

Provisions	Halibut Alternatives	Sablefish Preferred Alternative
Open access provisions	<p>The following open access provisions have been forwarded;</p> <ol style="list-style-type: none"> 1) No open access fishery. 2) Up to 20% of an areas quota may be set aside for an open access fishery. 3) managed by exclusive registration for all IPHC areas. 4) QS/IFQ holders in an area would not be allowed to fish the open access fishery in that area. 5) 4th quarter open access cleanup fishery to all, except persons holding unused IFQs. 	<p>An open access fishery is provided for, if by the 4th quarter of each year some portion of the 20% set aside for CDQ in the BS and AL areas, have not been released. (See below.) Only persons who do not hold unused IFQs may participate.</p>
Community development quotas (CDQs)	<p>The following options have been forwarded;</p> <ol style="list-style-type: none"> 1) 3% of any area's TAC may be set aside for disadvantaged communities such as Atka or the Pribilof's. 2) 8% of the open access set aside may be used for coastal community development. 3) Community development quotas for the following areas; <ul style="list-style-type: none"> IPHC area 4A, 4B, and 4D - 20%-35% of quota IPHC areas 4c and 4E - 50% of quota 	<p>20% of TAC for BS and AL may be released to western Alaskan communities contingent upon a development plan approved by the Governor of Alaska. No more than 12% may go to any community. After the third quarter, portions of the 20% set aside not yet released, revert to an open access fishery.</p>

Provisions	Halibut Alternatives	Sablefish Preferred Alternative
IFQ user requirements	<p>The following options may be adopted alone or in combination.</p> <p>To use IFQs a person</p> <ol style="list-style-type: none"> 1) must be an owner or lessee a fixed gear vessel. 2) must be on board as crew or operator. 3) if an initial QS recipient, need not be on board or sign the fish-ticket. 	<p>Users of catcher boat IFQs must meet these requirements:</p> <ol style="list-style-type: none"> 1) own the QS 2) own the vessel or be a bona-fide fixed gear crewman. 3) be aboard the vessel during fishing operations. 4) be an individual rather than a corporation. 5) sign the fish-ticket upon landing. <p>Initial QS recipients are exempt from requirement 3 and 4 above.</p>
IFQ trip requirements	Persons must control IFQs for the amount to be caught prior to the beginning of the trip.	
Delivery criteria	<p>Halibut cannot be landed without IFQs unless there are open access provisions.</p> <p>Additional optional landing criteria are;</p> <ol style="list-style-type: none"> 1) All first point of sale purchasers of halibut (frozen or unfrozen) would be required to obtain a purchasers license from NMFS. 2) Vessels may unload halibut (frozen or unfrozen) only in areas designated by NMFS. 3) Prior notification of off-loading to NMFS. 	<p>Sablefish under catcher boat IFQs may not be delivered in a frozen state, and may be delivered only to registered buyers.</p> <p>Freezer/longliner may be delivered (frozen or unfrozen) only at sites which NMFS can monitor.</p>
Discards	<p>Discards options which may be adopted alone or in combination;</p> <ol style="list-style-type: none"> 1) IFQ users cannot discard legal sized halibut. 2) Discards permitted but count toward IFQs. 3) Any longline fishery that takes halibut must control IFQs. 4) Holders of unused IFQs must retain legal sized halibut. 	<p>Discard of sablefish is prohibited by persons holding QS.</p> <p>Note: In the Councils preferred alternative, discards of sablefish are not expressly prohibited by persons who do not hold QS.</p>
Administration	NMFS would administer the program, including issuance of QS, IFQs, approval of transfers, licensing of fish-buyers, monitoring and enforcement.	

Provisions	Halibut Alternatives	Sablefish Preferred Alternative
Vessel category designations	<p>Each person would receive QS for the vessel category of their most recent landing within the qualifying period. If two or more vessels were owned in the last qualifying year, QS and IFQs will be assigned to the larger category.</p> <p>Any combination of the following vessel categories are options; 1) all catcher boats 2) all freezer/longliners, 3) up to 35' 4) 36'- 60' 5) 61'- 90' 6) 91' +.</p>	<p>All catch QS are assigned to the following vessel categories 1) catcher boats < 60' 2) catcher boats ≥ 60' 3) all freezer/longliners.</p> <p>If vessels of different categories were owned during the qualifying period, then QS may be assigned to the larger category. If two or more vessels were owned simultaneously then QS will be assigned to each category.</p>
Duration	<p>IFQ harvest privileges area good for an indefinite period of time, except that these privileges may be subject to periodic change including revocation, in accordance with regulations promulgated by the Secretary.</p>	
Sale of QS	<p>Quota shares may be sold within vessel size categories and management areas. Purchasers must be qualified 'persons', and in the case of corporations must be controlled (majority ownership) by U.S. citizens.</p>	
Additional purchasing criteria.	<p>The following options (combinations) have been discussed. 1) No further restrictions 2) must own a fixed gear vessel 3) must have a qualified vessel lease 4) must be a bona-fide crewman</p>	<p>Catcher boat QS may be sold only to owners of fixed gear vessels or to bona-fide crewmen. Purchasers of catcher boat QS who did not receive initial QS may not be corporations (ie. must be individuals).</p>
Limitations of QS holdings (own/control)	<p>A set maximum percentage of the combined TAC for all management area may be owned or controlled by a single owner. Persons whose initial QS exceed the cap may continue to control that amount but are ineligible to purchase further amounts.</p> <p>Ownership cap options of 1%, 2%, and 3% of the combined TAC for all management areas are included. An additional option would limit the amount of IFQ used by a vessel to be no greater than the ownership cap.</p> <p>No more than 15% of all Halibut QS may be held by freezer/longliner fleet.</p>	<p>No more than 1% of the combined TAC, nor 1% of the EYSO area TAC may be owned/controlled by a single owner. No single vessel may land more IFQs than the ownership cap.</p>
Leasing QS or purchasing IFQs	<p>The following options have been put forward. 1) QS leasing is allowed. 2) QS lessee must own or lease a fixed gear vessel. 3) QS leasing is allowed only for freezer boats. 4) No more than 50% of ones QS may be leased in any year. 5) QS leasing not allowed.</p>	<p>Leasing of QS allowed for freezer longliners only.</p>

Provisions	Halibut Alternatives	Sablefish Preferred Alternative
<p>Gear, areas, fisheries</p>	<p>All Halibut hook and line fisheries in all IPHC regulatory areas: 2C, 3A, 3B, 4A, 4B, 4C, 4D, 4E.</p> <p>Any halibut legal sized halibut caught by hook and line fisheries must have corresponding IFQs.</p>	<p>Sablefish fixed gear fisheries in NPFMC areas AL, BS, WG, CG, WY, and EYSO.</p> <p>Note: In the Council's preferred alternative of August 1991, persons who do not hold QS/IFQs are not explicitly prohibited from catching or landing sablefish in fixed gear fisheries.</p>
<p>Initial assignment of Quota Shares</p>	<p>Initial QS recipients will be owners or leaseholders of vessels that made legal fixed gear landings of halibut or sablefish during the qualifying period. They must be non-foreign, but otherwise are 'Persons' as defined by the Magnusen Act.</p> <p>Initial assignment of QS would go to vessel owners unless a qualified vessel lease exists, in which case the leaseholder will receive credit for landings.</p> <p>Initial allocation of QS will occur in 1992. IFQs will be assigned starting in 1993.</p>	
<p>Qualifying Period and initial allocations</p>	<p>To qualify for QS a person must have made fixed gear landings of halibut in at least one year during;</p> <p>1) 1984-90 2) 1986-90 3) 1988-90</p> <p>Qualifying catch will be totaled for</p> <p>1) the best year, 1988-90 2) best 3 of 5 years, 86-90, 3) best 5 of 7 years 84-90 4) best 6 of 7 years 1984-90</p> <p>Initial QS will be based on the sum of a persons legal landings by area, for all vessels owned or held by lease during the qualifying period. The individual's qualifying poundage will be divided by the sum of all qualifying pounds for that area and the result will be a persons quota share.</p>	<p>To qualify for QS a person must have made fixed gear landings of sablefish in at least one year during 1988-90. Qualifying catch will be totaled for best 5 of 6, 1985-90. Initial QS will be based on the sum of a persons legal landings by area, for all vessels owned or held by lease during the qualifying period. The individual's qualifying poundage will be divided by the sum of all qualifying pounds for that area and the result will be a persons quota share.</p>
<p>Calculating IFQ pounds</p>	<p>IFQs are determined for each calendar year for each person by applying that person's QS to the annual TAC for each management area and vessel class.</p>	

Provisions	ALTERNATIVE 2.1	ALTERNATIVE 2.2	ALTERNATIVE 2.3
Administration	<ul style="list-style-type: none"> * NMFS Alaska Regional Office would administer the program. * Settlement of appeals disputes during the initial assignment process will be based on fact. Unsubstantiated testimony will not be considered. Leaseholders would have to come to the Appeals Board with verifiable records and agreement of the owner of record of the vessel. Initial appeals would be heard by an Appeals Board composed of government employees rather than industry members. Subsequent appeals would go to NMFS Alaska Regional Director followed by appeals to the Secretary of Commerce and then the court system. * Appeals could be brought forth based on the following criteria: <ul style="list-style-type: none"> (1) Errors in records. (2) Documented leaseholder qualification. 		
Unloading Provisions	No unloading provisions.	<ul style="list-style-type: none"> * All first point of sale purchasers of halibut (processed or unprocessed) would be required to obtain a purchaser's license from NMFS. * Vessels may unload halibut (processed or unprocessed) only in areas designated by NMFS. Prior notification of such offloading may be required. 	<p>Option 1: No unloading provisions.</p> <p>Option 2:</p> <ul style="list-style-type: none"> * All first point of sale purchasers of halibut (processed or unprocessed) would be required to obtain a purchaser's license from NMFS. * Vessels may unload halibut (processed or unprocessed) only in areas agreed to by industry and NMFS. Prior notification of such offloading may be required by NMFS.
Program Financing	<ul style="list-style-type: none"> * It is the Council's intent to find a way to finance the IFQ program without redirecting costs, possibly including a cost recovery program from QS/IFQ owners. 		
Other	<ul style="list-style-type: none"> * While the alternative IFQ programs shown here constitute individual packages, it is the Council's intent to be able to choose from among the components of each program when designing the final IFQ alternative. 		

Provisions	ALTERNATIVE 2.1	ALTERNATIVE 2.2	ALTERNATIVE 2.3
Open Access	No open access fishery	<p>Up to 20% of any area's quota may be set aside for community development quota, bycatch for other fisheries, or open access fishery as described below:</p> <ul style="list-style-type: none"> * Each area's quota may be divided 7% IFQ and 7% open access. (up to 20% open access) * IFQ holder for any area would not be permitted to fish any area's open access fishery except as noted. * Open access fishery managed by exclusive registration area (existing IPHC areas to begin with). * 4th quarter open access cleanup fishery open to any person or vessel if they do not own/control unused IFQs. Exclusive areas rescinded. * Amount and structure of each area's 'set aside' quota to be determined by regulatory amendment process prior to implementation of QS program. 	<p>20% of each area's quota will be set aside for open access fishery described below:</p> <ul style="list-style-type: none"> * Each area's quota will be divided 80% IFQ and 20% open access. * IFQ holder for any area would not be permitted to fish any area's open access fishery except as noted. * Open access fishery managed by exclusive registration area (existing IPHC areas to begin with). * 4th quarter open access cleanup fishery open to any person or vessel if they do not own/control unused IFQs. Exclusive areas rescinded. * Up to 8% of total quota for any area may be used for coastal community development (within the 20% open access portion). Unused CDQ rolled over into 4th quarter cleanup fishery.
Coastal Community Considerations	3% cap on use of any area's quota for disadvantaged communities such as Atka or the Pribilofs.	See above.	<p>See above.</p> <p>Option: that CDQs be set at the following percentages for the following IPHC areas:</p> <ul style="list-style-type: none"> 4A - 20% or 35% of quota 4B - 20% or 35% of quota 4C - 50% of quota 4D - 20% or 35% of quota 4E - 50% of quota

Provisions	ALTERNATIVE 2.1	ALTERNATIVE 2.2	ALTERNATIVE 2.3
Transfer of QS/IFQs cont'd.	<p>In the event an allowable lease exists, the leaseholder must be a U.S. citizen and must be aboard the vessel and sign the fish ticket. No more than 50% of any person's IFQs may be leased except in cases of illness, injury, or emergency to be defined by NMFS.</p> <ul style="list-style-type: none"> * Freezer vessels that fish for species other than halibut must acquire QS for halibut in order to retain them. * Maximum of 15% of all halibut QS may be held by freezer/longliner fleet. 		<p>In the event an allowable lease exists, the leaseholder must be a U.S. citizen and must be aboard the vessel and sign the fish ticket. No more than 50% of any person's IFQs may be leased except in cases of illness, injury, or emergency to be defined by NMFS.</p>
Limitations on holdings (own/control)	<p>3% limit of overall quota but, initial recipients of more than 3% may continue to control the excess but not more.</p>	<p>2% limit of overall quota but, initial recipients of more than 2% may continue to control the excess but not more. No more than 2% can be used on one vessel. Suboption under this alternative for a 1% cap on ownership.</p>	<p>2% limit of overall quota but, initial recipients of more than 2% may continue to control the excess but not more. No more than 2% can be used on one vessel. Suboption under this alternative for a 1% cap on ownership.</p>
General Provisions	<ul style="list-style-type: none"> * NMFS must approve QS/IFQ transfers based on findings of eligibility criteria before fishing commences. * Persons must control IFQs for amount to be caught before a trip begins. * QS and IFQs are specific to management areas and vessel categories (if used). * Halibut cannot be landed without IFQs except in open access fishery under Alternatives 2.2 and 2.3. Under these alternatives, all catch would be counted against either IFQs or open access, whichever is appropriate. * IFQs are not valid for halibut caught by any means other than hook and line fishing in any IPHC area covered by this plan. 		
Discards	<p>IFQ users cannot discard legal sized halibut.</p>	<p>Discards permitted but count towards TAC or IFQ. Any longline fishery that takes halibut must control IFQs.</p>	<p>Holders of unused IFQs must retain legal sized halibut.</p>

Provisions	ALTERNATIVE 2.1	ALTERNATIVE 2.2	ALTERNATIVE 2.3
Vessel Category Designations	<p>Each 'Person' would receive QS for the vessel category of their most recent landings within the qualifying period. If, in their most recent qualifying year, they owned or leased 2 or more vessels that landed halibut, their allocation would be for the category of their largest vessel.</p> <p>Vessel categories as follows:</p> <ol style="list-style-type: none"> 1. Catcher vessels 2. Freezer/longliners 	<p>Option 1: NO vessel categories</p> <p>Option 2: Vessel categories of:</p> <ol style="list-style-type: none"> (a) up to 60' length overall (b) 61' and greater <p>Option 3: Vessel categories of:</p> <ol style="list-style-type: none"> (a) up to 35' (b) 36' - 60' (c) 61' and greater 	<p>Option 1: NO vessel categories</p> <p>Option 2: Vessel categories of:</p> <ol style="list-style-type: none"> (a) up to 35' (b) 36' - 60' (c) 61' - 90' (d) 91' and greater
Duration of QS Program	<p>Harvest privileges may be subject to periodic change, including revocation, in accordance with appropriate management procedures as defined by the Magnuson Act. Ending the program would not constitute 'taking' and QS/IFQ owners would not be compensated. Privileges are good for an indefinite period with no specified ending date.</p>		
Calculating IFQ pounds	<p>IFQ poundage is obtained by multiplying the QS percentage times the halibut quota for an area for each year. This would be calculated after the 'set aside' portion of the fishery for each area is subtracted from the total quota. This 'set aside' is further described in a separate section.</p>		
Transfer of QS/IFQs	<p>* Freezer/longliner QS/IFQs: Fully saleable to any 'Person' (U.S. individual, partnership, corp., etc.) Leasable, but recipient must own vessel using IFQs or be on board as crew or operator.</p> <p>* Catcher vessel QS/IFQs: Initial recipients can be 'Persons' and do not have to be on the vessel or sign the fish ticket to use the IFQs. Subsequent users must be (or designate within 90 days) a U.S. citizen as owner of the QS who must be on board the vessel using the IFQs and sign the fish ticket, unless an allowable lease exists. (cont'd on next page)</p>	<p>* QS/IFQs fully saleable, and:</p> <p>Option 1: Leasable Any 'Person' may control IFQs. Proof of citizenship or majority ownership and control may be required.</p> <p>Option 2: Non-leasable Any 'Person' may purchase QS, but must own the vessel the QS/IFQs will be used on, or must be on board the vessel using the QS/IFQs as crew or operator.</p>	<p>* Catcher vessel and freezer/longliner QS/IFQs: Initial recipients can be 'Persons' and do not have to be on the vessel or sign the fish ticket to use the IFQs. Subsequent users must be (or designate within 90 days) a U.S. citizen as owner of the QS who must be on board the vessel using the IFQs and sign the fish ticket, unless an allowable lease exists. (cont'd on next page)</p>

TABLE 1.1 ALTERNATIVE IFQ SYSTEMS FOR MANAGEMENT OF HALIBUT FIXED GEAR FISHERIES OFF ALASKA

ALTERNATIVE 1 - is the status quo (open access)

ALTERNATIVES 2.1 - 2.3 - are variations of Individual Fishing Quota (IFQ) systems being considered by the North Pacific Fishery Management Council.

Provisions	ALTERNATIVE 2.1	ALTERNATIVE 2.2	ALTERNATIVE 2.3 (from April 1991 meeting)
Gear and Areas	Halibut fisheries (hook and line) in all IPHC regulatory areas: 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. Further breakdown of IPHC areas may be proposed in order to more fully implement the intent of the 20% set aside fishery under Alternatives 2.2 and 2.3		
Shares and Quotas	Quota shares (QS) are a percentage of the fixed gear halibut quota for a specific IPHC management area. An Individual Fishing Quota (IFQ) is the weight equivalent of the QS. It is also area specific. It will vary annually with changes in the halibut quota for each area.		
Initial Assignment of Quota Shares	<p>Tentative schedule: After the application and appeals process in 1992, QS will be assigned for use in 1993. IFQs to be issued yearly to QS owners.</p> <p>Initial QS recipients will be owners or leaseholders of vessels that made legal fixed gear landings of halibut during the qualifying period. They must be non-foreign, but otherwise are 'Persons' as defined by the Magnuson Act: any individual who is a U.S. citizen, any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State but being owned and controlled by a majority of U.S. citizens), and any Federal, State, or local government or governmental entity. Initial assignment would go to:</p> <p style="text-align: center;">(1) vessel owner(s) unless qualified lease exists (bareboat charter) (2) qualified leaseholder would receive credit for landings.</p>		
Qualifying Period	To qualify for QS in an area, a 'Person' (owner or leaseholder) must have made fixed gear landings of halibut in the area in at least one year during: 1984 - 1990	Option 1: 1984 - 1990 Option 2: 1988 - 1990	Option 1: 1984 - 1990 Option 2: 1986 - 1990
Initial QS Amount	Initial QS amount is based on the sum of a 'Person's' recorded fish tickets, by area, for all vessels owned or held by lease for the combination of years below. This individual qualifying poundage would be divided by the total of all individuals' qualifying amounts in an area to obtain the QS in terms of percentage of the quota for that area. Years with no landings would be counted as zero. Best 5 of 7 years	Option 1: Best 5 of 7 years, 1984-1990 Option 2: Best single year, 1988-1990	Option 1: Best 5 of 7 years, 1984-1990 Option 2: Best 6 of 7 years, 1984-1990 Option 3: Best 3 of 5 years, 1986-1990

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INTERNATIONAL PACIFIC HALIBUT COMMISSION

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

September 4, 1991

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Dear Clarence:

The IPHC staff would like to comment on the NPFMC proposals for Individual Fisherman Quotas (IFQ) for the Pacific halibut fishery. Many of the proposals will have a direct effect on IPHC management, and there is a need to coordinate Council action with the management responsibilities of the IPHC.

In general, the IPHC staff supports an IFQ management system. Such a system should reduce wastage, improve safety and quality, and provide better economic returns to the fishermen. However, we are concerned that some IFQ systems could compromise the IPHC objective of obtaining accurate information for stock assessment, upon which we base catch limits for the fishery. We would also be concerned if IFQ's allowed for an overharvest. **The monitoring and enforcement proposal described in the draft document will not be adequate to maintain full control over halibut landings, so we would support the status quo over any of the IFQ alternatives.**

Specifically, the IPHC requires that accurate catch data are available on a timely basis and that the costs to IPHC of monitoring and sampling do not increase significantly. The following measures will assure cost effective and high quality data:

1) A minimum IFQ of 500 pounds (net weight--head off, guts out). This is the weight of the largest fish. To set the minimum IFQ lower could force fishermen to divide individual fish, and would increase the number of shares to be monitored.

2) Ability to monitor compatible with fleet size. The incentive to underreport inherent in an IFQ system requires very high quality monitoring and enforcement. The attached figures for the most recent trip limit halibut openings in Areas 2C and 3A show that U.S. fishermen exceeded trip limits at many ports. Processors in other ports reported no overages, yet a substantial number of fishermen landed precisely the trip limit. We have looked to the Canadian Individual Vessel Quota (IVQ) system as a guide to monitoring requirements. We believe that the IFQ system should include: sufficient monitoring to cover all halibut IFQ vessels during the unloading, sufficient monitoring of other vessels to prevent halibut landings by unauthorized fishermen, and a system of reporting halibut landings to the IPHC staff.

3) A system that encourages fleet consolidation. Consolidation will ease monitoring and enforcement costs. Therefore, we oppose establishing vessel size categories or other restrictions that limit transfer of Quota Share or IFQ, unless monitoring and enforcement is adequate to completely account for all landings. We suspect that a system that permits a doubling or tripling of fishermen above the present level, with up to 20,000 individual fisherman-area quotas, cannot be monitored and enforced with the amount of funding likely to be available. We strongly suggest that initial consolidation be accomplished with a "filter" system such as a minimum landing (aggregate over the seven year qualifying period or in any year) or landing during the last year or two. We would prefer that the IFQ system not increase participation above present levels.

4) Seasonal closure of the fishery. As indicated in our June 13, 1991 letter to the Council, the IPHC staff is considering recommending a seasonal closure to allow data consolidation, to maintain management control, and to maintain most effective stock assessment techniques. We plan to recommend a winter closure, although the extent of the closure has not been determined.

5) Compensate for IFQ overages. Under IPHC regulations, we close the halibut fishery in a regulatory area when the catch limit is reached. Fishermen have tended to slightly exceed trip limits in the U.S halibut fishery, and the Canadian IVQ fishery to date in 1991 has been several percent above the sum of the individual quotas. The attached figures show that up to four percent of the landings in some U.S. ports were forfeited as over trip limits, even though many fishermen do not come close to catching the catch limit. Closure of the fishery may occur before some fishermen have used their IFQ's. A system that compensates for overages will prevent this. We suggest that the Council either calculate initial IFQ's assuming an overage of at least five percent, or develop a system to compensate individuals not allowed to fish all or part of their IFQ's in the event that the fishery closes before all IFQ's are taken.

We fully support the formation of industry and agency work groups to more completely define the monitoring and enforcement needs of the IFQ system, and will be pleased to participate. We anticipate that recommendations of the work groups will lead to an IFQ system that we can fully support.

