternatives will be analyzed, both separately and in combination, with respect to the problem statement:

**Alternative 1:** Make explicit allocations of the halibut quota. Two options were identified.

**Option 1:** Make an explicit long-term guided sport (including lodges and outfitters)/commercial allocation expressed as a percentage, and delegate sport and guided sport management to the state. Allocate 105% to 140% of the 1994 retained catch to the charter sector using the following area options:

- i. Statewide
- ii. IPHC Areas 2C and 3A only
- iii. By zones:
 

<i>Zone 1 Southeast:</i> ADF&G areas A, B, C, D, E, F, G & H	% of '94 guided sport
<i>Zone 2 Prince William Sound:</i> ADF&G area J	% of '94 guided sport
<i>Zone 3 Cook Inlet/Kenai:</i> ADF&G areas K, L, N, and P	% of '94 guided sport
<i>Zone 4 Kodiak:</i> ADF&G area Q	% of '94 guided sport
<i>Zone 5 Alaska Peninsula:</i> ADF&G area R	No limit
<i>Zone 6 Bering Sea:</i> ADF&G areas T, U, V, W, X, Y and Z	No limit

**Option 2:** Make an explicit long-term sport (guided and unguided)/commercial allocation expressed as a percentage, and delegate sports management to the state.

**Alternative 2:** Focus on the guided sport fishery including the following measures:

- a. A moratorium using the 9/23/93 control date,
  - i. Statewide
  - ii. IPHC Areas 2C and 3A only
  - iii. By zones:
 

<i>Zone 1 Southeast:</i> ADF&G areas A, B, C, D, E, F, G & H	% of '94 guided sport
<i>Zone 2 Prince William Sound:</i> ADF&G area J	% of '94 guided sport
<i>Zone 3 Cook Inlet/Kenai:</i> ADF&G areas K, L, N, and P	% of '94 guided sport
<i>Zone 4 Kodiak:</i> ADF&G area Q	% of '94 guided sport
<i>Zone 5 Alaska Peninsula:</i> ADF&G area R	No limit
<i>Zone 6 Bering Sea:</i> ADF&G areas T, U, V, W, X, Y and Z	No limit
- b. Cap charter at 105% to 140% of 1994 retained catch using area options in i, ii, and iii.
- c. Develop an IFQ program for the charter industry
  - i. as a stand alone program (which may or may not be transferrable with commercial IFQ).
  - ii. as a buy-in program that would allow charters to acquire IFQs for use after cap is reached.

**Alternative 3:** Charter boat operators will be required to fill out a federally mandated catch report for all retained and discarded catch for each species for each trip.