The IPHC staff appreciates the opportunity to comment on the IFQ proposals, and looks forward to cooperating with the Council to formulate an effective IFQ program.

Sincerely yours,



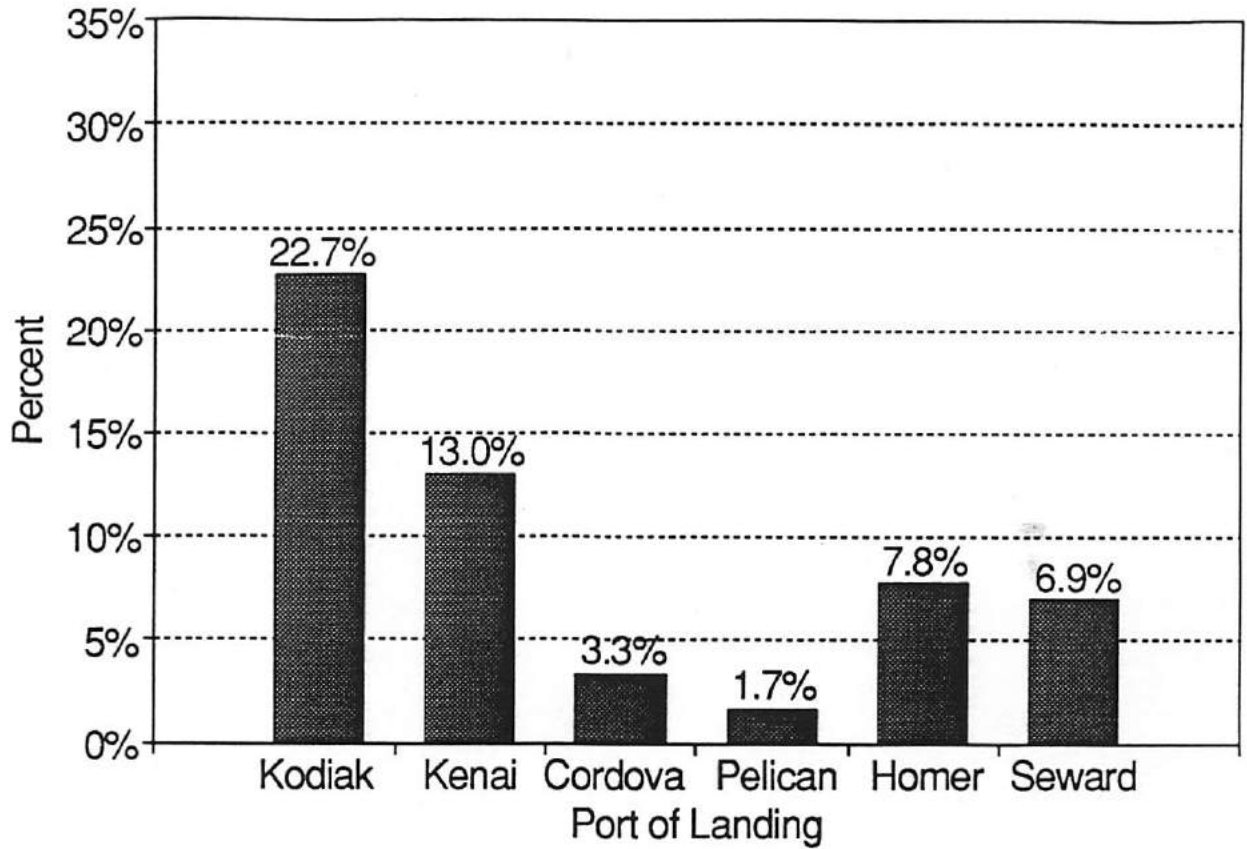
Donald A. McCaughran
Director

cc. Commissioners

encl.

Vessels Exceeding the Trip Limit

Area 3A, Aug. 1990



SUMMARY OF PROPOSED IFQ PROVISIONS FOR THE HALIBUT FISHERIES.

Introduction

The Council in January 1991 adopted for analytical purposes the same range of IFQ options as for sablefish. This was followed in April 1991 by a request from the Council for an analysis of IFQs. The resulting draft environmental impact statement/regulatory impact review/initial regulatory flexibility analysis was released for public comment on 19 July 1991. Public comments on the draft analysis were invited until 16 September 1991.

The Halibut Fishery

The draft analysis characterised the halibut fishery as a "derby" fishery. This was seen as having resulted directly from the open access management regime. The features of a fishery such as this include increasing numbers of fishermen and vessels, increased fishing power of vessels, increased amounts of fishing gear, and shortened seasons. Ten specific problems were identified as flowing from this situation. These were:

1. Allocation conflicts
2. Gear Conflicts
3. Deadloss
4. Bycatch Loss
5. Discard Mortality
6. Excess Harvesting Capacity
7. Poor Product Quality
8. Decreased Safety
9. Economic instability in the fishery and communities
10. Difficulties for Rural Coastal Community Development and Small Boat Fishery

Individual Fishing Quotas

In order to address these problems, the Council has elected to examine the concept of individual fishing quotas. These would entail the allocation of the rights to harvest halibut by hook and line to a specified group. Each individual fishing quota would be area specific. The analysis showed that a number of benefits could be expected to accrue from the introduction of an IFQ policy. Benefits were seen to include improved vessel safety, increased exvessel and wholesale prices, year round availability of fresh halibut, decreases in gear loss and in processing and storage costs. Further benefits included reduced bait costs and a decrease in the rate of discards for other species.

Other possible effects of IFQs were more difficult to quantify. They were seen as altering the distribution of landings, and in increasing participation in other fisheries in an attempt by fishermen to construct a history for any future IFQs.

Adverse effects of IFQs were seen as lying in the areas of reporting. There would be a clear incentive under an IFQ regime for fishermen to under-report their catches.

Three alternatives were identified in relation to individual fishing quotas. While essentially different in a number of key elements, the three alternatives had a number of common characteristics. The Council has made it clear that while there were three identified alternatives, that it would not feel constrained to accept or reject any particular alternative. If it was decided to opt for a system of individual fishing quotas it would pick and mix from among the alternatives until it reached a practicable scheme. The common themes in the three alternatives were:

Gear and Areas

Individual fishing quotas will apply to the halibut hook and line fishery in each and every one of the International Pacific Halibut Commission's areas.

Shares and Quotas

A quota share (QS) would be determined for each qualifying fisherman, and will be represented as a proportion of the fixed gear halibut quota for an area. Initial quota shares will be based on the sum of a person's recorded fish tickets, by area for all vessels owned or leased for the qualifying period. The individual quantity so obtained would be divided by the total of all qualifying amounts in an area to obtain a quota share which would be expressed in terms of a percentage of the quota for that area. This proportion would be applied to the total allowable catch (TAC) each year to determine a specific quantity (weight) of halibut which may be caught. This will vary each year as the TAC changes.

Initial Assignment of Quota Shares

If adopted, it would be intended that quota shares be issued for use in 1993. They would be issued to owners or leaseholders of vessels that made legal, fixed gear landings in the qualifying period. Allocations would not be made to foreign persons, but may be made to United States' citizens, or any corporation, partnership or association which is owned and controlled by a majority of United States' citizens, and any State, Federal or Local government organisation.

Duration of the Quota Programme

Harvesting privileges pursuant to a quota share/individual fishing quota would be for an indefinite period. They may, however, be altered or revoked in accordance with the management procedures contained in the Magnuson Act. Quota shares or individual fishing quota owners would not be compensated in the event of the cessation of the system.

Following these common elements, a number of additional items were identified within which a series of options were specified. These were:

Initial Assignment

Four distinct options were identified for initial allocation of quota shares. These were:

1. the best single year from 1988 - 1990;
2. the best three out of five years from 1986 - 1990;
3. the best five out of seven years from 1984 - 1990;
4. the best six out of seven years from 1984 - 1990.

The advantage that was seen in allowing a longer period than would be used for the quota share calculation was that a fisherman's worst or two worst years could be omitted. This would simplify any appeal process decided on by allowing fishermen to omit periods when they did not fish, or when they used their vessels to assist in the Exxon Valdez oil spill cleanup.

The single major impact in the choice of allocation period derives from the starting date. A catch history period commencing with 1984 would enable allocation to 9,335 fishermen, as compared with 7,702 with a 1986 beginning or 6,118 with a beginning year of 1988. Allocation by state of residency varies from 83 percent under options 3 and 4 to 86 percent under option 1 for Alaskan residents, in terms of quota share recipients. In terms of overall amount of quota share, 70 percent would go to Alaskan residents under rule 3, while under rule 1, about 72 percent would go to Alaskan residents.

Vessel Categories

While all quota shares would be area specific, it has been suggested that they could also be specific to vessel classes. Nine options have been identified. These are:

1. no vessel categories;
2. catcher vessels;
3. freezer longliners;
4. vessels of up to 35 feet overall length;
5. vessels of between 36 feet and 60 feet overall length;
6. vessels of 61 feet overall length or greater;
7. vessels of up to 60 feet overall length;
8. vessels of 61 feet to 90 feet overall length;
9. vessels of over 91 feet overall length.

These categories are not mutually exclusive, and many of them overlap or even subsume other categories.

The imposition of vessel classes places restrictions on the transferability of quotas. This may preclude the movement of quotas into the hands of those who can use them more efficiently. The analysis suggests that in all but one case the 61 - 90 foot vessel class would be dominant in an unrestricted market.

Detailed breakdowns of catch, numbers of owners and proportion of quota share which would be received by people in each vessel category are contained in tables 4.2 and 4.3 of the analysis. A broad smattering of statistics from these tables reveals the following:

- 94 percent of quota share recipients would be vessel owners in the under 60 feet vessel category.
- the percentage of quota share recipients in the under 36 foot category ranges from 51.2 percent under rule 1 to 58.6 percent under rules 3 and 4.
- the amount of quota share going to vessels in the under 60 foot category is about 65 percent under any of the allocation rules. About 10 percent of this would go to the under 36 foot class and 55 percent to the 36 - 60 foot category.

- the total amount of quota share going to the 61 - 90 foot category is about 30 percent under any of the rules. Note that while this is true for the overall EEZ, in area 4D, for example, 90 percent of the quota share will be accounted for by this vessel category.
- vessels over 90 feet will account for only about 4.5 percent of the quota share, of which freezer longliners would receive, as a whole, from 0.5 percent under rules 3 and 4 to 0.9 percent under rule 1.

Transferability

A number of options were identified to govern transferability of quota shares/individual fishing quotas following initial allocation. Some of these options are tied to vessel categories. The identified options were:

1. both quota shares and individual fishing quotas would be salable, and
Either
 - (i) leasable;
 - or
 - (ii) non-leasable;
2. for freezer longliners quotas may be sold, but leases will be subject to the lessor owning a vessel and using the IFQ or being on board the vessel as crew or operator;
3. for catcher vessels and freezer longliners, initial recipients would not have to be on board the vessel or sign the fish ticket to use the IFQ. Any subsequent user, however, must be on board the vessel using the IFQ and sign the fish ticket unless an allowable lease exists. In this latter case, the leaseholder must be aboard the vessel and must sign the fish ticket. No more than 50 percent of a person's IFQ may be leased except in cases of emergency, such as when a quota holder is too ill to be aboard.

Any imposition imposed on the transfer of quotas removes flexibility. In particular, it removes from fishermen the ability to adjust for temporary fishing fluctuations, or unexpected variations in catch. On the other hand, prohibiting the sale of IFQs would provide an incentive for only active fishing participants to own quotas. Option 3 may provide a compromise between these two.

Limitations on Quota Holdings

Owners of quota shares and IFQs must be United States citizens, or corporations with a majority of United States share holders. Only in this way will the benefits from a quota scheme accrue to the nation rather than being dissipated to foreign investors.

Once this requirement is met, a number of options were identified in relation to limitations on any individual holding quota. These were:

1. a maximum of 15 percent of all halibut quota shares may be held by the freezer longline fleet;
2. a 3 percent limit on overall quota holdings;
3. a 2 percent limit on overall quota holdings. In addition, no more than 2 percent of the quota may be used on any one vessel;
4. a 1 percent limit on overall quota holdings. In addition, no more than 1 percent of the quota may be used on any one vessel.

In the case of the last three options, initial recipients of greater than the specified amounts would be allowed to retain and fish them, but they would be prevented from acquiring any further quota share or individual fishing quota.

Based on the 1991 TAC for halibut, no-one would have received above a 1 percent allocation. In 1991, 1 percent of all IFQs would have been 475,000 lbs. No-one would have received above this amount. TACs, however, vary from area to area. For area 4E, for example, someone could control 100 percent of the TAC of 100,000 lbs, yet still hold less than 1 percent of the halibut quotas, assuming there is nothing set aside for community development quotas.

Discards

The options presented here were:

1. IFQ users would not be able to discard legal sized halibut;
2. discards would be permitted, but would count against an IFQ Any long line fishery which takes halibut as an incidental by-catch must hold a halibut IFQ.

If it is decided that freezer longline vessels should not be allowed to own halibut quota a problem arises in that they will not be able to hold quota to cover their by-catch in other fisheries. This leaves them with a problem of what to do with halibut they catch incidentally, particularly if it is decided not to allow discards.

Open Access/Community Development

The options identified here were:

1. no open access fishery;
2. up to 20 percent of any area's quota may be set aside for community development, by-catch in other fisheries, or open access fishery;
3. 20 percent of each year's quota set aside for an open access fishery.
4. specific allocations ranging from 20 percent to 50 percent for each of areas 4A, 4B, 4C, 4D, and 4E.

The analysis raised the question as to whether the Council should be encouraging additional harvesting and processing capacity in small coastal communities when the current capacity exceeds the halibut TAC.

The analysis also suggests that any quotas reserved for coastal communities would require an equivalent reduction in the size of commercial fishermen's quotas.

Unloading Provisions

There were two alternatives considered here. These were:

1. no unloading provisions;
2. all first point of sale halibut purchasers would be required to hold a licence.

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

AGENDA C-4(c)(1)
SEPTEMBER 1991

Name of Proposer: MICHAEL FERGUSON

Date: 8-20-91

Address: POB 312
PELICAN ALASKA
99832

Telephone: 907 735 2249

Brief Statement of Proposal: use normal time, area, and gear management of the halibut longline fishery. Restore to the longline fishery as grandfathered access all halibut allocated to trawl by-catch. Leave access to the longline fishery open.

Objectives of Proposal: (What is the problem?) the objective is to eliminate the management driven pressure to fish at all costs in order to be included rather than excluded from the fishery. The managers have created the pressure on the stocks by refusing to limit gear. This is the only fishery I know of which is allowed to fish an unlimited amount of gear.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) There is no need for council action. This is not fishery management, it is social engineering. The council is not needed and the problem of over management can be solved through other channels.

Foreseeable Impacts of Proposal: (Who wins, who loses?) if my proposal is adopted the losers will be all the bureaucrats who are planning to retire on the increased costs of management. The winners will be all the Americans who will have escaped being socially engineered.

Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem? One alternative solution would be to offer all the social engineers a one way ticket to somewhere they will be more appreciated, perhaps the thriving social engineering establishment of Russia or China.

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

read a few newspapers and George Gilder's "Wealth and Poverty" and Johnson's "Modern Times"

Signature:

Michael Ferguson

2

AUGUST 13, 1991

RHONDA HUBBARD
P.O. BOX 3302
SEWARD, AK 99664
PH# (907) 224-5584

BRIEF STATEMENT OF PROPOSAL:

I believe this proposal has come up once, but I would like to suggest it again;

In response to the By-Catch issue on Halibut, I am proposing a semi-mandatory regulation to utilize the by-catch of halibut on behalf of paying for the management of the various fisheries in Alaska. A program should be set up whereby those persons catching an allowable by-catch set by council, be allowed to preserve that catch rather than throw it away. The halibut could then be turned over to the Feds (NMFS) for a very small fee or no fee at all, who then sell the product at a market price. All proceeds could then go into a special fisheries fund to help pay for fisheries management and studies.

OBJECTIVES OF PROPOSAL:

1. Stop the waste of a valuable product
2. Provide the Market with a potential year round supply of a product high in demand. This would also make the product more affordable by the consumer.
3. Apply a valuable commodity to a needy cause rather than wasting it.
4. Allow the person actually catching the by-catch to receive little or no personal benefit but rather a public benefit.

JUSTIFICATION FOR COUNCIL ACTION:

Simply because council regulates by-catch issues and all the fisheries where by-catch is a problem. The only other way is if people do not get by-catch. Unfortunately, by-catch is inevitable.

FORESEEABLE IMPACTS OF THE PROPOSAL:

The whole industry wins, there is no waste, year round supply and rather than taxpayers footing the bill for fisheries law and management, let the value of the fish do it.

Question of willingness by the fishermen to preserve the catch and give it back to the Federal Govt.

ARE THERE ALTERNAIVE SOLUTIONS?

1. Keep the program as is and continue to waste product.
2. Let fishermen keep the by-catch and sell it themselves.

#1 does not solve the problem of waste. #2 may encourage fishermen to just gear up and target on the by-catch, then the actual specie being fished would not get utilized and the season may close to early.

SUPPORTIVE DATA:

Check you observer records and see how much by-catch is just thrown away.



Rhonda Hubbard

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

3

Name of Proposer: Jerald D. Eidem

Date: 8-7-91

Address: 7428 Pamela Place
Anch, AK 99504

AUG 13 1991

Telephone: 907 333-7056
907 338-5905

Brief Statement of Proposal: To provide certainty of income & Halibut harvest for near shore Halibut fishing fishermen. A minimum of 100,000 lbs must be allocated to each small boat fisher person.

Objectives of Proposal: (What is the problem?) Not sufficient allocation of Quotas to justify small boat harvesting as in 1990. Quota is divided among largest vessels first - then small vessels. THIS MUST BE STOPPED.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) 10/11 others have been tried & failed. Only the limited program

Alaska issuing permits to individual fisher persons works! Unfortunately it also limited out wives, & young people! Washington & Canada limited boats. This is a total failure.

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

Small vessel operators - fisher persons know they may harvest a minimum of 100,000 lbs. Excess quota after the 100,000 per person added to the 100,000 each year.

- (A) I may try to bank & finance a larger operation if I desire & I do.
- Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?
- (B) Or I may sell my quota permit in the market place.
- (C) Large allocations to large boats is a Corporate device & must be stopped.

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

Pattern after Alaska Salmon limited Entry which is based on Federal Cattle Grazing rights - Contact Clem Tillion - This program was approved by the U.S. Supreme Court. It works.

Jerald D. Eidem

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AUG 23 1991

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

Name or Proposer:

American High Seas Fisheries Association,
Alaska Groundfish Data Bank, Midwater Trawler Cooperative,
American Factory Trawlers Association.

Date:

8/23/91

Address:

3040 West Commodore Way
Seattle, Washington 98199

Telephone: (206) 282-2731

Fax: (206) 282-3516

Brief Statement of Proposal: To provide the trawl industry a 25 minute window of opportunity to return live halibut to the water for which they and the halibut CAP would not be debited. At least the debit should be at a rate less than is currently the case.

Objectives of Proposal: (What is the problem?)

Decrease halibut mortality. Increase halibut savings. To more objectively account for halibut mortality among various trawl user groups.

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

Council is responsible for socioeconomic and allocative decisions. Presently the matter is handled in less than a fair and equitable manner. Halibut are being killed unnecessarily. Halibut are being released alive yet debited against the CAP. This is an incentive for corrective action.

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

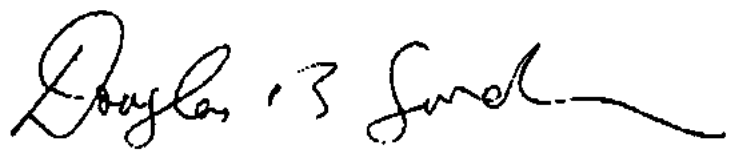
More halibut are released in viable condition, benefiting the Halibut industry. Trawlers get to apply dead halibut to the CAP in a manner which funds the attainment of the bottomfish OY.

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

Once a halibut is caught, for it to remain alive, it must first be handled and released in the quickest manner possible.

Supportive Data & Other Information: What data are available and where can they be found? NMFS Research/Management; I.P.H.C.

Signature:



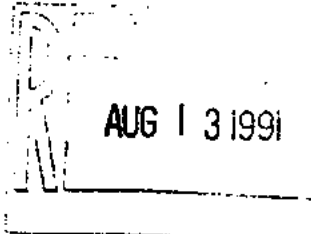
Douglas B. Gordon, Executive Director
American High Seas Fisheries Association

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

5

Name of Proposer: Ben Mitchell
Address: 103 Davin
Sitka, Ak 99835
Telephone: 907 747 5909

Date: Aug 6, 1991



Brief Statement of Proposal:

To place the existing "Sitka Sound Removal Shelt Rockfish Sanctuary Area" in closed year round to commercial halibut fishing status should IFQ system for halibut be adopted.

Objectives of Proposal: (What is the problem?)

Please See Attachment(s)

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

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

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

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

Signature:

Halibut

~~Groundfish~~ Fishery Management Amendment Proposal

North Pacific Fishery Management Council

Submitted: July 27, 1991

Re Submitted: Aug 6, 1991

Name of Proposer

Ben Mitchell

103 Davin

Sitka, Ak 99835

(907) 747-5909

Fishery Management Plan

Halibut

Brief Statement of Proposal

To place the "Sitka Sound Demersal Shelf Rockfish Sanctuary Area" in "closed year round to commercial halibut fishing status" in order to maintain the integrity of the Rockfish protection within this area as intended when it was created in 1988, by ADFG.

This to take effect should the Individual Fishing Quota System be adopted for Halibut by the Council in

Objectives of the Proposal (What is the Problem)

To maintain the integrity of the Sitka Sound Demersal Shelf Rockfish Sanctuary Area closed since 1988 to directed commercial fishing for rock fish because of concentrated, directed, year round pressure by commercial vessels from all of Southeast Alaska in the mid 1980's who seriously depleted this assemblage of species at a rate far greater than the sustainable yield before being halted by ADFG.

Should the Halibut fishery be put on Individual Fishing Quota system with the attendant long open fishing seasons periods, the by-catch in the Sitka Sound Demersal Shelf Rockfish Sanctuary Area by commercial Halibut fishing operations can be expected to negate the protection of this Sanctuary area. The intent of establishing this Sanctuary area was to provide for the unmolested (relatively) zone in which to allow this extremely long lived assemblages of species of rock fish to recover from past abuses by commercial operations.

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

I feel strongly that it is appropriate and proper and necessary that the Council consider this bycatch side effect that will most certainly result from establishing the Individual Fishing Quota system for Halibut.

Foreseeable Impacts of Proposal (Who wins... who loses)

This is not a matter of "who wins" short term or "who loses" short term. It should be recognized that when the resource "wins", then all fishermen win long term. When the resource "loses" then all fishermen lose long term. There exists a faction in the commercial fishing community whose philosophy continues to be "get that last fish out of an area and then move on to other areas and leave a biological desert"

As a long-time Alaska Southeast resident and commercial halibut fisherman since 1966 I would consider it acceptable to run my open skiff twenty miles to do my halibut fishing beyond the Rockfish Sanctuary Area bounded as described below:

"All waters of Sitka Sound South of 57°16' N. latitude

and North and East of a line from Sitka Point on
 Krusenstern Island to the Northernmost tip of Little
 Plover Island, thence to Frosty Reef on Baranof Island.
 It is not asking too much for Halibut fishermen to travel away from Sitka
 Sound and the Community of Sitka to operate especially if IFQ's
 go into effect with the attendant longer fishing periods to protect rockfish.
 Are there Alternative Solutions (If so what are they and
 and why do you consider your proposal the best way of solving the problem)

An alternative could be to allow zero by-catch of Rockfish
 in the Sitka Sound Sontara Area during commercial Halibut
 operations. As a very high percentage of rockfish will die
 due to decompression and care-less handling this is
 not a viable option. There is too much legislated waste
 of fish resource as it is.

As the halibut and rockfish commercial fishing openings
 will probably coincide it can be expected that those
 holding permits for both fisheries will concentrate
 their efforts within the Sontara should the normal
 by catch retention be allowed. This will be disastrous
 to the slowly recovering rockfish populations within Sitka Sound,
 and in effect the Sontara area will vanish.

Supporting Data and Other Information (What Data is Available and Where can it be found)

① "Inshore and Shallow Offshore Bottom fish Resources in the Southeastern Gulf of Alaska" 1981-82

ADFCG Alaska Coastal Research, University of Alaska - Juneau

Prepared By: R. Rosenthal, L. Haldorson; L. Field; V. O'Connell; M. La Rivere; J. Underwood; M. Murphy;

Alaska Coastal Research

P.O. 3096

and University of Alaska

Sitka, AK 99835

- Juneau

(2) My personal letter (attached)

Mr. Richard B. Hauber, Chairman

Submitted: July 27, 1991

North Pacific Fishery Management Council / Re Submitted Aug. 6, 1991

605 West 4th Ave

Anchorage, AK 99501

Dear Mr. Hauber

I am writing this letter and submitting this proposal to express my concern about the by-catch "side effects" that will affect the Sitka Sound Demersal Shelf Rockfish Sonturay Area should the Halibut Fishery go Individual Fishing Quotas type of management.

I support I.F.Q. as a good way to go. I have been a commercial halibut fisherman since 1966 and have seen it go from year round to a day opening.

There are many advantages to both the resource and to halibut fishermen and consumers by adopting I.F.Q. management.

However, my concern is with longline gear in the water so much of the year, the by-catch of Demersal Rockfish within the established (1988) Sitka Sound Demersal Shelf Rockfish Sonturay Area will all but eliminate the protection afforded this assemblage of species in this area.

At this time in Sitka Sound and surrounding Bays and Inlets there is year round closure to directed commercial rock fishing. The ADFG made perminate this area

wide closure from an existing emergency closure status, in 1988, to allow rebuilding of the depleted populations of this assemblage of species due to concentrated over commercial harvest in the early to mid 1980s by boats from all over Southeast Alaska who concentrated their efforts in this area at that time.

Rockfish populations were reduced to very low levels during that time and as these species are extremely long lived population recovery is expected to be slow.

This area closure was intended to become a Sanctuary Area to allow the species to recover and move out into surrounding areas in the future when populations recovered.

The effectiveness and integrity of this "Sanctuary Area" is threatened if and when the Halibut IFO system is adopted unless commercial Halibut fishing is prohibited within this area at the time of IFO adoption.

With long line gear for Halibut in the water for much longer periods of time than the past 24hr openings, by-catch of the recovering Demersal Rockfish will negate all gains in the recovery of these species since 1988.

I strongly urge the Council to place the Sitka Sound Demersal Rockfish Sanctuary Area in a "closed to commercial Halibut fishing" should the IFO system be adopted.

I have been a halibut permit holder since the permit system originated in the early 1970's and have fished and sold Halibut prior to that time since 1966

Contrary to the philosophy of many other commercial fishermen I am more concerned in maintaining all species and allowing a conservative sustainable yield and not simply to "get the last fish"

My family (2 sons) were raised here and will remain here so long as the natural resources that sustain us are not depleted due to greed and "profits now"

Please consider and approve this proposal to in some restrict Sitka Round Demersal Shelf Rockfish Sanctuary Area from Commercial Halibut fishing operations and monitor the integrity and effectiveness of this area for Rockfish recovery

Sincerely
Dorothy M. Metts
103 Dowlin
Sitka, AK 99835

P.S. I am submitting this Certified mail as for the last 2 years I have repeatedly submitted the same proposal each year

... it has ...
... " ... " by ... these persons ...
...
...
...
...

6
AUG 30 1991

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

NAME OF PROPOSER: Central Bering Sea Fishermen's Association DATE: 8/28/91

ADDRESS: PO Box 88
St. Paul Island, Alaska 99660

TELEPHONE: (907) 546-2312 or 278-2312

BRIEF STATEMENT OF PROPOSAL: Settle long standing allocational and operational problems, and rationalize halibut fishery in 4C by making a 70/30 quota split between local and non-local vessels, and dumping the requirements for vessel clearance and hold inspections.

NEED AND JUSTIFICATION FOR COUNCIL ACTION: Local share for 1991 was 28%, marking fourth straight year of preemption of local efforts by larger outside fleet. Council intent during past several years discussion and analysis was for between 80% and 95% to go to local fishermen. This represents a compromise position on the part of a desparate and dissatisfied but growing local 4C fleet. Only the Council can make this determination.

FORSEEABLE IMPACTS OF PROPOSAL: Will relieve the Council of reliving this issue every year, will allow for extended seasons for local small vessel fishery, will allow non-local large vessel participation in the quota, and could relieve outside vessels of the need for vessel clearance inspections in Dutch by allowing deliveries to both Pribilof Islands, with the associated economic benefits.

ARE THERE ALTERNATE SOLUTIONS? Yes. Provide a 5,000 lb trip limit as suggested in attached proposal, and/or exclusive registration in the 4C area for vessels that take their total halibut in 4C,

SUPPORTING DATA AND OTHER INFORMATION: Attached is preliminary analysis of non-local versus local results and effort under the 1991 program. Other data available from IPHC.

Signature: *Reyenia Pletrich Jr.*
Central Bering Sea Fishermen's Association

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

NAME OF PROPOSER: Central Bering Sea Fishermen's Association **DATE:** 8/28/91

ADDRESS:
PO Box 88
St. Paul Island, Alaska 99660

Telephone: (907) 546-2312
278-2312

BRIEF STATEMENT OF PROPOSAL: Install 5,000 lb. trip limits in Area 4C for the purpose of allowing a developing small vessel local fishery to be prosecuted without preemption by a fleet of larger capacity non-local vessels. Maintain vessel clearance requirements.

NEED AND JUSTIFICATION FOR COUNCIL ACTION: Same old story. Fishing regime in 4C failed to allow significant opportunity for local small vessels. Too few openings due to large take by outside vessels, even with 10,000 pound trip limit regime. Only the Council can settle allocational problems of this nature. Discussion of IFQ and limited access programs by the Council only intensifies the need for local fishermen to establish their catch histories.

FORSEEABLE IMPACTS OF PROPOSAL: Ratcheting down to 5,000 lb trip limits together with maintaining present vessel clearance regs will effectively discourage larger capacity outside vessels from participating in 4C openers and encourage their efforts other Bering Sea halibut areas. Local share will approach the 80-90% contemplated during past years by Council analysis and allocative actions.

ARE THERE ALTERNATE SOLUTIONS? Yes. Provide an exclusive registration in the 4C area for vessels that take their total halibut catch in 4C, or an allocational 70/30 local/nonlocal compromise split as suggested in alternative proposal.

SUPPORTING DATA: Attached is preliminary analysis of non-local versus local results and effort under the 1991 program. Other data available from IPHC.

Signature: Raymond Petrunoff, Jr.
Central Bering Sea Fishermen's Association

Summary of 4C Halibut Fishery, 1991

(preliminary data obtained from IPHC and local processor on St. Paul Island)

OPENER	TOTAL CATCH	OUTSIDE VESSELS		LOCAL VESSELS	
		CATCH	#	CATCH	#
6/17-18	50,000 LBS	43,000	9	7,000	5
6/19-20	48,000 LBS	32,000	5	16,000	12
6/21-22	96,000 LBS	66,000	9	30,000	14
6/23-24	43,000 LBS	20,000	2	23,000	13
6/25-26	135,000 LBS	107,500	12	27,500	13
6/27-28	42,000	16,000	3	26,000	15
6/29-30	101,000	79,000	12	22,000	12
7/13-14	175,000	139,000	17	36,000	13
TOTALS	690,000	502,500		187,500	

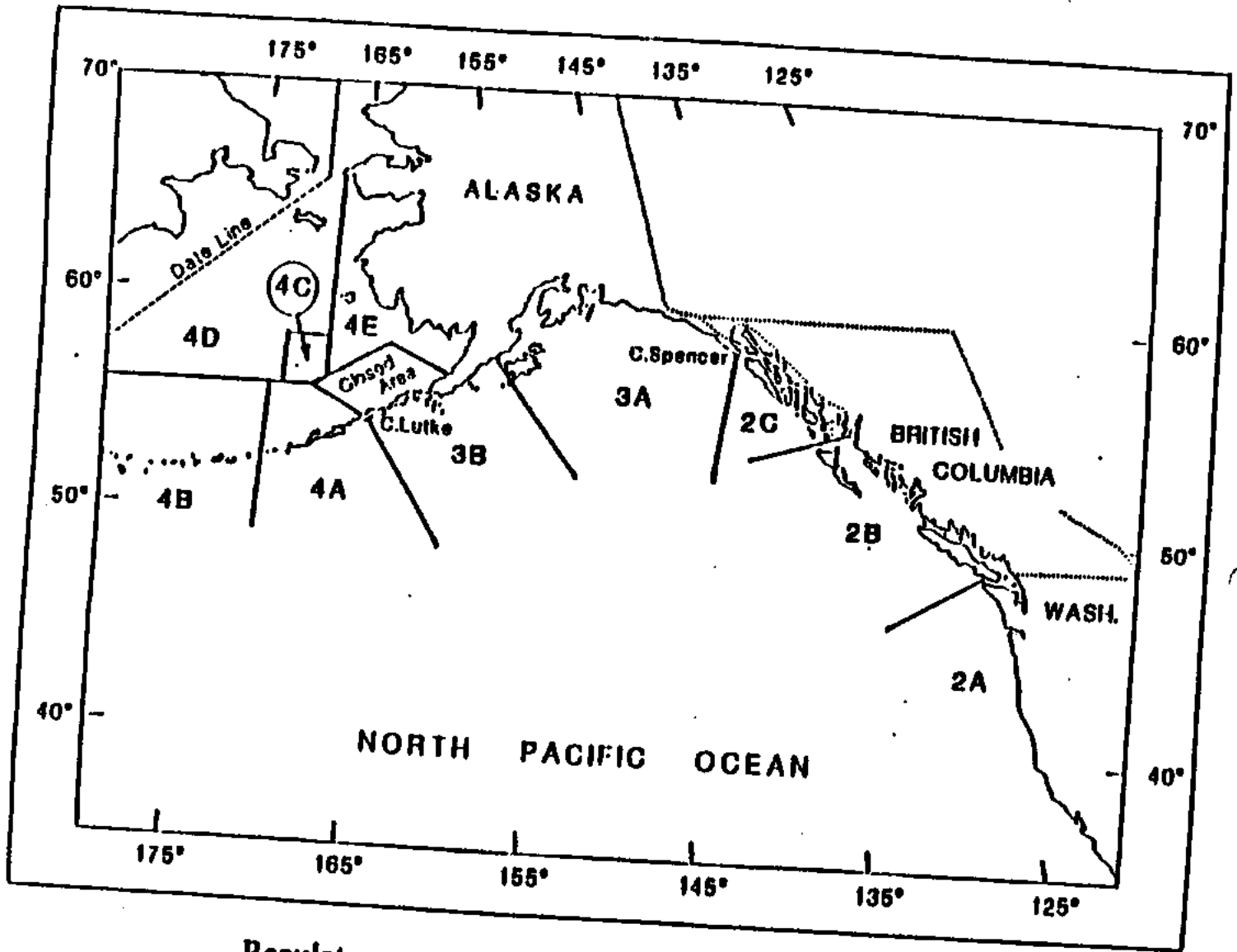
OUTSIDE VESSELS 69 TRIPS @ 7,283 LBS PER TRIP

LOCAL VESSELS 95 TRIPS @ 1,974 LBS PER TRIP

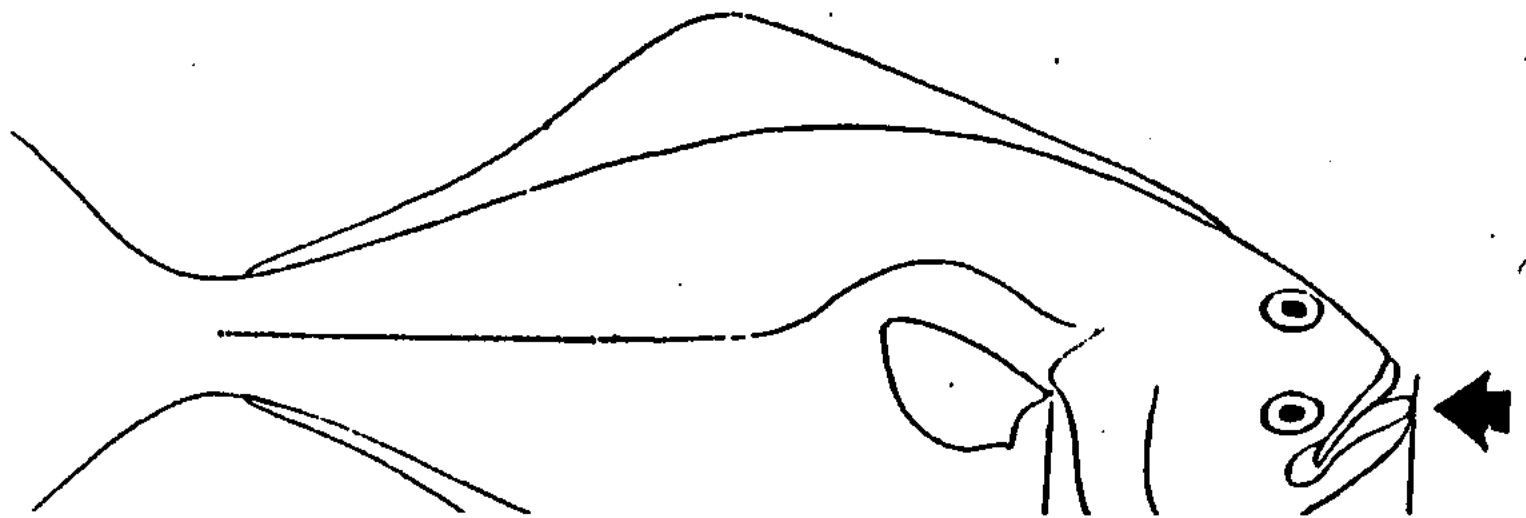
- OBSERVATIONS:
1. Without vessel clearance and inspection requirements in Dutch, there would have been three less openers in 4C.
 2. 5,000 pound trip limits, as recommended at TDX Shareholders meeting, might further eliminate outside vessels, but will also penalize more efficient local owners.
 3. A NPFMC determination of allocative split between local and non-local vessels has been discussed with representatives of the Seattle fleet. In 1989 the Council hinted at an 80-20 local/non-local split in its efforts to solve local access problem. We discussed a 70-30 split and getting rid of vessel clearance and inspection.

For the U.S.: Title 50 of the Code of Federal Regulations, Part 301,
Pacific Halibut Fisheries

For Canada: The Canada Gazette



Regulatory areas for the Pacific halibut fishery.



North Pacific Fishery Management Council

Don W. Collinsworth, Chairman
Clarence G. Pautzka, Executive Director

806 West 4th Avenue
Anchorage, Alaska 99501



Mailing Address: P.O. Box 103136
Anchorage, Alaska 99510

Telephone: (907) 271-2809
FAX (907) 271-2817

October 3, 1990

Donald McCaughran, Executive Director
International Pacific Halibut Commission
P.O. Box 9-5009
University Station
Seattle, Washington 98145-2009

Post-It™ brand fax transmittal memo 7671		# of pages	2
To	P. PLETNIKOFF		
From	S. DAVIS		
Co.			
Dept.			
Fax #			

Dear Don:

The North Pacific Fishery Management Council met last week and asked me to pass on to you and the Commission, the following recommendations on next year's halibut fisheries in Areas 4C and 4E.

For Area 4C, the Council requests that the Commission establish seasons concurrent with other fixed gear seasons in the area to encourage wider distribution of fishing effort. The 10,000-lb. trip limits for 1990 did not increase the local share of the catch as intended. Preliminary data indicate that local fishermen caught 188,000 lbs., just 34% of the 548,000 lb. total catch. This decline in local share from 1989 was attributed in part to concentration of fishing effort into 4C for lack of other longline opportunities. The Council hopes to avoid a recurrence in 1991 with this request for concurrent seasons.

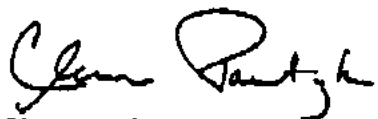
For Area 4E, the Council requests that the Commission establish a separate regulatory area in Bristol Bay, independent of the original 4E area around Nelson and Nunivak Island, with its own quota and season for 1991 if there's no conservation problems. You'll recall that last September, the Council forwarded to the Commission for action a proposal by the Bristol Bay Co-op for a small halibut fishery in Bristol Bay if there were no conservation problems. The proposal requested an area between Cape Newenham and Strogonoff Point, extending 20 miles offshore. Two openings were proposed: June 1-15 for 25,000 lbs. and August 1-15 for 25,000 lbs. The Council supported this proposal because it would benefit local communities.

In February, the Commission responded by extending Area 4E past Cape Newenham into Bristol Bay. NMFS then subdivided 4E into northern and southern areas with 70,000 and 30,000-lb. quotas, respectively. Without that division, the extension of 4E could have inadvertently created severe competition between skiff fishermen from Nelson and Nunivak Islands and fishermen from Bristol Bay having larger boats better equipped for high production fishing. Preliminary catch data indicate that local fishermen caught 25,000 lbs. of the 30,000 lb. quota in the southern area, while only 21,000 lbs. were taken from the 70,000 lbs. in the northern area. Local fishermen accounted for only 13,000 lbs. of the northern area catch.

Donald A. McCaughran
October 3, 1990
Page 2

Obviously there is considerable fishing power in Bristol Bay and northern communities are just now developing their fisheries. The Council would like to enhance the halibut fishery opportunities for local communities around Bristol Bay and in the Nelson-Nunivak Island areas, but not foster strong competition between the regions. Therefore, we request that the Commission establish separate areas and appropriate quotas if there are no conservation problems.

Sincerely,



Clarence G. Pautzke
Executive Director

cc: Council members

CENTRAL BERING SEA FISHERMEN'S ASSOCIATION

PO BOX 88

ST. PAUL ISLAND, ALASKA 99660

11/6/1990

Don Collingsworth, Chairman
North Pacific Fishery Management Council
PO Box 103136
Anchorage, Alaska 99510

Dear Chairman Collingsworth,

Subj: 1991 Halibut Season for Pribilof Island Fishermen

We have reviewed the October 3, 1990 letter from Clarence Pautzke, Executive Director of the NPFMC, to Don McCaughran, Executive Director of the IPHC. This letter, written at the direction of the Council following the Saturday, September 29, 1990 Council session, gives rise to some questions about how our 1991 4C fishing season will be arranged.

The letter suggests to the IPHC that the "Commission establish seasons concurrent with other fixed gear seasons in the area", as part of the Council's intent to spread distribution of effort. We believe this request to the Commission will be ineffective at best in solving the problem of halibut fishermen in 4C. At worst it will destroy the 1991 season for Pribilof fishermen, unless clarified.

The Council's assumption seems to be that the disaster of 1990 for local 4C halibut fishermen was a result of the speed with which the black cod quota was taken, resulting in an unintended infusion of large outside vessels into 4C by June 25th opening, even with the dreaded 10,000 pound trip limit and vessel hold and clearance inspection requirement between openers. Thus despite our best yet participation and daily catch from local fishermen, Pribilof fishermen had exactly five openers to get their share of the 4C quota. That share amounted to 34% of the total take from 4C.

Without questioning the Council's intent to avoid a recurrence, our question is this: How can the IPHC be expected to fix this problem by the adjustment of halibut seasons only? Since 1983 Central Bering Sea Fishermen's Association has gone back and forth with the Seattle/Kodiak fleet, and between the Council and Commission, to get a season set at a time when conditions in the Bering Sea are optimum for our small vessel fleet. Thus it is somewhat disquieting for us to consider that 4C halibut season might be readjusted to coincide with black cod openings. This could potentially mean opening halibut on Jan 1 (same as blackcod in the Bering Sea). Our vessels are simply too small to operate at this time of the year. In fact, opening as early as June 10 in prior years, our fleet still experienced problems due to weather.

Mr. Collingsworth, we had a suggested solution for 4C that the Council rejected as being allocative, or something that there was no time for. But we feel that a regulation that doesn't give our local vessels the extra openings they need to fish is allocative in the other direction. I'm not sure what is the best way to implement the Council's desire on this matter. But adjusting the halibut season to the blackcod season will not work, if it means changing the window of opportunity our fishermen have in late June and early July. From our point of view, if the Council wants to distribute the effort, the timing of the blackcod openings should be adjusted, perhaps in the following manner:

GOA: Change blackcod opening from April 1 to June 1
BSAI: Change blackcod opening from January 1 to June 1
BS/AI: Adjust halibut Area IV, so that areas A,B,C,D,E open on the same days

This suggestion, of course, cannot be handled by the IPHC, and would require further Council action. For many years now, the halibut seasons have been set for the convenience of a Seattle fleet that starts in Southeast and works it way through the Gulf to the Bering Sea and back. Our ability to obtain something for the convenience of Aleut fishermen (who want their deserved share of the 1% of the total halibut resource allotted to 4C) in the IPHC forum is close to zero, based on the numbers.

We regret that the Council forum has become so contentious, and that the simple request of the Aleuts for resource access has become the proverbial football in a big money game. In our own minds a request for a percentage of the resources is a logical request that anyone might make who lives in the middle of the resource pool. It is unfortunate that in Alaska's history, resource claims emanating from San Francisco, or Seattle, or even Russia, seem to carry more weight.

We will be happy to discuss the halibut situation with you or anyone you may designate from either Council or State staffs. Our fishermen do not want, by this action, to be any further restricted from access to the resources around our islands than we already have been by a runaway fishery.

Your assistance is respectfully requested.

Sincerely,


Penfenia Pletnikoff, Jr., President
Central Bering Sea Fishermen's Association

cc. Don McCaughran, IPHC Executive Director
Congressman Don Young
Senator Ted Stevens

(6) A new license is required for a vessel that is sold, transferred, renamed, or redocumented.

(7) The license required under this section is in addition to any license, however designated, that is required under the laws of Canada or any of its Provinces or the United States or any of its States.

(8) The United States may suspend, revoke, or modify any license issued under this section under policies and procedures in 15 CFR Part 904.

Vessel Clearance

13. (1) No person other than a person who lands his total annual halibut catch at ports within Areas 4A, 4B, 4C, 4D, 4E, or the closed area defined in section 8 shall fish for halibut in Areas 4A, 4B, or 4D from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing and before the unloading of any halibut caught in Areas 4A, 4B, or 4D.

(2) No person other than a person who lands his total annual halibut catch at a port within Area 4C may fish for halibut in Area 4C from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing in each fishing period that applies to Area 4C and before the unloading of any halibut caught in that Area.

(3) No person other than a person who lands his total annual halibut catch at a port within Area 4E, or the closed area defined in section 8 may fish for halibut in Area 4E from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing in each fishing period that applies to Area 4E and before the unloading of any halibut caught in that Area.

(4) The vessel clearances required for halibut fishing under subsections (1), (2), and (3) are mutually exclusive.

(5) The vessel clearances required under subsections (1), (2), and (3) may be obtained only at Dutch Harbor or Akutan, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.

(6) The vessel operator shall specify the specific fishing period and regulatory area(s) in which fishing will take place.

(7) Vessel clearances required under subsections (1), (2), and (3) prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0800 and 1800 hours, local time.

(8) No halibut shall be on board at the time of the clearance required by subsection (7).

7
AUG 30

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

Date: August 28, 1991

NAME OF PROPOSER: Central Bering Sea Fishermen's Association

ADDRESS: PO Box 88
St. Paul Island, Alaska 99660

TELEPHONE: (907) 546-2312 or 278-2312

BRIEF STATEMENT OF PROPOSAL: Make Boundary Change to Area 4C to allow for Westward extension from 171 degrees W to 172 degrees W., and southward extension from 56 degrees, 20 minutes to 56 degrees, 0 minutes, N. New 4C area will be from 56 degrees North to 58 degrees North, and from 168 degrees West to 172 W.

OBJECTIVES: Establish consistent zone for both halibut and sablefish longline fisheries around the Pribilof Islands. Establishes consistent district around the Pribilof Islands for prosecution of longline fisheries, implementation of bycatch regimes, statistical consistency, and special habitat protections around the Pribilof Islands.

NEED AND JUSTIFICATION FOR COUNCIL ACTION: Consistency in halibut and sablefish management zones, and limitations on halibut bycatch are major objectives of the Council. This action, requested by CBSFA at the Jan, 1991 IPHC meeting, was viewed as allocational by the Commission, and is therefore appropriately before the Council. Inconsistencies between halibut and sablefish management areas hinder implementation of effective bycatch programs.

FORSEEABLE IMPACTS OF PROPOSAL: Better scientific and bycatch information from consistent statistical zones, access to sablefish stocks for Area 4C local fishermen. Incorporates small portion of continental slope into Pribilof habitat zone.

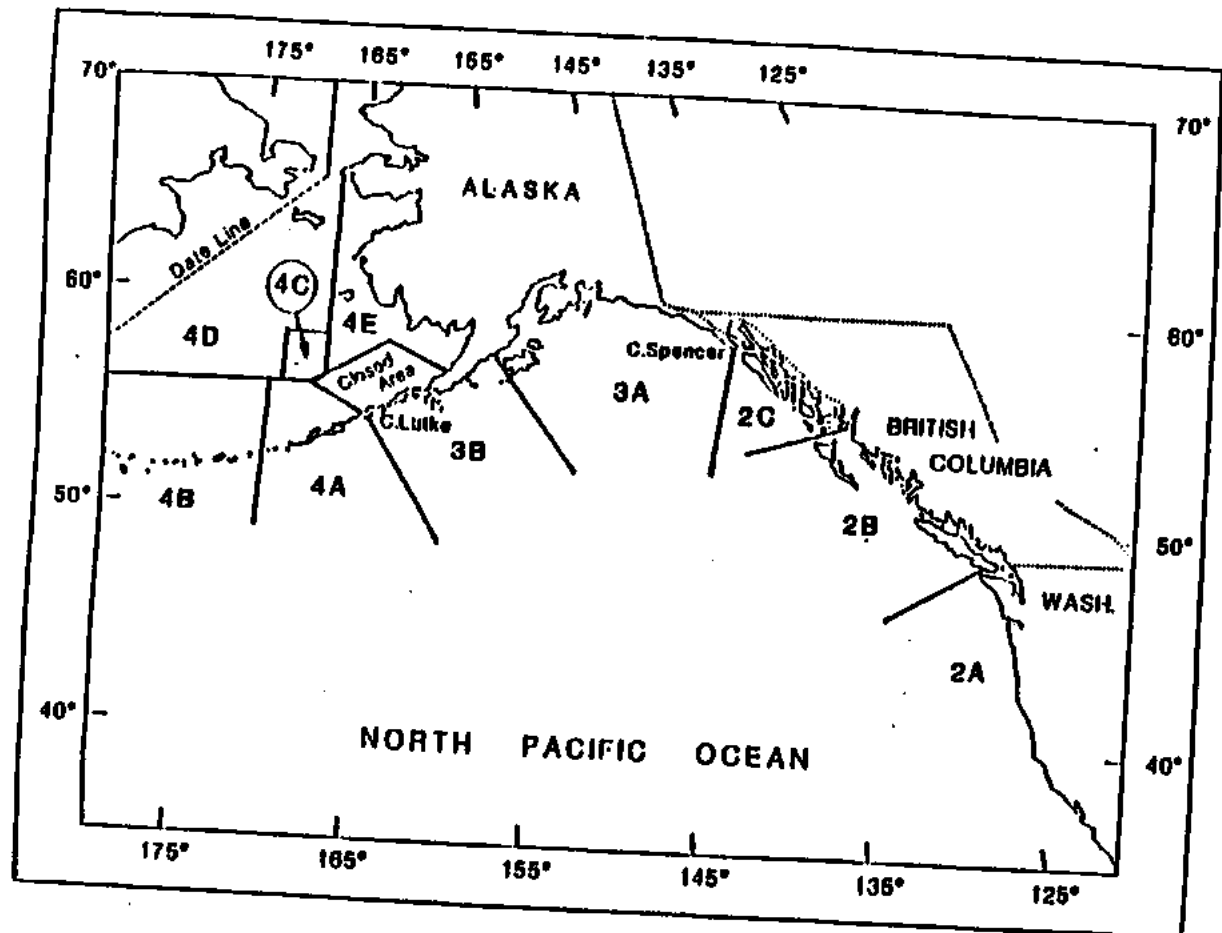
ALTERNATIVE SOLUTIONS? Yes. Maintain present confusing arrangement that seems to favor high halibut bycatch, and statistical inconsistency.

SUPPORTING DATA & OTHER INFORMATION: ATTACHED.

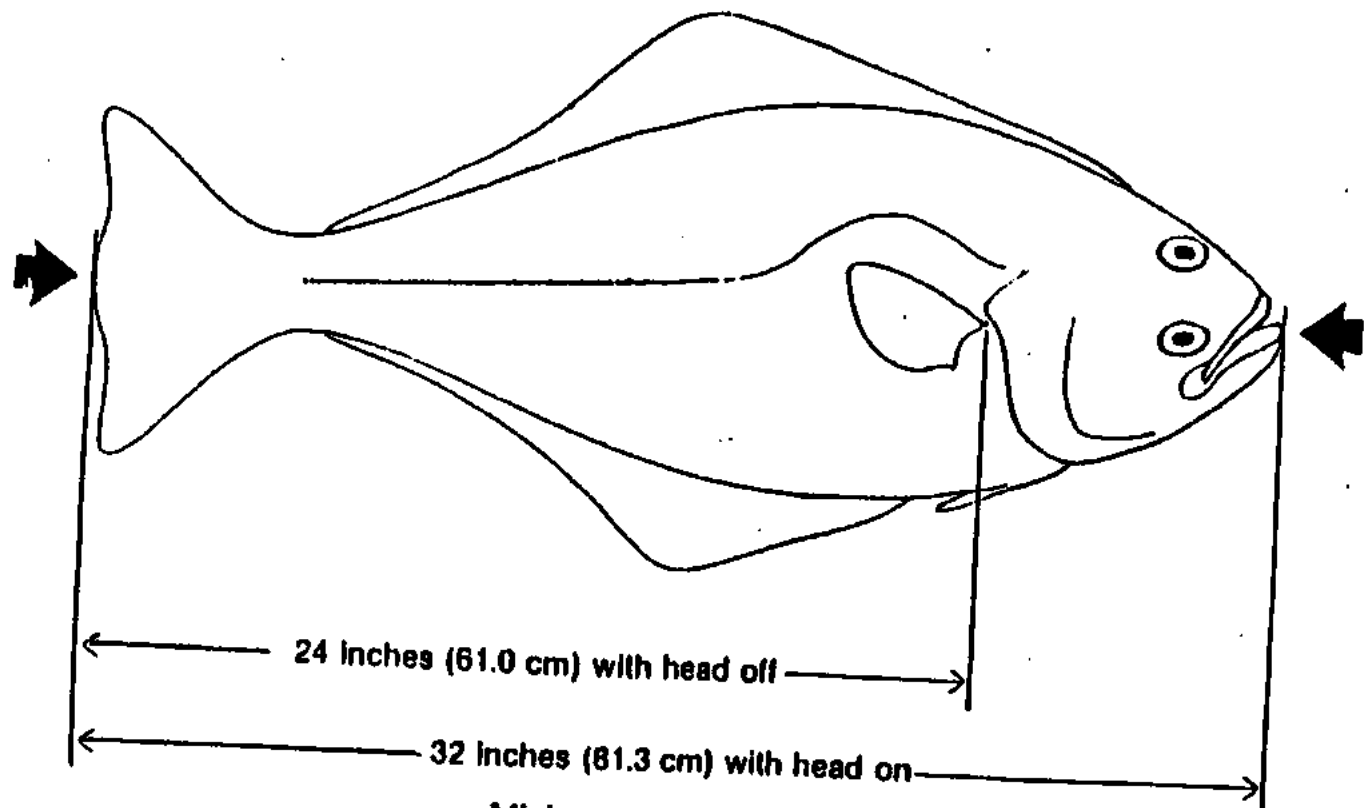
Refenia Plechukoff Jr.

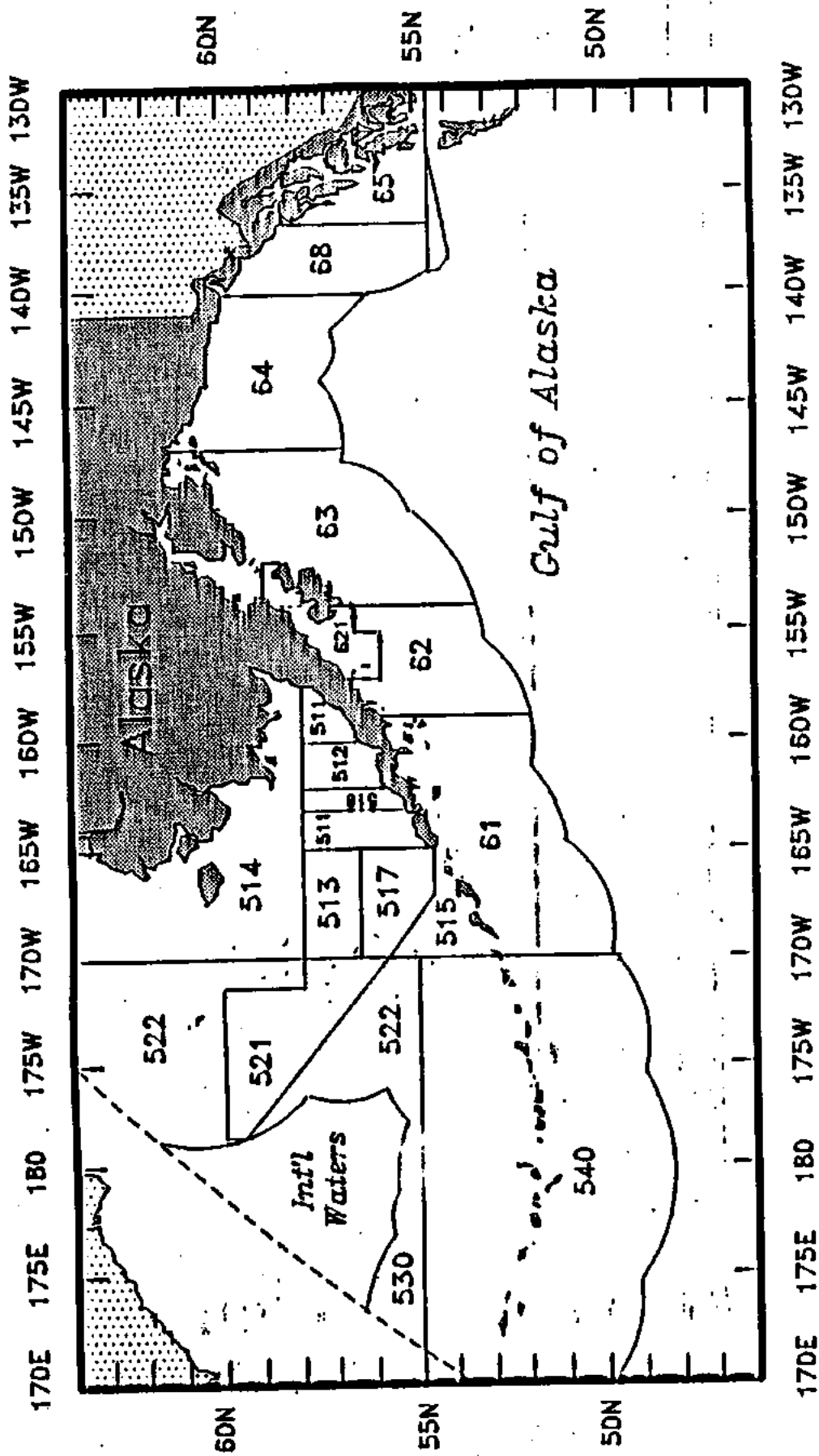
For the U.S.: Title 50 of the Code of Federal Regulations, Part 301,
Pacific Halibut Fisheries

For Canada: The Canada Gazette

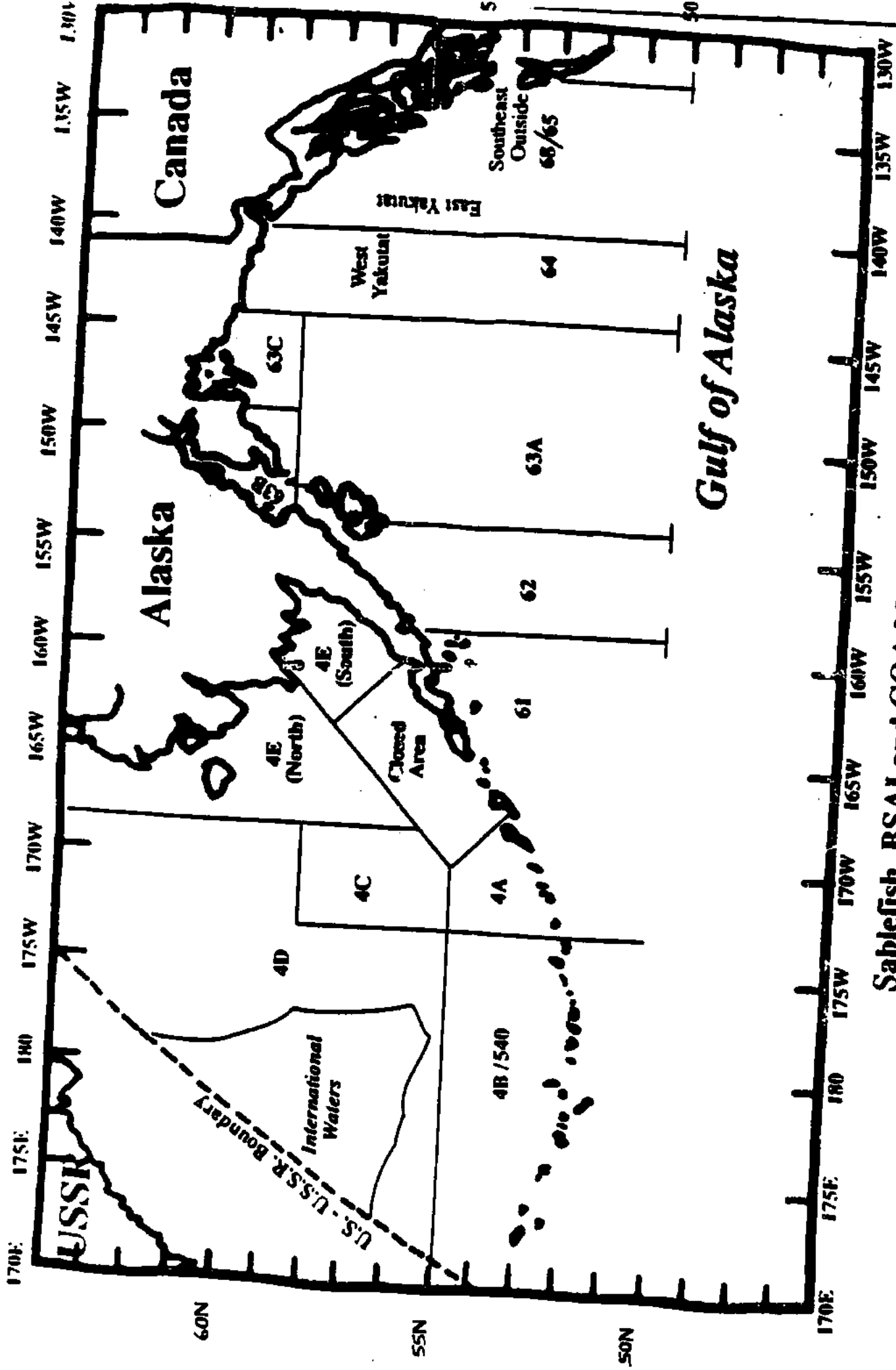


Regulatory areas for the Pacific halibut fishery.





NMFS Statistical Reporting Areas for Groundfish
1989



Sablefish, BSAI and COA Management Areas

CENTRAL BERING SEA FISHERMEN'S ASSOCIATION
PO BOX 88
ST. PAUL ISLAND, ALASKA 99660
JANUARY 7, 1991

Don McCaughran, Executive Director
International Pacific Halibut Commission
Box 95009
Seattle, Washington 98145-2009

Dear Dr. McCaughran,

Subj: Request For Boundary Change, IPHC 4C

Our association has requested the NPFMC to amend its Bering Sea Groundfish Management Plan to provide for a no bottom trawl zone around the Pribilof Islands to protect halibut, marine mammal, crustacean, seabird and other unique fishery and habitat resources in the area. We have pretty good scientific basis for this request including the University of Washington studies on BKC and KHC habitat, the decline in fur seals, sea lions, seabirds, etc. We have heard repeatedly at IPHC that the Bering Sea is the nursery grounds for halibut. And annual discussions of the impacts of bottom trawl bycatch make a very strong impression as well. We have attached a copy of proposed amendment for your information and request that you take the time to review and discuss it with IPHC staff.

In connection with this proposed amendment, we would also like IPHC to consider changing the west boundary of 4C from longitude 171 degrees W to 172 degrees W longitude. This would provide greater continuity and match up between 4A and 4B in the halibut fishery, and would have the effect of changing bycatch regulatory areas as well, which lines have been arbitrarily drawn in a manner that splits the Pribilof Islands into two districts for bycatch purposes. We have separately requested that NPFMC move the boundary of bycatch limitation zone around the Pribilofs two degree to the West also, which would provide for one regulatory zone around the Pribilofs for all fisheries. The westward projection of 4C would include at least a portion of the shelf where considerable halibut bycatch takes place.

We hope the staff will have time to consider our request in time for the IPHC annual meeting. Thank you for consideration of this request, which we feel should receive good support from those interested in preserving halibut fisheries for the long term.

Sincerely,


Pert Pletnikoff, President
Central Bering Sea Fishermen's Association

Attachments: No Bottom Trawl Zone Proposal
Ltr. 4/12/90 Larry Cotter

PACIFIC HALIBUT FISHERY REGULATIONS 1989

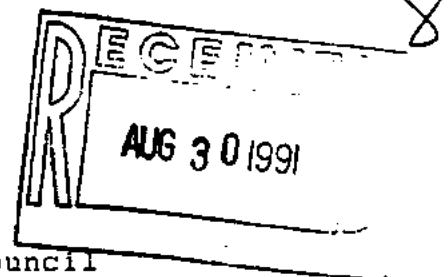
coasts of Alaska, within the respective maritime areas in which each of those countries exercises exclusive fisheries jurisdiction as of March 29, 1979.

- (2) Sections 5 to 18 apply to commercial fishing for halibut.
- (3) Section 19 applies to fishing for halibut by United States treaty Indian tribes in the State of Washington.
- (4) Section 20 applies to sport fishing for halibut.
- (5) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

Regulatory Areas

5. The following areas shall be regulatory areas for the purposes of the Convention:
 - (1) Area 2A includes all waters off the coasts of the states of California, Oregon, and Washington;
 - (2) Area 2B includes all waters off the coast of British Columbia;
 - (3) Area 2C includes all waters off the coast of Alaska that are east of a line running 340° true from Cape Spencer Light (latitude 58°11'57" N., longitude 136°38'18" W.), and south and east of a line running 205° true from said light;
 - (4) Area 3A includes all waters between Area 2C and a line extending from the most northerly point on Cape Aklek (latitude 57°41'15" N., longitude 155°35'00" W.) to Cape Ikolik (latitude 57°17'17" N., longitude 154°47'18" W.), then along the Kodiak Island coastline to Cape Trinity (latitude 56°44'50" N., longitude 154°08'44" W.), then 140° true;
 - (5) Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (latitude 54°29'00" N., longitude 164°20'00" W.) and south of latitude 54°49'00" N. in Isanotski Pass;
 - (6) Area 4A includes all waters in the Gulf of Alaska west of Area 3B and in the Bering Sea west of the closed area defined in section 8 that are east of longitude 172°00'00" W. and south of latitude 56°20'00" N.;
 - (7) Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of Area 4A and south of latitude 56°20'00" N.;
 - (8) Area 4C includes all waters in the Bering Sea north of Area 4A and north of the closed area defined in section 8 which are east of longitude 171°00'00" W., south of latitude 58°00'00" N., and west of longitude 168°00'00" W.;
 - (9) Area 4D includes all waters in the Bering Sea north of Areas 4A and 4B, north and west of Area 4C, and west of longitude 168°00'00" W.;
 - (10) Area 4E includes all waters in the Bering Sea north of the closed area defined in section 8, east of longitude 168°00'00" W., and south of latitude 65°34'00" N.

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council



Name of Proposer: Peter Michael Farris

Date: 25 Aug 91

Address: 3225 W. 81st Ave.
Anchorage, AK 99502

Telephone: (907)248-5121
(907)279-7611

Brief Statement of Proposal:

I propose that Trip Limits, Area Registration, Allocations & Seasons, Gear Quotas, Time & Area Closures, as well as Bycatch Limitations; be used in management of the resource and fishery, and that a prohibition be imposed on the use of Capital Construction Fund or Subsidized Financing for the replacement of vessels presently engaged in the halibut fishery, unless vessels being replaced are permanently withdrawn from the halibut fishery. (Please see Appendix "A")

Objectives of Proposal:

This proposal is recommended as a means to control the excess harvesting capacity available in this particular fishery. The IFQ proposals presently under consideration are not a solution to the problem, they merely restrict the number of persons who will be allowed to continue the overharvest. (See Appendix "B")

Need and Justification for Council Action:

The recommendations contained in this proposal are an alternative to the existing proposals for IFQ management, most of which appear to originate in the Council. The intent of this proposal is to request that the Council consider "Traditional Management Tools" before imposing an untested, draconian, expensive, and nearly irreversible system on the people of Alaska, as well as on the rest of the U.S. Pacific Northwest.

Foreseeable Impacts of Proposal:

Due to the fact that IPHC has responsibility for the biological health of the fishery, this proposal will not cause any impact from the standpoint of conservation management--quotas and seasons will be the same regardless of the method used to allocate the resource. There is no question that the excess harvest capacity available in this fishery is partially attributable to the anticipation that future permanent allocation (IFQ) of the resource will be based on present utilization level.

It is a foregone conclusion that many members of the fishing community are basing their current level of effort on that expectation. This proposal would eliminate the excessive level of effort attributable to the desire to "lock in" a permanent allocation of the resource, as well as eliminate subsidized increases in the number of vessels constructed to harvest it.

Are there alternative solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?

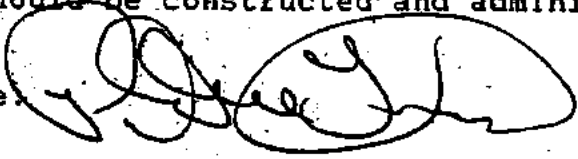
There are many alternative solutions. They are the same solutions available in the management of groundfish, crab, and other fisheries. They include: ITQ, License limitations, Auction, Community Development Quotas, and the option of continuing the status quo.

This proposal is superior to the alternatives since it will allow a measured imposition of regulatory interference in the fishery to cause an equitable division of the resource. It will further allow a reduction in the present level of effort, without sounding an immediate death knell to both the freedom of individual opportunity and to the economies of Alaskan coastal communities.

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

I suggest that the recent imposition of IFQ management on the sablefish and halibut fisheries in Western Canada will provide a good opportunity to study the real effect of such a system. This proposal will allow the American fishery to be managed with a view toward causing an across the board reduction in the level of effort while studying the administrative and social costs of the IFQ system. In the likely event that the IFQ system proves to be more costly and economically disruptive than originally anticipated we will not be committed to it before such side effects are evident. If, on the other hand it proves to be the panacea claimed by some members of the council and the industry, we will be able to implement it with a better understanding of how it should be constructed and administered.

Signature

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, written over the word "Signature".

APPENDIX "A"

1. Trip limits. The number of trips, and the duration thereof, allowed per vessel during the season should be limited to allow all participants to have an equal opportunity to harvest the resource. Vessels would be required to notify the appropriate authorities prior to departure from port and also after fishing during the allowed period has been completed.

2. Area Registration. Vessels should be allowed to fish in one area only. This will ensure that effort is expended where the resource is most available, and will additionally allow vessels from local communities to participate--which will allow the continuation of much needed revenue to those communities.

3. Quarterly/Semi Annual/Tri Annual Allocations and Seasons. If it appears that allocation of effort or catch is biologically or economically appropriate to the management of the fishery, then seasonal allocative actions should be taken as required to distribute the resource equitably. Such seasons or allocations could be used to control the flow of product to the market and to processors to ensure both availability and high quality.

4. Gear Quotas: Gear quotas should be implemented based on vessel size and location. Such quotas should be based on the capacity of a vessel to handle the volume of fish landed aboard to maximize the quality of such fish at the time they are delivered to processors or market destinations. Such quotas could be easily enforced by vessel inspections made by ADF&G or other agencies.

5. Time and Area Closures. The same concerns which apply to seasons or seasonal allocations apply to area closures. They should be applied by fishery managers to ensure that both biological strength of the resource and product quality are optimum. A vessel should be required to inform the appropriate authority prior to engaging in fishing during whatever time period it elects to fish, and to report to the same agency after such activities are ceased. (See above, "Trip Limits")

6. Restriction of use of CCF funds to the replacement of vessels. When a vessel is constructed for use in the Halibut fishery, the vessel which it replaces will be removed from and not be allowed to re-enter the fishery. The vessel ID# record would be used to determine whether a vessel is eligible to receive an IPHC license to fish.

APPENDIX "A"

APPENDIX "A" (CONT)

7. Moratorium on assisted financing for vessels to be used in the Halibut fishery. State and federal subsidies should be withdrawn for all new vessels intended for use in this fishery until excess harvest capacity has been eliminated. If a vessel will be used in these fisheries it should be constructed and financed at current market rates. In the event market rates are too high to support construction or financing of such vessels it can be assumed that the fisheries are not profitable enough due to excess harvesting capacity, and that such vessels are not needed to harvest the resource.

8. Bycatch Limitations: Funds should be allocated for the research and development of gear and equipment which will minimize the bycatch of halibut by fisheries targeting on other species. Funds should be made available to assist in the widest possible utilization of such devices by participants in those other fisheries. The present system causes the waste of a large proportion of the halibut resource which would be available to offset the present overcapacity of the halibut fishery.

"APPENDIX A"

APPENDIX "B"

The problem as it presently exists is that there is an excess harvest capacity in the halibut fishery. This results in a poor flow of product to the market, a diminution of quality in that product, and in a lack of economic viability to the participants in the fishery.

The IFQ system has been suggested as a means to solve these problems. The view that IFQ management will enhance the economic viability of the fishery is a total myth: It will only do so for the tiny minority of participants who are able to qualify for-- and to retain--an IFQ share. The rest of the current participants will, as they say, be "history."

All other concerns relative to the management of the fishery will have to be dealt with using other kinds of management tools whether IFQ's are imposed or not, since it is evident that allocation of the resource is the only result of an IFQ system.

It is the objective of this proposal to offer a solution to the problems in the halibut fishery without causing an unnecessary and inequitable distribution of the resource to a select segment of society. The IFQ system, if imposed, will injure many people and many communities. It will not even begin to solve a single real problem without implementation of some of the management suggestions offered in this proposal.

IFQ management will be very expensive. The cost will have to be paid by someone--most likely the participants. This will be an increased cost which does nothing to address the other problems which exist in the fishery; and which are more fundamental to it's economic viability. This will increase fixed operating costs to the holders of IFQ's, with the result that many will be unable to retain their shares.

There is no question whatever that no IFQ proposal is in itself relevant to solution of the basic problems endemic in the fishery which relate to product quality and availability, vessel safety, biological health of the resource, or any other universally valid concern; nor is any IFQ proposal fair or equitable. Every IFQ proposal being considered is a mishmash of management and allocative objectives. The management objectives are better served by being considered separately, and the allocative objectives are better left to the free marketplace for determination.

APPENDIX "B"

APPENDIX "B" (CONT)

The coastal communities of Alaska will unquestionably suffer a severe economic shock should an IFQ system be implemented, as a result of the extremely high administrative cost of that system; as well as due to the elimination of availability of the resource to public access where there already exists a disproportionately limited pool of economic opportunity.

An IFQ management system has been widely promoted as the solution to overcapacity in the halibut fishery. Not only will there be serious socio-economic side effects caused by the imposition of the IFQ management system, together with questions concerning the basic constitutional legality of the selective allocation of a public resource, but also an IFQ system will only restrict the number of people who are to be allowed to continue the overharvest. In addition, the IFQ system will base the allocation of the resource on the extent to which a participant is presently overharvesting.

APPENDIX "B"

SEP 18 1991

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fisheries Management Council

LATE

Name of Proposer: Ken Duffus

Date: September 13, 1991

Address: 20441 Ptarmigan Blvd, Eagle River, AK 99577

COPY FOR YOUR
INFORMATION

Telephone: (907)694-2359

Brief Statement of Proposal: I respectfully request that the NPFMC take immediate action to implement a limited entry system for the Halibut similar to that already in use by the State of Alaska. (See attachment #1 for details)

Objectives of Proposal: (What is the problem?) The problem the fishery is and has been facing for some time should be quite evident to all involved and not require additional instruction, however for the sake of filling out this form here goes:

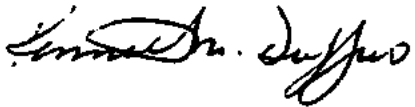
The plague is upon the North Pacific Halibut fishery with too many boats fishing too few fish. This problem first showed up in the early 1980's. As the responsible agencies for the fisheries' management were pointing fingers as to whom should do what, the problem exponentially grew. Today we are harvesting tens of millions of pounds of halibut within 2 or 3 days, wasting millions of pounds through lost gear, having high juvenile mortality and failing to maximize the economic use of the resource. (See Attachment #2)

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) The NPFMC appears to be the responsible agency for resolving these issues. Only the council can implement regulations to reduce the over fishing, provide for a stable harvest, reduce juvenile mortality and save lives and property. The council's inaction to date further illustrates that biological and conservation management by the IHPC can not resolve the problems previously identified. In my opinion by the Councils failure to implement any regulations makes it directly and indirectly responsible for the many lives and property lost during these openings.

Foreseeable Impacts of Proposal: (Who wins, who loses?) If this proposal or a similar one is implemented, the fishermen, the processors, the resource, the consumer and indirectly insurance companies will benefit from this action. Those who would be negatively affected are future permit holders, freezer storage operators and gear suppliers.

Are There Alternative Solutions? If so, What are they and why do you consider your proposal the best way of solving the problem? While there are numerous alternatives being discussed, (IFQ's especially) no proposal has fairly and equitably distributed the existing fisheries' allocation to the fleet. The issue of how to allocate the resource and how much to allocate may never meet everyone's expectations. The council can easily decide who can fish by implementing this proposal. By only issuing permits to those who have previously had permits and actually delivered fish we will at least close the barn door. This would allow the council to resolve the other problems while defining at least the universe of fishermen and harvesting capabilities. This uses an already existing system that has worked well in the salmon fishery without exception and does not require a new bureaucratic regulatory agency or army of watch dogs. Why reinvent a new system when one already exists that works.

Supportive Data & Other Information: What data is available and where can they be found? One only has to look at the State of Alaska's management of the salmon fishery to see a successful program utilizing a limited entry system. The data supporting a discontinuation of present policy is found at the bottom of the ocean, in the Coast Guard logs and sometimes if you're lucky washed up on the desolate beaches.

Signature: 

ATTACHMENT #2

Objectives of Proposal: (cont.)

We have been blessed with an abundant resource. No other resource receives intense concentrated fishing pressure as that of the halibut. This can be directly attributed to the NPFMC failing to implement prudent s fro continued entry into the fishery in the early 1980's. However, we shouldn't dwell in the past nor should we repeat it. The halibut resource through the NPFMC's previous inaction is being misused and will continue if unless it is immediately stopped. The impact of our present wasteful actions on our fishery may not be known for years to come. The need to change our present course of action is critical. As we look beyond the next fishing season and into the next century, the demand to produce more food for the world will increase as the available supply will potentially decrease. How we handle today's resources will ultimately be reflected in our future production. Let us set aside some of our greed and help preserve some for the future through better management of the resource.

As the profit is being taken out of the fishery, fishermen place life, limb and property on the line to maximize there catch with the 24 hour window of opportunity given to them by the council. Fishermen employ more gear and wasteful techniques to give them an edge in making expenses, make a payment or just profit. As the fishermen try to meet the demands placed on them sometimes they lose their gear, sometimes their boats and unfortunately there lives also. It could almost be a game show or a Las Vegas bet - not whether a boat will go down or a life will be lost but just how many. It must make the members of this council proud that they are personally responsible for the deaths of fishermen do to their irresponsible actions.

In addition to the above concerns, this proposal reduces the potential for a few large vessels from the lower 48 exploiting the majority of the resource at the expense of the local small boat fleets and the communities that support them.

Finally the proposal will allow for a higher quality product reaching the market place at a more stable price.

HALIBUT MANAGEMENT TEAM REPORT ON 1992 CYCLE PROPOSALS
September 4, 1991

The Halibut Plan Team met on September 4, 1991 at the Alaska Fisheries Science Center in Seattle to review the eight proposals received by the Council offices regarding changes in the management of the halibut fisheries. Present were Chairman Grant Thompson (AFSC), Earl Krieger (ADF&G), Jay Ginter (NMFS), Gregg Williams, (IPHC), and Chris Oliver and Brent Paine of the Council staff. The following is a brief summary of the proposals and the Halibut Plan Teams discussion of them:

Proposal #1: Use normal (traditional) management tools to manage the halibut fisheries.

The Team noted that this proposal was submitted in the context of a comment on the proposed IFQ system of management for the halibut fisheries. Therefore, the Team recommends entering this proposal as a comment on the proposed changes in halibut management and taking no action on the proposal.

Proposal #2: Retention of bycatch halibut to be forfeited to government to fund management.

Because this is a bycatch issue, the Team recommends that the proposal be considered in the context of the Council's overall bycatch initiative rather than as a separate halibut regulatory amendment. Team noted also that this proposal would be in conflict with existing IPHC gear regulations.

Proposal #3: An allocation of 100,000 pounds of halibut to each small boat fisherperson.

The Team considered this a comment on proposed IFQ management program. Team also noted that such a proposal, if enacted, would result in a substantial overharvest of halibut.

Proposal #4: Allow a 25 minute window of opportunity to return live halibut to the water and not be counted against the bycatch caps.

Because this is a bycatch issue, the Team recommends that the proposal be considered in the context of the Council's overall bycatch initiative rather than as a separate halibut regulatory amendment. A similar proposal is contained in the groundfish proposal package.

Proposal #5: Place the Sitka Sound DSR Sanctuary off limits to halibut fishing if an IFQ system is adopted.

This would fall under State of Alaska jurisdiction. The same proposal is contained in the groundfish proposal package.

Proposal #6: For IPHC Area 4C, a 70/30 quota split between local and non-local vessels.

The Team notes that the Council has addressed this issue several times in recent years. Although the Council has never made its objective explicit, it seems unlikely that the current regulations regarding trip limits and vessel clearance requirements are accomplishing their intended purpose. If the Council wishes to achieve a specific split between local and non-local vessels in Area 4C, the Team recommends that the Council state its objective, allocate the quota directly, and eliminate the trip limits and vessel clearance requirements. However, rather than developing a specific

regulatory amendment for the Area 4C fishery, the Team feels that it might be more appropriate to make any direct allocation within the framework of the Council's proposed IFQ program.

Proposal #6b: In lieu of above action, install a 5,000 lb trip limit in Area 4C.

Team notes that a direct allocation, such as described in proposal #6, would be a more direct path to take if it is the goal of the Council to make such an allocation.

Proposal #7: Westward and Southward expansion of Area 4C.

Team notes that area boundary issues are under the jurisdiction of the IPHC.

Proposal #8: Traditional management tools for the halibut fisheries and a prohibition on using the Capital Construction Fund to replace vessels in the halibut fishery.

The Team notes that part of this proposal is a comment on proposed IFQ program; the other part is probably outside of the Council's jurisdiction.

In summary, the Halibut Management Team considers only Proposal #6 to be appropriate for consideration as a halibut regulatory amendment, and then only if the Council articulates a specific allocational objective that cannot be better addressed through the proposed IFQ program.

HALIBUT FIXED GEAR MANAGEMENT PLAN

Sec.1. DEFINITIONS. Definitions for terms used herein shall be the same as those contained in the Magnuson Fishery Conservation and Management Act, except as follows:

- (A) "Person" means any individual who is a citizen of the United States or any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any state) which meets the requirements set forth in 46 CFR Part 67.03, as applicable. This definition is subject to other restrictions and conditions as set forth in Sec.(2)(C) and (D).
- (B) An "individual" shall be defined as a natural person who is not a corporation, partnership, association, or other entity.
- (C) "Quota share" (QS) means a percentage of the fixed gear Total Allowable Catch (TAC) for each management area which is based on historical, qualifying landings.
- (D) "Individual fishery quota" (IFQ) means the annual poundage of fish derived by applying the quota share percentage to the annual TAC for each management area.
- (E) "Fixed gear" means hook and line fishery (which includes longlines, jigging, handlines, trolling, etc.).
- (F) "Catcher boat" or "catcher vessel" means any vessel which delivers catch or landing in an unfrozen state.
- (G) "Freezer longliner" means any vessel engaged in fishing in the fixed gear fishery which utilizes freezer capacity and delivers some or all of its groundfish product in a frozen state.
- (H) "Bonafide fixed gear crewmember." Any person that has acquired commercial fish harvesting time at sea (i.e. fish harvesting crew), that is equal to 15 months of any commercial fish harvesting activity, to include at least 4 months fixed gear fish harvesting, will be considered a bonafide fixed gear crewmember. Any individual who receives an initial allocation of QS will be considered a bonafide crew member.

Sec.2. FIXED GEAR QUOTA SHARE AND INDIVIDUAL FISHERY QUOTA SYSTEM FOR HALIBUT.

- (A) **AREA.** Quota shares and Individual Fishery Quotas (IFQs) shall be made available for each of the management areas identified for the Bering Sea and the Gulf of Alaska.
- (B) **INITIAL QUOTA SHARE ASSIGNMENT.** Quota Shares and Individual Fisheries Quotas shall be assigned to qualified persons on the following basis:
 - (1) Initial assignments of Quota Shares shall be made to;
 - (i) a qualified person who is a vessel owner who meets the requirements in this section; or

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- (ii) a qualified person who meets the requirements of this section engaged in a lease or other "bare-boat charter" arrangement in order to participate in the fishery. (For instances identified under this section, the qualified person shall receive full credit for deliveries made while conducting the fishery under such a lease or arrangement.)
 - (2) Initial quota share assignments will be made only to persons who meet all other requirements of this section and who have landed halibut in either 1988, 1989, or 1990.
 - (3) Initial assignments of quota shares shall be assigned for each management area to qualified persons based on recorded landings, as documented through fish tickets or other documentation for fixed gear landings, for the period 1984 through 1990. For each management area, each person will select five (5) years out of seven (7) on which to base that person's quota share.
 - (4) The sum of the catch in each person's five (5) selected years for each area shall be divided by the total qualifying poundage of all halibut harvested for the qualifying period in those selected areas. The resultant percentage shall be that person's quota share for that area.
- (C) **VESSEL CATEGORIES.** Quota shares and IFQs shall be assigned by vessel category as follows:
- (1) **Freezer Longliner Shares:**
 - (i) All landings made during the qualifying period by freezer longliners shall be calculated for one category of quota shares.
 - (ii) Any person owning freezer longliner quota shares may sell or lease those quota shares to any other qualified person for use in the freezer longliner category.
 - (iii) Fish caught with freezer longliner IFQs may be delivered frozen or unfrozen.
 - (2) **Catcher Boat Shares:**
 - (i) All landings made during the qualifying period by catcher boats shall be calculated for a separate category of quota shares. There shall be two categories for catcher boats:
 - (a) vessels less than 60 feet in length overall;
 - (b) vessels 60 feet and greater in length overall.
 - (ii) For initial allocation of catcher boat Quota Shares:
 - (a) if a QS recipient owned or leased two or more vessels, of differing category sizes, simultaneously during the qualifying period which landed halibut, then the QS allocation shall be for each vessel category and may not be combined into a single category.

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- (b) if a Q.S. recipient bought or sold vessels in succession during the qualifying period, and to the extent the QS recipient operations were in one vessel category during one year and the next vessel owned was in another vessel category, the QS will be combined and applied to the last vessel category of ownership as of 9/25/91.
 - (iii) Any person owning catcher boat quota shares may sell those quota shares only to an individual meeting the provisions outlined under Sec. 2(C)(3). Ten percent of an individual's catcher boat quota shares may be leased during the first three years following implementation. (paraphrased)
 - (iv) Fish caught with catcher boat quota shares may not be frozen aboard the vessel utilizing those quota shares.
- (3) **General Provisions For Catcher Boats Following Initial Allocation:**
- (i) In order to purchase or lease QS, the purchaser must be an individual who is a U.S. citizen and be a bonafide fixed gear crewmember.
 - (ii) In order to use catcher boat IFQs the user must: 1) own or lease the QS, 2) be a U.S. citizen, 3) be a bonafide crewmember, 4) be aboard the vessel during fishing operations, and 5) sign the fish ticket upon landing except as noted in (iii), below.
 - (iii) Persons, as defined below, who receive initial QS may utilize a hired skipper to fish their quota providing the person owns the vessel upon which the QS will be used. These recipients may purchase up to the area allowed total share. There shall be no leasing of such QS other than provided for in section (C)(2)(iii). In the area east of 140 degrees in the Gulf of Alaska, this section shall apply only to that amount of quota shares initially issued to corporations and partnerships that initially received them. (Additional shares purchased by these corporations or partnerships in this area will not apply. Grandparent right is only for that initial allocation.)

This provision will cease upon the sale or transfer of QS or upon any change in the identity of the corporation or partnership as defined below:

- a) **corporation:** any corporation that has no change in membership except that caused by the death of a corporate member providing the death did not result in any new corporate members,
 - b) **partnership:** any partnership that has no change in membership,
 - c) **individual:** any individual.
- (iv) Quota shares, or IFQs arising from those quota shares, for any vessel category or any management area may not be transferred to any other vessel category or any other management area or between the catcher boat and the freezer boat categories.

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- (v) The Secretary may, by regulation, designate exceptions to Sec.2(C)(3)(ii) to be employed in case of personal injury or extreme personal emergency which allow the transfer of catcher boat QS/IFQs for limited periods of time.
- (D) **LIMITATIONS ON OWNERSHIP AND USE OF QUOTA SHARES.** Each qualified person or individual:
- (1) May own, hold or otherwise control, individually or collectively, but may not exceed, one-half percent (0.5%) of the total quota shares or IFQ arising from those QS for either the Gulf of Alaska or Bering Sea/Aleutian Islands, not to exceed one-half percent (0.5%) of the combined total for the Gulf of Alaska and Bering Sea/Aleutian Islands; except that in area 2C holdings shall not exceed 1 percent of that management area.
 - (2) Any person who receives an initial assignment of quota shares in excess of the limits set forth in paragraph (D)(1) of this section shall:
 - (i) be prohibited from purchasing, leasing, holding or otherwise controlling additional quota shares until that person's quota share falls below the limits set forth in (D)(1) above, at which time each such person shall be subject to the limitations of paragraph (D)(1) above; and
 - (ii) be prohibited from selling, trading, leasing or otherwise transferring any interest, in whole or in part, of an initial assignment of quota share to any other person in excess of the limitations set forth in (D)(1) above.
 - (3) For IFQ accounting purposes:
 - (i) sale of catcher vessel caught halibut to other than a legally registered buyer is illegal, except that direct sale to dockside customers is allowed provided proper documentation of such sales is provided to NMFS;
 - (ii) frozen product may only be offloaded at sites designated by NMFS for monitoring purposes;
 - (iii) QS owners wishing to transport their catch outside of the jurisdiction of the NPFMC must first check in their catch at a NMFS specified site and have the load sealed.

(E) **INDIVIDUAL FISHERIES QUOTAS.** Individual fisheries quotas are determined for each calendar year for each person by applying that person's quota share percentage to the annual fixed gear Total Allowable Catch for each management area. Persons must control IFQs for the amount to be caught before a trip begins.

(F) **VESSEL AND GEAR RESTRICTIONS.**

- (1) No more than one-half percent (0.5%) of the combined Gulf of Alaska and Bering Sea/Aleutian Island quota may be taken on any one vessel except where persons received initial allocation more than 0.5% overall ownership level (1% in area 2C) may continue to fish their QS.

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- (2) Quota shares and IFQs arising from those quota shares may not be applied to trawl-caught halibut or to halibut harvested utilizing pots in the Gulf of Alaska or Bering Sea/Aleutian Islands, except under an applicable bycatch program approved by the Secretary.
- (G) **ADMINISTRATION AND ENFORCEMENT.**
- (1) All sales, transfers, or leases of quota shares or IFQ arising from those quota shares must occur in a manner approved by the Secretary. All quota share and IFQ assignments and transfers will be administered by NMFS based on regulations established by the Secretary. The Secretary, in promulgating such regulations, shall hold at least one public hearing in each state represented on the Council and in at least one community in each of the management areas governed by the Council.
 - (2) The Secretary will promulgate regulations to establish a monitoring and enforcement regime to assure compliance with this program. Persons holding QS found to be in violation of these sections or in violation of under-reporting catch will be subject to appropriate penalties as designated by the Secretary, including forfeiture of their Quota Shares.
- (H) **DURATION.** QS are a harvest privilege, and are good for an indefinite period of time. However, they constitute a use privilege which may be modified or revoked by the Council and the Secretary at any time without compensation.
- (I) **DISCARD OF HALIBUT.** Discard of legal sized halibut is prohibited by catcher vessels on which halibut IFQs are harvested, and by those fishing under the CDQ program. Vessels at this time in the freezer longliner category are exempt.
- (J) Any person catching halibut with commercial fixed gear, with the exception of vessels in the freezer longliner category, must own or otherwise control IFQs. (The intent of this section is to prohibited a directed open access fishery for halibut. Some owners in the freezer longliners may control IFQs and would not be prohibited from using those IFQs. Other freezer longliner owners who do not control IFQs would not be prohibited from catching halibut, but must discard pursuant to Section 2(I) above.)

Sec.3. COMMUNITY DEVELOPMENT QUOTAS.

- (A) In the Bering Sea/Aleutian Islands, halibut community development quotas shall be apportioned as follows:
- (1) For IPHC management area 4E, 100% of the halibut quota shall be made available only to residents of coastal communities physically located in or proximate to each management subarea. Trip limits of less than 6,000 pounds will be enforced.
 - (2) For IPHC management area 4C, 50% of the halibut quota, exclusive of issued QS, shall be made available for a community fisheries development program for residents of communities physically located in or proximate to the management area. CDQ for this area is subject to Sec 3. (B) below.

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- (3) For IPHC management area 4B, 20% of the halibut quota, exclusive of issued QS, shall be made available to residents of disadvantaged western Alaska coastal communities physically located in or proximate to the management area. CDQ for this area is not subject to the fourth quarter release provision in Sec.3.(B)(2) below.
 - (4) For IPHC management area 4D, 30% of the halibut quota shall be made available to residents of disadvantaged western Alaska coastal communities located in IPHC area 4E for a community fisheries development (CDQ) program.
 - (5) The purpose of the halibut community quota program is to provide the opportunity for disadvantaged western Alaska communities to enter the BSAI area halibut fishery and thereby assist in the development of a self-sustaining fisheries economy. The halibut community quota program for area 4D shall be implemented through the draft guidelines attached. In implementing this program, community development plans shall provide a harvesting preference for residents of the community over any harvesting arrangement with persons who reside outside of the community.
 - (6) Those persons that would otherwise have received a full complement of QS in areas 4B, C, D, & E, but would receive less due to the provisions of CDQs, would be permitted to add that portion of the QS they lost in the Bering Sea to their QS in the Gulf of Alaska. The portion added, would be allocated proportionately to the areas in the GOA in which he had accrued initial QS.
- (B) **GUIDELINES FOR IMPLEMENTING THE WESTERN ALASKA COMMUNITY HALIBUT QUOTA**
- (1) **PURPOSE AND SCOPE.** In order to provide fishermen who reside in western Alaska communities a fair and reasonable opportunity to participate in the Bering Sea/Aleutian Islands halibut fishery, to expand their participation in salmon, herring, and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the western Alaska halibut community quota is established. Residents of western Alaska communities are predominantly Alaska Natives who have traditionally depended upon the marine resources of the Bering Sea for their economic and cultural well-being. The western Alaska halibut community quota is a joint program of the Secretary and the Governor of the State of Alaska. Through the creation and implementation of community development plans, western Alaska communities will be able to diversify their local economies, provide community residents with new opportunities to obtain stable, long-term employment, and participate in the Bering Sea/Aleutian Islands halibut fishery which has been foreclosed to them because of the high capital investment needed to enter the fishery.
 - (2) **WESTERN ALASKA HALIBUT COMMUNITY QUOTA.** The NMFS Regional Director shall hold the recommended percent of the annual Total Allowable Catch of halibut for each management area in the Bering Sea/Aleutian Islands Area for the western Alaska halibut community quota. These amounts shall be released to eligible Alaska communities who submit a plan, approved by the Governor of Alaska, for its wise and appropriate use.
 - (3) **ELIGIBLE WESTERN ALASKA COMMUNITIES.** The Governor of Alaska is authorized to recommend to the Secretary that a community within western Alaska

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which meets all of the following criteria be a community eligible for the western Alaska community quota program (hereinafter "the Program"):

- (i) be located on or proximate to the Bering Sea coast from the Bering Strait to the westernmost of the Aleutian Islands or a community located on an island within the Bering Sea, that the Secretary of the Interior has certified pursuant to section 11(b)(2) or (3) of Pub. L. No. 92-203 as Native villages are defined in section 3(c) of Pub. L. No. 92-203;
 - (ii) be unlikely to be able to attract and develop economic activity other than commercial fishing that would provide a substantial source of employment;
 - (iii) its residents have traditionally engaged in and depended upon fishing in the waters of the Bering Sea coast;
 - (iv) has not previously developed harvesting or processing capability sufficient to support substantial participation in the commercial groundfish fisheries of the Bering Sea/Aleutian Islands because of a lack of sufficient funds for investing in harvesting or processing equipment; and
 - (v) has developed a community development plan approved by the Governor, after consultation with the North Pacific Fishery Management Council.
- (4) **COMMUNITY DEVELOPMENT PLANS.** Within 60 days of the effective date of these regulations, the Governor shall submit to the Secretary, after review by the North Pacific Fishery Management Council, initial criteria which the community must, at a minimum, include in a community development plan to be eligible to participate in the program. The criteria shall include provisions concerning the following:
- (i) amount of quota requested;
 - (ii) length of time community is requesting to receive a share of the quota;
 - (iii) benefits that will accrue to the community from approval of their plan and release of quota, including how the plan will assist in diversifying the community's economy and provide opportunities for training and employment;
 - (iv) how individual resident harvesters will be provided an opportunity to participate in the fishery;
 - (v) how the benefits will be shared within the community;
 - (vi) business plan which will provide adequate information to complete a financial feasibility assessment;
 - (vii) business arrangements which are entered into between a community and residents who reside outside of the community, provided that residents of a community shall received a preference for a portion of the harvesting quota over any arrangements for harvesting with persons who reside outside of the community; and

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- (ix) within 30 days of receipt of the criteria from the Governor, the Secretary will approve, disapprove, or return the criteria to the Governor with recommendations for changes necessary to comply with the provisions of this Act, or other applicable law.

(5) APPROVAL OF PLANS

- (i) Within 45 days of receipt of an application for a community, the Governor shall review the community's eligibility for the program and the community development plan, and at least 14 days prior to the next NPFMC meeting, forward the application to the North Pacific Fishery Management Council for its review and recommendations. The Governor of Alaska may hold a public hearing and submit a synopsis of that hearing to the Council in lieu of a hearing by the Council itself. The application shall be subject to a public hearing before the Council, or a committee of the Council. If the Council does not review the plan at its next regularly scheduled meeting, the Governor shall then submit the application to the Secretary for designation of a portion of the quota. The Governor shall submit the application to the Secretary within 14 days of Council action or within 14 days of the date of the adjournment of the Council meeting without any action taken on the application, unless the application is withdrawn by the applying community.
- (ii) Within 30 days of the receipt of an application approved by the Governor, the Secretary will designate a portion of the quota to the community, if the community development plan satisfies the criteria developed by the Governor and approved by the Secretary, or return the application to the Governor with reasons for denial.

Sec.5. AD HOC WORKING GROUPS. Two ad hoc working groups shall be established. One by the Council composed of but not limited to representatives from fixed gear vessel owners, crewmembers and processors, who would likely be affected by the Council's action on IFQs. The second group will be established by the Alaska Regional Director, NMFS, composed of administration, data management, enforcement, and legal professionals. The groups will develop a detailed implementation plan covering all aspects of the carrying out the Council's preferred alternative for a fixed gear IFQ management program (for sablefish and halibut). All states represented on the Council shall be given an opportunity to provide technical input to the groups.

Tabled motion to strike Sec.2.(C)(1) by Hegge remains.

HALIBUT FIXED GEAR MANAGEMENT PLAN

Sec.1. DEFINITIONS. Definitions for terms used herein shall be the same as those contained in the Magnuson Fishery Conservation and Management Act, except as follows:

- (A) "Person" means any individual who is a citizen of the United States or any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any state) which meets the requirements set forth in 46 CFR Part 67.03, as applicable. This definition is subject to other restrictions and conditions as set forth in Sec.(2)(C) and (D).
- (B) An "individual" shall be defined as a natural person who is not a corporation, partnership, association, or other entity.
- (C) "Quota share" (QS) means a percentage of the fixed gear Total Allowable Catch (TAC) for each management area which is based on historical, qualifying landings.
- (D) "Individual fishery quota" (IFQ) means the annual poundage of fish derived by applying the quota share percentage to the annual TAC for each management area.
- (E) "Fixed gear" means hook and line fishery (which includes longlines, jigging, handlines, etc.) and pot gear.
- (F) "Catcher boat" or "catcher vessel" means any vessel which delivers catch or landing in an unfrozen state.
- (G) "Freezer longliner" means any vessel engaged in fishing in the fixed gear fishery which utilizes freezer capacity and delivers some or all of its groundfish product in a frozen state.
- (H) "Bonafide fixed gear crewmember." Any person that has acquired fishing time at sea, that is equal to 15 months of any commercial fishing activity, to include at least 5 months fixed gear fishing, within the NPFMC management area for species managed by the NPFMC or the IPHC, and including salmon, herring and crab within Alaska, will be considered a bonafide fixed gear crewmember.

Sec.2. FIXED GEAR QUOTA SHARE AND INDIVIDUAL FISHERY QUOTA SYSTEM FOR HALIBUT.

- (A) **AREA.** Quota shares and Individual Fishery Quotas (IFQs) shall be made available for each of the management areas identified for the Bering Sea and the Gulf of Alaska.
- (B) **INITIAL QUOTA SHARE ASSIGNMENT.** Quota Shares and Individual Fisheries Quotas shall be assigned to qualified persons on the following basis:
 - (1) Initial assignments of Quota Shares shall be made to:
 - (i) a qualified person who is a vessel owner who meets the requirements in this section; or
 - (ii) a qualified person who meets the requirements of this section engaged in a lease or other "bare-boat charter" arrangement in order to participate in the fishery. (For instances identified under this section, the qualified person shall receive full credit for deliveries made while conducting the fishery under such a lease or arrangement.)

- (2) Initial quota share assignments will be made only to persons who meet all other requirements of this section and who have landed halibut in either 1988, 1989, or 1990.
 - (3) Initial assignments of quota shares shall be assigned for each management area to qualified persons based on recorded landings, as documented through fish tickets or other documentation for fixed gear landings, for the period 1985 through 1990. For each management area, each person will select five (5) years out of six (6) on which to base that person's quota share.
 - (4) The sum of the catch in each person's five (5) selected years for each area shall be divided by the total qualifying poundage of all halibut harvested for the qualifying period in those selected areas. The resultant percentage shall be that person's quota share for that area.
- (C) VESSEL CATEGORIES. Quota shares and IFQs shall be assigned by vessel category as follows:
- (1) Freezer Longliner Shares:
 - (i) All landings made during the qualifying period by freezer longliners shall be calculated for one category of quota shares.
 - (ii) Any person owning freezer longliner quota shares may sell or lease those quota shares to any other qualified person for use in the freezer longliner category.
 - (iii) Fish caught with freezer longliner IFQs may be delivered frozen or unfrozen.
 - (2) Catcher Boat Shares:
 - (i) All landings made during the qualifying period by catcher boats shall be calculated for a separate category of quota shares. There shall be four categories for catcher boats:
 - (a) vessels less than 26 feet in length overall;
 - (b) vessels 26 to 35 feet in length overall;
 - (c) vessels over 35 feet in length overall and less than 60 feet in length overall;
 - (d) vessels 60 feet and greater in length overall.
 - (ii) For initial allocation of catcher boat Quota Shares:
 - (a) if a QS recipient owned or leased two or more vessels, of differing category sizes, simultaneously during the qualifying period which landed halibut, then the QS allocation shall be for each vessel category and may not be combined into a single category.
 - (b) if a Q.S. recipient bought or sold vessels in succession during the qualifying period, and to the extent the QS recipient operations were in one vessel category during one year and the next vessel owned was in another vessel category, the QS will be combined and applied to the last vessel category.
 - (iii) Any person owning catcher boat quota shares may sell those quota shares only to an individual meeting the provisions outlined under Sec. 2(C)(3). Catcher boat quota shares may not be leased (i.e., annual IFQs cannot be sold).
 - (iv) Fish caught with catcher boat quota shares may not be frozen aboard the vessel utilizing

those quota shares.

(3) **General Provisions For Catcher Boats Following Initial Allocation:**

- (i) In order to purchase QS: be an individual who is a U.S. citizen and either own a fixed gear vessel or be a bonafide fixed gear crewmember.
- (ii) In order to use catcher boat IFQs: own the QS, be a U.S. citizen, either own the vessel or be a bonafide crewmember, be aboard the vessel during fishing operations, and sign the fish ticket upon landing.
- (iii) Persons who received initial QS allocations pursuant to Sec. 2(C)(2) above, will be allowed to purchase additional QS providing they own the vessel upon which the QS are utilized or are a bonafide crewmember who is aboard the vessel during fishing operations, and sign the fish ticket upon landing. In the event of sale or transfer of the QS the new owner must comply with subsection (C)(3)(i) above.
- (iv) Quota shares, or IFQs arising from those quota shares, for any vessel category or any management area may not be transferred to any other vessel category or any other management area or between the catcher boat and the freezer boat categories.
- (v) The Secretary may, by regulation, designate exceptions to Sec. 2(C)(3)(ii) to be employed in case of personal injury or extreme personal emergency which allow the transfer of catcher boat QS/IFQs for limited periods of time.

(D) **LIMITATIONS ON OWNERSHIP AND USE OF QUOTA SHARES.** Each qualified person or individual:

- (1) May own, hold or otherwise control, individually or collectively, but may not exceed, one-half percent (0.5%) of the total quota shares or IFQ arising from those QS for either the Gulf of Alaska or Bering Sea/Aleutian Islands, not to exceed one-half percent (0.5%) of the combined total for the Gulf of Alaska and Bering Sea/Aleutian Islands; except in the less than 26 feet category where no individual may fish IFQ which in aggregate equates to more than 5,000 pounds.
- (2) Any person who receives an initial assignment of quota shares in excess of the limits set forth in paragraph (D)(1) of this section shall:
 - (i) be prohibited from purchasing, leasing, holding or otherwise controlling additional quota shares until that person's quota share falls below the limits set forth in (D)(1) above, at which time each such person shall be subject to the limitations of paragraph (D)(1) above; and
 - (ii) be prohibited from selling, trading, leasing or otherwise transferring any interest, in whole or in part, of an initial assignment of quota share to any other person in excess of the limitations set forth in (D)(1) above.
- (3) For IFQ accounting purposes:
 - (i) sale of catcher vessel caught halibut to other than a legally registered buyer is illegal,

except that direct sale to dockside customers is allowed provided proper documentation of such sales is provided to NMFS;

- (ii) frozen product may only be offloaded at sites designated by NMFS for monitoring purposes;
 - (iii) QS owners wishing to transport their catch outside of the fishing zones managed by the NPFMC must first check in their catch at a NMFS specified site and have the load sealed.
- (E) **INDIVIDUAL FISHERIES QUOTAS.** Individual fisheries quotas are determined for each calendar year for each person by applying that person's quota share percentage to the annual fixed gear Total Allowable Catch for each management area. Persons must control IFQs for the amount to be caught before a trip begins.
- (F) **VESSEL AND GEAR RESTRICTIONS.**
- (1) No more than one-half percent (0.5%) of the combined Gulf of Alaska and Bering Sea/Aleutian Island quota may be taken on any one vessel.
 - (2) Quota shares and IFQs arising from those quota shares may not be applied to trawl-caught halibut from any management area or to halibut harvested utilizing pots in the Gulf of Alaska.
- (G) **ADMINISTRATION AND ENFORCEMENT.**
- (1) All sales, transfers, or leases of quota shares or IFQ arising from those quota shares must occur in a manner approved by the Secretary. All quota share and IFQ assignments and transfers will be administered by NMFS based on regulations established by the Secretary. The Secretary, in promulgating such regulations, shall hold at least one public hearing in each state represented on the Council and in at least one community in each of the management areas governed by the Council.
 - (2) The Secretary will promulgate regulations to establish a monitoring and enforcement regime to assure compliance with this program. Persons holding QS found to be in violation of these sections or in violation of under-reporting catch will be subject to appropriate penalties as designated by the Secretary, including forfeiture of their Quota Shares.
- (H) **DURATION.** QS are a harvest privilege, and are good for an indefinite period of time. However, they constitute a use privilege which may be modified or revoked by the Council and the Secretary at any time without compensation.
- (I) **DISCARD OF HALIBUT.** Discard of halibut is prohibited by persons holding QS and those fishing under the CDQ program.

Sec.3. COMMUNITY DEVELOPMENT QUOTAS.

- (A) In the Bering Sea/Aleutian Islands, halibut community development quotas shall be apportioned as follows:
 - (1) For IPHC management area 4E, 100% of the halibut quota shall be made available for a community fisheries development program. The halibut quota for 4ES and 4EN shall be made available only to residents of disadvantaged coastal communities physically located in or

proximate to each management subarea. Trip limits of less than 6,000 pounds will be enforced. CDQ for this area is not subject to Sec.3 (B) below.

- (2) For IPHC management area 4C, 50% of the halibut quota, exclusive of issued QS, shall be made available for a community fisheries development program for residents of communities physically located in or proximate to the management area. CDQ for this area is not subject to Sec.3.(B) below.
- (3) For IPHC management area 4B, no less than 10% of the halibut quota, exclusive of issued QS, shall be made available to residents of disadvantaged western Alaska coastal communities physically located in or proximate to the management area. CDQ for this area is not subject to Sec.3.(B) below.
- (4) For IPHC management area 4D, no less than 20% of the halibut quota shall be made available to residents of disadvantaged western Alaska coastal communities for a community fisheries development program.
- (5) The purpose of the halibut community quota program is to provide the opportunity for disadvantaged western Alaska communities to enter the BSAI area halibut fishery and thereby assist in the development of a self-sustaining fisheries economy. The halibut community quota program for area 4D shall be implemented through the draft guidelines attached. In implementing this program, community development plans shall provide a harvesting preference for residents of the community over any harvesting arrangement with persons who reside outside of the community.

(B) GUIDELINES FOR IMPLEMENTING THE WESTERN ALASKA COMMUNITY HALIBUT QUOTA

- (1) **PURPOSE AND SCOPE.** In order to provide fishermen who reside in western Alaska communities a fair and reasonable opportunity to participate in the Bering Sea/Aleutian Islands halibut fishery, to expand their participation in salmon, herring, and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the western Alaska halibut community quota is established. Residents of western Alaska communities are predominantly Alaska Natives who have traditionally depended upon the marine resources of the Bering Sea for their economic and cultural well-being. The western Alaska halibut community quota is a joint program of the Secretary and the Governor of the State of Alaska. Through the creation and implementation of community development plans, western Alaska communities will be able to diversify their local economies, provide community residents with new opportunities to obtain stable, long-term employment, and participate in the Bering Sea/Aleutian Islands halibut fishery which has been foreclosed to them because of the high capital investment needed to enter the fishery.
- (2) **WESTERN ALASKA HALIBUT COMMUNITY QUOTA.** The NMFS Regional Director shall hold the recommended percent of the annual Total Allowable Catch of halibut for each management area in the Bering Sea/Aleutian Islands Area for the western Alaska halibut community quota. These amounts shall be released to eligible Alaska communities who submit a plan, approved by the Governor of Alaska, for its wise and appropriate use. Any of the TAC not released by the end of the third quarter shall be made available for harvest to any individual or vessel providing the person fishing or owning the vessel, or any individual aboard the vessel does not own, hold, or otherwise control unused IFQ for that fishing year.

- (3) **ELIGIBLE WESTERN ALASKA COMMUNITIES.** The Governor of Alaska is authorized to recommend to the Secretary that a community within western Alaska which meets all of the following criteria be a community eligible for the western Alaska community quota program (hereinafter "the Program"):
- (i) be located on or proximate to the Bering Sea coast from the Bering Strait to the westernmost of the Aleutian Islands or a community located on an island within the Bering Sea, that the Secretary of the Interior has certified pursuant to section 11(b)(2) or (3) of Pub. L. No. 92-203 as Native villages are defined in section 3(c) of Pub. L. No. 92-203;
 - (ii) be unlikely to be able to attract and develop economic activity other than commercial fishing that would provide a substantial source of employment;
 - (iii) its residents have traditionally engaged in and depended upon fishing in the waters of the Bering Sea coast;
 - (iv) has not previously developed harvesting or processing capability sufficient to support substantial participation in the commercial groundfish fisheries of the Bering Sea/Aleutian Islands because of a lack of sufficient funds for investing in harvesting or processing equipment; and
 - (v) has developed a community development plan approved by the Governor, after consultation with the North Pacific Fishery Management Council.
- (4) **COMMUNITY DEVELOPMENT PLANS.** Within 60 days of the effective date of these regulations, the Governor shall submit to the Secretary, after review by the North Pacific Fishery Management Council, criteria which the community must, at a minimum, include in a community development plan to be eligible to participate in the program. The criteria shall include provisions concerning the following:
- (i) amount of quota requested;
 - (ii) length of time community is requesting to receive a share of the quota;
 - (iii) benefits that will accrue to the community from approval of their plan and release of quota, including how the plan will assist in diversifying the community's economy and provide opportunities for training and employment;
 - (iv) how the benefits will be shared within the community;
 - (v) business plan which will provide adequate information to complete a financial feasibility assessment;
 - (vi) business arrangements which are entered into between a community and residents who reside outside of the community, provided that residents of a community shall receive a preference for a portion of the harvesting quota over any arrangements for harvesting with persons who reside outside of the community; and
 - (vii) within 30 days of receipt of the criteria from the Governor, the Secretary will approve,

disapprove, or return the criteria to the Governor with recommendations for changes necessary to comply with the provisions of this Act, or other applicable law.

(5) APPROVAL OF PLANS

- (i) Within 45 days of receipt of an application for a community, the Governor shall review the community's eligibility for the program and the community development plan and forward the application to the North Pacific Fishery Management Council for its review and recommendations. The application shall be subject to a public hearing before the Council, or a committee of the Council. If the Council does not review the plan at its next regularly scheduled meeting, the Governor shall then submit the application to the Secretary for designation of a portion of the quota. The Governor shall submit the application to the Secretary within 14 days of Council action or within 14 days of the date of the adjournment of the Council meeting without any action taken on the application, unless the application is withdrawn by the applying community.
- (ii) Within 30 days of the receipt of an application approved by the Governor, the Secretary will designate a portion of the quota to the community, if the community development plan satisfies the criteria developed by the Governor and approved by the Secretary, or return the application to the Governor with reasons for denial.

Sec.5. AD HOC WORKING GROUPS. Two ad hoc working groups shall be established. One by the Council composed of representatives from fixed gear vessel owners, crewmembers and processors, who would likely be affected by the Council's action on IFQs. The second group will be established by the Alaska Regional Director, NMFS, composed of administration, data management, enforcement, and legal professionals. The groups will develop a detailed implementation plan covering all aspects of the carrying out the Council's preferred alternative for a fixed gear IFQ management program (for sablefish and halibut). All states represented on the Council shall be given an opportunity to provide technical input to the groups.

Excerpted from September 1991 Council discussion on halibut CDQs.
September 26-27, 1991

Chairman Rick Lauber: That means we're on Community Development Quotas, A.

Bob Mace: Mr. Chairman, before we get started it would help me and perhaps others on the Council to sort of review the quotas in 4B, C, D, and E and also review the current regulations that we have with respect to the villages and I think this would give me a sense of quantities and changes.

[discussion as to who would give report, who has info available]

Jay Ginter?: 4A: 1,700,000 lbs; 4B: 1,700,000 lbs; 4C: 600,000 lbs; 4D: 600,000 lbs; and 4E: 100,000 lbs. Those are the 1991 catch limits.

Mitchell: I think there was also a question from Mr. Mace about the division between 4E south and north?

Mace: Yes, that would be helpful.

Ginter: That's a 70/30 split.

Mace: I also had a question as to the current regulations in those areas; there's a breakdown - trip limits and so forth?

Chris Oliver: Yes, Mr. Chairman, there is, I think, quite a series of regulations for each of those different areas for trip limits and clearance requirements.

Ginter: 4C has a 10,000 lb trip limit; in 4E, 6,000 lbs. There are also vessel clearance requirements for other than a person who lands his total annual halibut catch at ports within areas 4A, B, C, D, and E, or the closed area defined in Section 301.9 of this part. . .

Dave Flannagan: Mr. Chairman, if I could point out on the vessel clearance requirements, since the season is basically going to be open year around and these deal with openings and closings of seasons, other than a vessel that moves from the Gulf and goes up there and fishes and comes back, I think there wouldn't be any vessel clearance requirements.

Mitchell: Mr. Chairman, could I ask some questions of Mr. Cotter concerning his framework?

Cotter: Would it just be easier if I just walked through it real quick and that may answer yours and other questions.

To get us started on this, what I put in this motion, I recognized that in Area 4E and in Area 4C, and Area 4B there are specific communities that reside in that area that have some reliance on the halibut fisheries and for which we have taken some steps in the past through regulations to try and assist those communities in developing a halibut fishery. In Area 4E, under #1, that quota as you heard is 100,000 lbs, 70,000 in the northern portion and 30,000 in the southern portion. Harvests in the northern portion has been somewhat erratic over the years due to lack of fuel, etc., etc., harvest in the southern portion is very recent, 2 years; the total harvest is 100,000 lbs which is not very much at all, so my thinking was that given the trip limits that the Council had imposed on that area in the past which were clearly designed and, I think, intended, to result in the resident fishery that that's

what this should be and it just should be treated as such. So I wrote this so 100% of the halibut quota would be made available for residents of that area through a community development program and when I refer only to residents of disadvantaged coastal communities physically located in or proximate to the management area, what I'm really referring to is communities within 4E, not to communities outside of 4E and in or proximate is, I guess, just a phrase that reflects the fact that . . . down the shore, and I don't know if state waters are in 4E or not. So I went ahead and implemented the trip limit that I think that has been in effect in that area and if there are any limits that have been in effect I didn't know about them and didn't put them in there. So the intent with 4E would be that 100% of the halibut quota in that area would be reserved for residents of communities in 4E and that there would be a 6,000 lb trip limit. In Area 4C, the Pribilofs, . . .

Mitchell: Before you go on, could I ask you a question? It says here CDQ for this area is not subject to Section 3(b) below, what does that mean?

Cotter: O.K., 3 below are the guidelines and there are provisions in there, for instance, if the quota is not taken by the 4th quarter there'll be a release, etc., etc.; I did not have this apply to this section, either for this or for 4C or 4B. The way I wrote this was this was a direct grant of that amount of quota to those communities in those areas for them to use.

Mitchell: They don't have to go through a developmental plan?

Cotter: No.

Mace: What do you mean by disadvantaged, is this all inclusive, all communities are considered disadvantaged, or are you selecting some of them and classifying them as disadvantaged?

Cotter: Well, I guess there I was just relying on the definition that we've used in the past, whatever that is, so it may be inconsistent, frankly, for me not to have this apply to some of 3B, but it was not my intent that it would apply to all of 3B.

Pereyra: It would seem to me that since we've already agreed that there be some sort of an IFQ program that would be involved that the 6,000 lb trip is no longer needed. This CDQ is going to be translated to IFQs under that particular program, so you wouldn't need a 6,000 lb trip limit.

Cotter: I'm not sure that anybody has decided that CDQs are going to be translated into IFQs during the length of time that they're operative.

Pereyra: We had this discussion previously.

Cotter: Well, I listened to that discussion and I as you recall I suggested that we hold off on voting on that motion until we got to CDQs and that was why.

Commander Kyle: I don't understand why we're going to need trip limits in here, either. Maybe Mr. Pennoyer could address this; it seems to me that trip limits are by the board, really, if you go to this program.

Pennoyer: Trip limits were put in by IPHC as a response to Council allocative desires; they weren't a conservation issue, they were to basically to make it easier for the small boats to take the quota and if you're going to a direct allocation you probably don't need trip limits.

Cotter: If I can explain. I viewed the situation in 4E differently than 4C and 4B. I don't have trip limits in 4C and 4B. In 4E, what I envisioned was that you may just end up having an open access fishery; there's 100,000 lbs of fish; maybe the communities in that area want to do something formally with the CDQ, but maybe they don't because maybe they've got the ability to take it and 100,000 lbs is not a lot of fish; a 6,000 lb trip limit would ensure that it remained a small boat fishery because a big boat, probably a couple big boats, would eat that up in a very short period of time. So that's why I did it. I really didn't feel that implementing a formal IFQ system in 4E at this time made any sense.

Pereyra: I think that's the very reason you want to take it out of there. We don't want to be telling them what their program should be; let them tell us. They may decide that in fact they want to start to develop a large boat program for the development of their communities for the very reason that Mr. Sparck was talking about earlier, they want to start integrating the newer people into the 21st Century. So, this could be very restrictive, too, and I would much rather see us take the restrictions off, allow them to develop their own CDQ program as they see it should be developed.

Alverson: In Area 4E, is that what we're debating right now? . . . These fishermen up there have been participating and under a CDQ program the fishermen that have been participating could be excluded depending on what kind of program you take up, therefore I move that 4E be established as a exclusive fishing registration area with no CDQ allocation. [seconded by Blum] Mr. Chairman, the intent of this would. . . any vessel fishing in any other area would be prohibited from entering 4E, leaving that area available to whoever's fishing in it at this time without the encumbrance of some government program telling them how their CDQs should be fished. That community's already developed that 100,000 lbs; why do we need to have it re-developed and the public up there be told how to use it, re-use it? I just don't see the utility of a CDQ program in that particular area.

Mitchell: I think that one of the problems with both of the approaches put forward is that it does not recognize that there are individuals in those villages that have a substantial record and they of course are going to want to get their IFQs, so I think the first thing we have to do is decide what portion of the total quota there should go to the people who have been the participants in the fishery to this date. The other portion. . . the interest in community development quotas on halibut and other species by people in the area of 4E or other villages outside of 4E, is that they want to develop larger boats to range farther offshore. They do not want to be locked into one area and as we go through this, and I understand 4E is not a very good area to fish halibut, the quota is small because most of the halibut tend to get caught long before they ever get into the very shallow waters of 4E, and so necessarily the Halibut Commission keeps the quota low there for a number of reasons and also because there's a lot of juveniles in the area. But, I think that before you make it exclusive registration it would depend on the type of exclusive registration that you're talking about. If you're talking about telling people it's a superexclusive registration area, that they can only fish there and if they elect to fish there they can fish nowhere else, then some of the individuals that want to build a 60 ft longliner and go out into the Bering Sea and fish other areas of the Bering Sea for halibut and cod and sablefish, then you will preclude the type of community development program that some of the villages in 4E want to participate in by the language that you would adopt in Mr. Cotter's motion, the language being "physically located in or proximate to each management area."

Alverson: I think you're talking against your own community up there. If the community people up there decide to build a larger boat and fish the edge, why would you want them to come back in and usurp the small boat coastal fleet in 4E.

Mitchell: Why would I want them to do what?

Alverson: Why would you want to give them the opportunity to come back in and displace the small-boat fleet in 4E.

Mitchell: I don't particularly think that they would want to do that, but there's some individuals that have substantial participation in the small skiff fishery that's taken place around Nelson Island and Mekoyruk that may not have an interest in involving themselves in a larger boat fishery but they may want to continue fishing in the halibut fishery on a small scale. All I'm trying to point out is that we necessarily under the guidelines of the Magnuson Act have to allow those people to participate in the regular IFQ program and then the community development program for the Bering Sea on halibut would have to be designed, and I think perhaps even in the Pribilofs, there's some people there that would probably want to have their quota as they developed it, aside from community development quota.

Tillion: In the Pribilofs it's pretty well laid out that the ITQ is in addition to, they get half. The thing that you have in the 4E area is that you don't really want your own big boats taking any more than the left-overs, you want that little bit of fish left for the person who lives in that area and goes out in a skiff and therefore that's why it was done the two different ways. This belongs to the person who lives there and fishes that. Even if you develop a big boat fishery to go out to the edge they shouldn't be able to come back in their spare time and tough weather and clean the local village's fish out, so I'd say your argument continues further on, which may be a battle, but leave 4E to these people. The ITQ that would be gathered in the Pribilofs, I agree, is a lot simpler, they have more fish so you'd give the two villages 300,000 lbs and then the ITQ fishermen that are there can go on with their ITQ for the other 300,000 lbs, they wouldn't get that much, it's pretty minimal what they've got so far. Those will work, but I don't think you should let anybody in a big boat fish that area in 4E, that can all be harvested by the little skiffs out of Mekoyruk and Nelson Island, there's just too small an amount. . .

Pennoyer: I think Bob's motion comes from some confusion as to what you're trying to accomplish here. On one hand, Henry says that the people that fished before will want their IFQs, and there's no provision for that here; this goes for a community development program, plans will be developed. . .to the accessed communities; those folks who have fished there, as far as I can see, aren't written into this specifically unless the community development plan happens to write them in. Am I missing that, or is it, how did you envision this would operate, I guess is what I'm asking.

Cotter: What I tried to do here was to provide some flexibility and I did have some conversations with Harold and maybe I misinterpreted Harold but I thought I was moving in the right direction on this and I'm sure I'll find out if I did misinterpret him before we go much further. But, the idea was that, particularly in the northern portion of 4E they've had some harvests that are extremely erratic, up and down, during the past few years. The southern portion of 4E they've only had, what 2 seasons? So, the quota share history for the southern portion at least is very low and for the northern portion is very erratic and the fact is that (a) the quota is very, very small--100,000 lbs total, (b), it is a small boat fishery, and before it was those folks asking us to implement those types of trip limits to provide some protection for the small boat fleet. So my thinking was that by limiting it to residents and by leaving it open access and leaving the trip limits in place was that they would continue to have a small boat, open-access type fishery and it would be residents and it would not be other folks coming it, they would have to be residents of that area. I did think that through a CDQ program, either on halibut or a combination of all the other ones, those people may want to get into larger vessels, so I did not put a superexclusive registration provision in here to prevent them from taking their vessels and going elsewhere and not being able to use them in the same area. They would have the latitude to use that vessel and access other quotas and other areas and I didn't limit

them from being able to use that larger vessel anyway in this small boat fishery but they'd be subject to the 6,000 lb limit. I just seemed to me that implementing IFQs in what has to be considered a totally unique situation in the halibut fishery didn't really serve any purpose and I tried to provide as much flexibility as I could.

Pennoyer: Is it an open access fishery or a CDQ fishery? They're not the same thing. This says it's a CDQ fishery which means that you have to have plans and the folks that fish there might not be in the plan, so I'm not . . .

Cotter: Well, that does need to be cleared up. I guess it's one or the other. If you make it a community development quota program, then what you're doing intimating very clearly that one of the villages in that area has the ability to apply or in some way take a portion of that 100,000 lb harvest and I don't know whether if that's wise or not; it might be better to just leave it be an open access fishery for the small quota, let the people utilize it and have them focus their CDQ program on other halibut outside of 4E.

Tillion: I would prefer, I understand the enforcement problem but the amounts are so small I think it would just be wise to make 4E an open access fishery for the quota. The chance of them ever filling the quota, or exceeding it by much, are slim and at such time as they are actually filling the quota we then add it to the CDQ system that we now have. But rather than give it to some village elders who might sell it to some other boat to come in and harvest it, I'd much rather leave it as an open access fishery for 4E, for the people who live there.

Lauber: Chris (Oliver), did you have something?

Oliver: No, sir, I might have heard a question earlier as to what the percentage breakdown was for Area 4E and 4C in terms of local vs non-local boats. If that was a question, then we did have that answer.

Alverson: My proposed amendment establishing 4E as an exclusive registration area would be an open access fishery for those people at the same time providing protection of outside vessel intrusion and leaves the options down the road if you want to reconstitute the program into an ITQ program for those people.

Pereyra: First, regarding the amendment here. It's contrary to the spirit of the entire IFQ program we have here first of all. We talked about having no open access fisheries and now we're forming one that is not really a CDQ fishery as such because we haven't put it into the CDQ format. There are some very specific guidelines here that are well laid out that tell how a community develops a CDQ program. My feeling is what we're doing here is more social engineering which is just the very sort of thing we shouldn't be doing. We've got this thing turned 180 degrees around. What we want to do is we want to establish a certain quantity of fish and we want to make it available to a disadvantaged people, we want to give those people the opportunity to design the program that's going to be in their best interest. Why should we sit here and decide whether they're going to take their fish in skiffs. Maybe they don't want to take it in skiffs, but for gosh sakes, let them decide. Let's not always have to be in a patronizing sort of way here and acting like fathers to sort of oversee this. I think that's one of the reasons you have these problems today and so for that reason I think we need to go back and go through this section-by-section and either make it a provision which is going to be within the CDQ format that we have here or else take it out and make it part of the IFQ program, one or the other, but not have this half-baked thing where we're trying to go ahead and decide what these people want. I think that is a grave mistake. I think it's an affront also to the

intelligence and capabilities of these people.

Tillion: Wally, you're going to turn it over to the people that are influenced by the white lawyers in town if you give it on a straight CDQ, it'll be sold to vessels that aren't there. If you want to make it available for the people that live there to fish you have to make it where only they can fish it. Now I realize that some might not mind if this was sold to some vessel from outside the district and the money was used to maintain the office in Anchorage, but I really don't think that that's the way to go and so you call it social engineering, I say by God, if they can't catch 'em, why should they have them?

Pereyra: Mr. Tillion, the CDQ program requires that a plan be developed that has to be approved by the Governor. Now, seeing that you're the fisheries czar in the state, I would assume that you would be the one that would be putting the final stamp on that as a go or no-go, and you can make that decision as to whether you think white lawyers are going to get a rip-off on this; you have that opportunity, but give the people a chance to design their program first. Don't come in on top of them and say I'm sorry I don't think you can do that.

Blum: I have had the unfortunate experience of having had to sit here for two days and listen to Mr. Tillion on every single item indicate a total lack of respect and trust for the people who we are here to serve and we think we need to draw an end to this. He doesn't trust the native villagers, he doesn't trust any of the fishers in the Gulf of Alaska, he certainly doesn't trust the people from the Pacific Northwest. At some point in time some people out there are going to have to let us know that they've had enough of this because I have had enough of it. I think we are here to serve the people, to try to come up with a program that best serves the people, and no sit here and take our title as "czar" too seriously, and I think the time has come for this Council as a body to draw the line on the kind of comments about not being able to trust and white lawyers and the village elders are going to gather this, that has no place in this discussion. We are here to talk about a fishery program that's for the good of the nation, and that's where we ought to be spending our time.

Cotter: In spite of what Mr. Pereyra said, and I hope. . .the plan, motion that's before you, the program in 4E, does not tell people they have to fish a skiff, does not tell people that they have to fish a big boat, it mentions nothing at all about vessel size. I'm not attempting to tell these people what they can or cannot do with their fishery. This is an agonizing problem for the people in 4E and I don't know that we can resolve it for them either. If we issue quota shares, then there will be non-residents who get quota shares as well. It is a very small fishery, local residents rely upon it. If we carve half of it out and make it CDQ, then it may be that also creates internal discord there because that half is going to some people who live there, maybe relying on that half. They may not have access to it under a CDQ. I'd like to hear from Henry and some of this thoughts because he may be in a better position than any of us to deal with this issue.

Mitchell: Putting 100,000 lbs into a CDQ program sounds like a good idea except when you think about it, there's probably going to be six or seven different communities that are going to make application for the use of it, there are a number of individuals that have been complying and buying their licenses over the year and they have a small catch history; they probably wouldn't end up with much because many of those individuals in some years didn't catch more than 1,000 lbs and under the formula they just would really end up with that much. So maybe for the time being it probably would be better to leave 4E as a local resident, open access fishery with the proviso that we could come back and look at how that's going and perhaps implement in future years a mix of community development quota and also maybe just go to a quota share system there and issue the shares to the people that really have been participating. So I think that at this time that probably is the preferred

alternative, with one proviso and that would be that individuals that do participate in that local access fishery not be precluded from getting on a larger boat and perhaps participating in the community development quota fishery that would take place in other areas in the Bering Sea on halibut.

Alverson: Henry, do the existing regs of IPHC satisfy your concerns at this time? Do you want me to propose rescinding my amendment, what do you want done?

Mitchell: At this point, I think, I would have to confer with some people and take a look at the regulation and see what types of restrictions may or may not be necessary, so perhaps the best thing to do would be to basically say that we'll have an open access fishery for now, go through the rest of it. We're probably not going to finish this tonight, and by tomorrow morning I could come back and make any further adjustment that might be necessary.

Lauber: Ready for the question?

Pennoyer: What are we voting on. . . Henry's proposal for open access?

Lauber: We're voting on Mr. Alverson's amendment which is the unshaded area. . . establish Area 4E as an exclusive registration area. O.K., is there any objection? [several] Call the roll.

Cotter: I'm sorry, Mr. Alverson's motion does not designate this as a resident only fishery; it merely exclusive registration and what Henry was, I think, saying earlier on was in essence we want an open access, resident only fishery and he'd take a look at the regs, so that seems to comport more with existing language with some changes than it does with the amendment.

Tillion: Mr. Alverson has already said he would be willing to withdraw it, I think the way it's laid out under the original thing that Mr. Cotter advocated comes closer to what Henry was saying and if we left it alone until tomorrow I think we'd be better off if it's agreeable to the maker of the motion.

Alverson: Well, what do you want me to do? I asked once. If it's agreed by the Chair and the second, I would propose withdrawing the. . .

Blum: I would agree to the withdrawal.

Lauber: Is there any objection to the withdrawal? [none] All right, it's withdrawn. Is there anything other under 1? Shall we move on to 2?

Pereyra: I move to strike the last two lines of 1 - that is, "trip limits of less than 6,000 lbs would be enforced and the CDQ for this area is not subject to 3B below." [Blum seconded for discussion]

Pereyra: I appreciate the comments which were made regarding the small size of the quota in this area; that may very well be a good way to handle this, but again I think that would be something for the people of that area that would be operating under the CDQ program to decide the best way they want to handle it. So I think's appropriate just to establish this the way it is, which would be to have this 100% of the entire 4E quota and then that would become part of the CDQ program for that area.

Cotter: I move to amend the amendment, as follows:

In the first line, strike, after the word 'available,' down to the 4th line til after 'available,' and strike 'disadvantaged,' and strike the last sentence. So, it would read as follows: For IPHC

management area 4E, 100% of the halibut quota shall be made available only to residents of coastal communities physically located in or approximate to each management subarea; trip limits of less than 6,000 lbs will be enforced.

[seconded by Mitchell]

Cotter: I think that comports with what Henry was saying, bearing in mind that tomorrow he will come back to us on the trip limit regulation.

Lauber: Further discussion? Mr. Cotter's amendment would carry Mr. Pereyra's amendment.

Pereyra: I'd like to speak in opposition to it. I think the first part of Mr. Cotter's motion was good. Again, I think this question of 6,000 lb trip limits, again I think that should be part of the CDQ plan that the people put together for the area. It may or may not be appropriate for what they have in mind; 6,000 lbs might potentially compromise what they would like to do otherwise, so I think the first part of Cotter's motion is good, but I think the last part is not so I would vote against it and hope others see likewise.

Pennoyer: There are actually a whole series of regulations in this area, some of which might have merit under the current proposal, some of which may not. Halibut Commission currently has on the books seasons, a lot of different fishing periods, it has a 70/30 split north and south, a rollover from the north to the south after August 1, as well as the trip limits. There are a whole series of regulations that if you leave this open access my presumption is would have to be considered as to their applicability. Additionally, I don't think there is a CDQ plan here. I think that what we're doing is talking about giving them an open access fishery they will go out and prosecute it, come to us when. . . regulatory changes necessary in the prosecution of that fishery until such time as you decided to go CDQ or ITQ, and so I think you're mixing and matching a little bit here and I have no problem with Mr. Cotter's proposal providing we recognize we come back and revisit all these regulations at some point because the 6,000 lb limit is only one of them.

Cotter: I would also point out that the main difference in this from the existing regulations is that the fishery would be allocated to residents of those communities. Non-residents would not be allowed to participate in that fishery, Alaskan or otherwise.

Lauber: Call the roll.

Hegge: One question, is that for the entire year or is your first three quarters, they have nine months to harvest it?

Cotter: I'm sorry, I didn't hear your question.

Hegge: Does that apply to the entire year even if they don't harvest it?

Cotter: That's correct.

Tillion: It'll be ice before you can worry about the last quarter.

Ginter: Mr. Chairman, just a point of clarification here. The language here uses resident and in the current halibut regulations we've always used the term "persons who land their entire catch within an area." The reason for that being that we have difficulty knowing and defining what a resident is. We all have an intuitive understanding of residence, but defining it legally is difficult.

Tillion: It has to be whose principal domicile is within the area or you've been defeated by a . . . I see where your problem comes down to but we have another problem to in that we have a transient fleet that comes up into the southern part, at least for the herring, and it's a very small chore for them to drift farther north and do it so I think you're going to have to hold it to people domiciled within that area or you've lost your purpose.

Alverson: I don't know what the disadvantaged community people are up there, if it's the people up there that have the \$150,000 to \$200,000 permits for salmon and the \$100, \$200, \$300,000 gillnet boats up there, you know, those are the guys that are going to be participating in this fishery because they've got the vessels to participate in it. They're sitting on about \$400,000 worth of capital; I doubt that a dime of this is going to get to the truly disadvantaged in this area and I have a real problem with giving a bunch of quota to a community development program for people to be redistributed possibly to people that haven't fished. I think it's gets a little pompous that we're going to help these poor little guys out there when the people that we're going to help out are sitting on 400 to \$500,000 worth of vessels in the Bristol Bay salmon fishery.

Cotter: The word disadvantaged should not be there. When I made the motion I did not include disadvantaged, and you know that although there's a certain amount of sense to what Mr. Alverson said, as Mr. Pennoyer and others have pointed out, the quota is split 70/30 between the north and the south and the people in the northern portion in the 70% don't have 2, 3, 4, 5 hundred thousand dollar permits.

Mitchell: I'd just like to point out that many of the Bristol Bay fishermen have told me that they're really not going to make much of a stab at halibut fishing. It costs them so much in fuel and the CPUE is so low, that the amount of effort there by the larger boats, those \$200,000 boats that are probably only worth now about \$100,000, and the permits now are not worth \$150 or \$200,000 either, they're probably be selling for \$100,000 this winter, but there are so few fish in the area that the only people that are really going to be able to fish it efficiently are probably the skiff fishermen.

Lauber: All right, call the roll. The vote will carry the amendment if it passes.

VOTE:	<u>Yes</u>	<u>No</u>
	Tillion	Alverson
	Cotter	Blum
	Dyson	Mace
	Hegge	Percyra
	Mitchell	
	Pennoyer	
	Lauber	

Pautzke: Pass.

Lauber: Is there anything further under 1? Let's move on to number 2.

Alverson: I would move to amend number 2 to read as follows:

For IPHC management area 4C, 50% of the halibut quota shall be made available for resident ITQs and 50% of the halibut quota made available for non-resident ITQs.

[Blum seconded]

Alverson: As the current wording is written, this would take 50% of the quota off the top and distribute it to people in a CDQ fashion. And, then with the 50% remaining those people that had history of fishing in there would then be squeezed in that remaining 50%. I would imagine that would reduce the people's [share] that had fishing history by about 50%. They're going to lose 50% of their history to a CDQ program. I truly believe it's been the intent to try to put poundage into that community and we have tried with a number of clearing mechanisms through Dutch Harbor, Akutan and trip limits, to basically evolve to a 60/40 harvest over the last five-six years, the 60 going to non-residents of that area. My proposal shifts knowingly a percentage to the communities up there and make a fixed split that I think is more in line with history and it also gives those fishermen in that area the right to do what they want amongst their own community members with ITQ and it doesn't take away from the residents of the Pribilofs and put into some government program and make a rather small administrating nightmare of who's going to get those ITQs. It think it would be really inappropriate if a community along Nelson Island or someplace in there put in a request for the ITQs in Area 4C and were awarded those when the past fishing history belonged to the residents of the Pribilofs or to non-residents that had been fishing. It think this is a much fairer proposal than what was contemplated here. . . essentially I'm shaving 50% of people's fishing history off and putting it into a CDQ.

Tillion: I hate to disagree with Mr. Alverson and oppose his amendment. The thing about the Pribilofs is that they earned their living from the fur seal industry for many years and the halibut were fished for only a subsistence lifestyle to add to what they already had. And then, by act of Congress, they were stripped of the thing that they earned their living with for several century, or a century and a half anyway, and so I feel that at this time in view of the actions taken that have reduced those areas to literally nothing else to make their living on but the sea around them, we've made a huge investment in getting harbors started for them. I might say that they took their settlement money and used it extensively to help with these harbors and I think that the original wording is a fair and equitable chance for them to come into the 20th century and I don't have any doubt that they'll successfully do so.

Hegge: I'm not sure how much that will give to the Pribilof people under this motion. Do you have any idea, Bob?

Alverson: My motion? It'll guarantee them 50%. In fact, if I can speak further to that comment, I would imagine that with the history of landings being less than 50% by that community, anyone who qualifies for ITQs will have greater than 100% provided to them than their average.

Hegge: Is that what their historical landings are under the. . .

Alverson: Well, you'd have to ask someone from the Halibut Commission; I'm throwing a dart, but imagine I'm pretty close.

Tillion: The harbor itself. . . are not even complete though St. Paul's is far ahead. There isn't any way they can establish a history that would come near that 50%, but the thing that is noticeable is that their landings have increased steadily since given the opportunity and I have no doubt that with a 50% set-aside for the village and the ITQs that their ITQs have earned with the skiffs they're fishing now, that they would probably end up with 55% of what the Pribilofs had. I don't think that's an unreasonable allocation to a community that has nowhere else to go, that it's all they have.

Blum: I think this is an important enough subject that we get some real numbers and can see. . . we have what Mr. Tillion thinks and we have what Mr. Alverson thinks are somewhat different. I think

before I would be comfortable voting either this motion or the motion it amends I'd like to know what it is we're really talking about and I think maybe the people out there might like to know too.

Oliver: If I understand the question, it was what the past landings of local vs non-local boats in that area? We did include it in this analysis for halibut. We looked at what the distribution of quota share would be based on past landings for local vs non-local vessels in 4C and it would be right at 35% to local vessels, that's assuming no CDQ off the top, that would be what their direct portion would be on a straight IFQ program.

Pautzke: 35% is what they would have gotten in IFQ . . .

Alverson: Mr. Chairman, that's not clear. Chris, is that with the 50% off the top?

Oliver: No.

Alverson: O.K., so that is without the 50%, so it was 65/35.

Oliver: 65 non-local, 35 local.

Alverson: O.K., my proposal is 50/50.

Pereyra: I'm going to have to oppose this motion, but from a different perspective. One of the concerns that have been expressed for some time and is one of the reasons why we have a CDQ program, is because there are numbers of people that we want to see get into the fisheries and what this proposal here does is sort of locks in the existing fishers, both resident and non-resident, and really doesn't do much for getting those people that are not in the fishery into the fishery, so again I think I would want to go back and see this handled through a CDQ program that was developed by the residents of that area.

Cotter: When I put this together, I was aiming for . . . well, let me start over. During the past few years we have dealt with the Pribilof situation many times and we have had this same argument many times during the past few years. I think the majority of the Council at various times have supported regulations which were intended or that we which we thought would result in approximately 70% of the harvest in 4C being landed in the Pribilofs. That's my recollection very clearly over the years. Every year the Pribilovians come back to us with another regulation and another proposal with more stuff trying to get toward that 70% perspective. When I put this proposal together, I didn't know it was 35%, frankly I thought it was a little bit less than that, but I assumed that what would happen is that we'd end up not at 70%, but we'd end up closer to where we have wanted to take these people as a body during the past several years than we've been able to take them. So, my historical perspective, at least from a majority vote perspective, on the Council is correct, this begins to take us to that point at least in terms of the amount of quota that's going to be made available to the people in those islands.

Lauber: I don't know that we had an answer to, or what I expected to be the answer to Mr. Blum's request, which would be, at least I would like to know, under the two amendments, what the breakdown would be, what they would get. We've heard that they have 35% quota shares, then how much, assuming the 35% quota shares to residents, how much would the community plus the quota share holders get under the two proposals, can you tell me that?

Cotter: I think that if they would be getting 35% quota shares and if you take 50% off the top, I think under the first proposal they would receive 50% plus half of 35%, or roughly 64-65% all together, if my math works. They get half of 35 in quota shares, residents who live out there, and then there would be 50% of the entire quota would be reserved for residents of the community, so the total works out to approximately, what, 64 or 65.

Alverson: Wally, I want to speak to your comment. We've got a situation that is just a microcosm of the problem we've got in the Gulf of Alaska and the Pribilofs. That used to be, not too long ago, two-three month fishery in the Pribilofs. It's down to five 1-day openings, four 1-day openings, I'm not sure what they have, but it's not very many openings anymore out there and why do we need to bring the rest of the community to that 50%? It just doesn't make any sense to take it away from people who have been harvesting it, give them 17% and then hold this other 50% up and throw it to the community. They've already reached saturation point just as every community in the Gulf has. It make sense to give them, the people, their ITQs and let them trade within their own community the ITQs. The proposal I have put forward would increase these community CTQs (sic) by almost 30% of what they would get if they just got straight CDQs according to Chris. This is a fair program and it locks it down, it doesn't leave an open entry program. It seems that you've argued against those things in the past and now your argument is just the opposite of that.

Pereyra: Bob, that might be a very fair perspective, but it happens to be your perspective. You're not a native person and secondly you're not a native person from this area. [tape changeover, may have lost a few words] People have already invested time and energy into getting into that fishery; we want to support them and allow them to further develop that fishery. Or, they may come back and say that we decided that for some other community development reasons we want to spread this out more, but give them a chance to tell us.

Alverson: Mr. Chairman, . . .

Lauber: I'm going to let Mr. Pennoyer. . .

Pennoyer: Just a question of Mr. Cotter. I'm not sure why you thought they'd get half of 35%. Isn't 35% what they get as a ITQ basically, so they get 35% plus 50% of the balance. Percentages don't come out that much different, so they get. . .50% of 65%, that's 32.5%, plus 35, would be 67.5%?

Oliver: Mr. Chairman, the way I understood it, the 35% is what they would get just in a straight IFQ, without any CDQ taken off the top. The way I understand Mr. Cotter's original motion is that 50% would be taken off the top, so that would reduce the remaining 35%. . .

Pennoyer: That's not the way it's worded, though. It's 50% of the halibut quota exclusive of QSs, . . .

Oliver: It would depend whether you took that off the top or took the distributed quota share first and then took the 50%.

Pennoyer: It would still come out to about 67.5%.

Lauber: Do we have a legal problem by just arbitrarily reducing somebody's quota shares that's been fishing on quota shares that's been fishing on quota shares.

Tillion: Not until they have a quota share and actually if you do it for conservation reasons you don't have any problem either; you're not going to let them overharvest. The quota shares haven't been given yet, whatever scenario we work out is legal, I think that while it's more than I thought when I talked to Joe Blum and apologize for that, nevertheless I haven't changed my opinion at all, I think that this is fair and equitable.

Hegge: I assume this will be part of the NEPA investigations, looking at the impacts on people that would have received those ITQs, is that right.

Oliver: Yes, Mr. Chairman, and when we did the analysis, both for halibut and sablefish it was noted that any community development quota or set aside for bycatch or whatever reason would be a proportional reduction in the quota share to the recipients and so their ratios of quota share to past landings would be reduced by whatever amount you issue as a CDQ for that area.

Hegge: The other thing is I really wish we had a full picture of what we're looking at here. I know I've been present many times when we've talked with the Halibut Commission about the opportunities for various areas of the thing and then we were talking about only halibut. But just recently we took some action that gave the areas out there some 100,000 lbs of pollock and I read in an editorial by several Council people that we intend to go through the fisheries doing this and I'm just wondering, at some time you're going to come to a point where you're not re-paying them off just one species, we're giving them an awful big leg up. I'd really like to know the total picture of where we're going here and whether things are going to be adjusted downward as we include other fisheries or what we're really doing.

Lauber: As interesting as it is, I'm going to rule it not germane to this motion.

Hegge: Well, it would impact how much I would want to allocate at this time.

Tillion: Well, you know what they're going to allocate at this time, it's a case of what we're going to allocate of the next species, and there'll be some.

Alverson: We have one issue that has not been articulated here, the vessels that participate in that area that are from Alaska, Washington, Oregon, that participate in that area, there may not be a lot of them and there may be a very small percentage of the total quota that we're talking about, which it is, but it is significant portion of the income to those few boats that go up in that area and run their fish back to Akutan or Dutch Harbor. Who's going to pick up the difference that they're giving, why should those few boats pay such a high price? My proposal makes them pay a price, but it's I think a lot fairer than the proposal to go from the historical level of 65% to 67%, it's a injustice in terms of the whole concept of people getting what they caught in an ITQ system.

Pennoyer: Mr. Pereyra, was your idea to not give them any QS, to put it all in a CDQ?

Pereyra: No.

Pennoyer: O.K., so your answer was we'd let them to tell us how they want to use it, whether they gave it to a few fishermen or many, but you would still give QS to those fishermen with a catch history up there and then CDQ on top of it.

Pereyra: Certainly. They've earned it; they're U.S. citizens just like you and I and so they've earned it, they should get it.

Cotter: I don't think it's escaped anyone's attention that as we've labored here today and yesterday we have made a number of decisions which have reduced people's quota shares by making changes in qualifying years, so on and so forth. That's what we're doing; we're in the process of allocating the resource, so I think folks need to remember that. Some folks may not get what their past histories indicate that maybe they ought to get in 4C, but that's just the way it goes. One of the problems I have with Mr. Alverson's motion and maybe it's just lack of understanding, we're allocating between these two groups, these resident and non-resident, is transferability limited as well, can St. George-St. Paul people only sell to St. George-St. Paul people, or can they sell elsewhere, and I think that's an important question because that's got some interesting ramifications for down the road relative to what it is that we're trying to accomplish with the CDQ.

Alverson: The intent of the motion is that there would be a resident and non-resident CDQ (sic) of that area and based on the current regulations that set up the definitions of non-resident and resident in that area by IPHC and this Council; they would not be interchangeable.

[recess for the evening]

September 27, 1991

Lauber: We are on . . .

Pautzke: Section 3(A)(2), which has to do with Area 4C and there's an amendment on the floor which was offered by Mr. Alverson and seconded by Mr. Blum, and, in short, I think it was 50% of the quotas would go to resident ITQs and 50% of the quota would go to non-resident ITQ, and it's up on the board there.

Lauber: Is there any further discussion on the amendment?

Pereyra: Could that be read?

Pautzke: It's in Area 4C, 50% of the halibut quota shall be made available for resident holders of QS, and 50% available for non-resident holders of QS and then it has an intention in there.

Hegge: Is this just your intention for initial, that . . . how are you going to handle future ITQs? Will either side be able to expand, or what will happen in the future? For instance, if the Pribilovians or someone in that area chose to, or had the funds to buy up more ITQs, could they do that in excess of the 50%?

Alverson: Well, the intention of my motion was that you have non-resident ITQs and resident and the reason I made it that way is I've sensed a fear that the non-residents would buy up the resident shares. If someone wants to propose something in the other direction I suppose that's fair, too.

Pereyra: I'd like to amend the motion to put the 50% non-resident portion into a CDQ program. [seconded by Mitchell] My rationale behind that follows my discussion yesterday on I think the importance of the CDQ program. I would like to see that portion go to the residents themselves in the area, to let them decide how they want to come up with a program that would be in their best

interests.

Tillion: I hope that we will leave it as is and turn down both of these amendments. . . a number of those people are going to go to ITQs, this is a very small area, a very small amount, and the people have absolutely nowhere else to go. I recommend we leave it as is.

Lauber: Call the roll; we're voting on Mr. Pereyra's amendment to Mr. Alverson's amendment.

Vote:	<u>Yes</u>	<u>No</u>
	Alverson	Blum
	Dyson	Cotter
	Pereyra	Hegge
		Mace
		Mitchell
		Pennoyer
		Tillion
		Lauber

Pautzke: Failed.

Lauber: Now we have Mr. Alverson's amendment. Call the roll.

Vote:	<u>Yes</u>	<u>No</u>
	Blum	Cotter
	Dyson	Hegge
	Mace	Mitchell
	Pennoyer	Tillion
	Pereyra	Lauber
	Alverson	

Pautzke: Pass.

Lauber: All right, now we have the amended version before you.

Pautzke: You're back to the main motion now.

Lauber: Is there anything further under that item?

Mitchell: Before we move on, I'd like an explanation of how that works again. I still am unclear of how that works.

Alverson: The way that works is their historical ITQ average has been increased from 35% of the quota to 50% of the ITQs and those fishermen that have been participating out there from the islands will get whatever their history is without government interference on some CDQ program. And the ITQs at this point are not interchangeable. That was the intent.

Mitchell: So it's a combination of ITQs and community development?

Alverson: It's pure ITQ.

Mitchell: O.K., so there's no community development now in the Area 4C.

Alverson: Correct.

Pereyra: Another point of clarification. It's my understanding now this particular program would go on indefinitely while the CDQ program is only a 12-year program, so this is in perpetuity.

Alverson: Unless there's limitation to the overall program.

Pereyra: Yeah, but it follows the same format then as our QS program.

Cotter: I'd like a response from NOAA General Counsel. The proposal as adopted limits transferability to residents of the community, 50% can only be traded within that group. Is that legal, can we go that far on limitation of transferability?

Mitchell: It's illegal, you can't do that. It creates two closed classes.

Lauber: We can come back to this; let's give Counsel some time because I don't want to take the time. . .we can do this later in the morning or some other time, you can bring it up when. . .Ms. Lindeman, I'm going to move on. You can work on this and come back to it 'cause I just don't want to take the time right now. This is not final; you can bring it up if you want to reconsider something at a later time. Let's move on to item 2, or. . .item 3, 4B.

Mace: With respect to item 3, I'm concerned about the lack of specific limit with respect to the amount delegated to disadvantaged residents. It says no less than 10%, which means that a cap of up to 100% of what's left from 1,700,000 lbs. I am going to move that that be changed to read as follows:

For IPHC management area 4B, 10% of the halibut quota, etc. . . [Alverson seconded]

Mace: I've pretty well outlined my concern; I think 10% is an adequate amount to provide these people a leg up and I think we have to have a specific limit on that.

Tillion: I'd like to offer an amendment to Mr. Mace's amendment changing 10% to 20%. I agree with you on the shutting off the open end. [Cotter seconded] . . .what the people of Atka have caught, 10% is not adequate.

Pennoyer: Could we get the staff to tell us what the local/non-local participation on harvests has been in 4B over the past couple years, what has the catch actually been by local residents as opposed to non-locals?

Oliver: We don't have that breakdown for 4B, we only had the local/non-local breakdown for 4C and 4E.

Blum: How much trouble would it be to do it?

Mitchell: I can basically tell you that in the last five or six years they've caught a range of from 30 to up to 70,000 lbs, but I don't think that should be the controlling factor here. What we're looking at is a community development quota so they can go out and get bigger boats and participate in these fisheries. They're not going to do very well just having a slight increase and fishing out of little skiffs.

Most of these halibut boats that are going to get IFQ are going to get 150,000-200,000 lbs, that's for a boat and 3 or 4 other crew members, so if you have a whole village with 30 or 40 participants, you have to put enough quota out there so they can upgrade into a boat that's safe, let themselves establish themselves in that halibut fishery and then venture into other fisheries also.

Alverson: The 20%, as I read the numbers given to us yesterday, would be 340,000 lbs, which is 500% greater than the highest number that Henry mentioned. And, a based on his numbers of what it would take a full sized crew and vessel to operate, that might be enough for one boat, one-and-a-half boats. The problem with those people out there is, even for people that are full-time halibut fishermen, they have to do other things; they're salmon fishermen, they're blackcod fishermen, they're codfish fishermen, and if the State of Alaska wants a comprehensive program for these people they should be listening to the requests of the Atkans for access to their salmon resources around those islands, their own islands out there, which has been denied by the State of Alaska. The State of Alaska has the authority to provide interim use gillnet permits to these people in Bristol Bay or other areas, non-transferable permits; the State of Alaska has not stepped up to the plate to help these people and the amount of 10% is well over, probably 100% of the average in this area. I think Bob's original motion is fair, I think the 20% is excessive. There's got to be other alternatives, there's not enough halibut out there to satisfy any one community and the amount that's been taken by the few boats that have gone out there is very important to the livelihood of those boat owners and the crews dependent on those boats. I think we need to do something additional for the Atkans, they are crewing on a number of the vessels I represent and I know have done business with them, and I think 10% around their area or in the 4B area is plenty adequate for those people.

Tillion: I hate to continue the debate. As we all know the Atkan people were the ones removed from Attu in World War II and never returned back to where they began. The problem that you have with salmon is the same one you're going to have later on with ITQs. I think Mr. Alverson would be infuriated if we, after issuing them, then took social costs back out. The salmon limited entry permits have been issued. Those people, because they didn't have a history of fishing and they had no way to get into the fishery, were left out. Now we have something that they are engaged in and we're talking about cutting them down to a very small poundage. I think 20% is more than justified.

Hegge: Under this motion, as I understand it, if either 10 or 20 were passed they would still be able to buy additional quota shares from the ITQ program as they became able, is that correct?

Lauber: You're asking me? I'm the Chairman, I . . .

Alverson: Larry made the main motion, maybe Larry can answer that; I would assume the answer is yes.

Cotter: The answer is yes; neither amendment alters the allocation of quotas shares. I might point out, too, that the allocation here in this section is an allocation specific to communities in that particular area and when we move on to the next item and we get into CDQs in other management areas that are available to all communities.

Lauber: This is outside of the uh. . ., this does not lapse?

Cotter: This does not lapse during the course of the year. There is no third quarter review, and it's there for the year and they either take it or they don't. Hopefully they will.

Lauber: But it does have to go through the community development criteria?

Cotter: Well, the way I wrote it is it doesn't, but I think we need to talk about that. . .which we'll get to in a moment.

Alverson: Just a technical aspect of this action the way it's been amended, I've got a question of Larry, the way it's been amended. This is 10%, but it says exclusive of issued Qs, so those Atkans that had history would be given ITQs, plus there'd be the 10%, is that the way it would . . .

Cotter: Yes, they would get their quota shares. . .

Alverson: So, they'd get their average, if their average was 50,000 lbs, plus the 10%.

Tillion: It would be lower than with the years we've picked.

Alverson: Well, not by much.

[someone commented in the background, not at microphone; couldn't hear]

Lauber: We are debating the motion theoretically of 20% which. . .Mr. Tillion.

Alverson: O.K., so it's be 20% plus what they're already going to get on ITQs.

Cotter: The 20% would go to the communities that are in that area, O.K.? The quota shares would go to the individuals who had earned them.

Lauber: Call the roll; this is the 20%, Mr. Tillion's motion amending Mr. Mace's motion. It will carry Mr. Mace's motion.

Vote:	<u>Yes</u>	<u>No</u>
	Cotter	Hegge
	Dyson	Mace
	Mitchell	Alverson
	Pennoyer	Blum
	Pereyra	Lauber
	Tillion	

Pautzke: Pass.

Lauber: All right, is there anything further under item 3, on 4B?

Cotter: I don't want to befuddle things. The last sentence of 3, it says that CDQ for this area is not subject to exception 3B below. And, 3B is the rules and regulations that apply to all the CDQ programs. I think that there needs to be some administration of the program, but the way this works now is there is not administration of the program, it is an allocation to those communities and really there's no oversight and that may be fine and it may be that end up providing oversight anyway, but I just wanted to make it clear to the Council that that's the way it's structured at this point.

Blum: I would move that on 3A(1), 3A(2), and 3A(3), the last sentence in each of those be struck. [Pereyra seconded] I think it is inappropriate that we exempt from any control any of these

allocations and it's that simple.

Cotter: Point of order, or point of information. That sentence is not in either 1 or 2, it only exists in 3 now; item 1 we withdrew it yesterday as part of an overall change, item 2 we replaced with Mr. Alverson's motion.

Blum: Thank you. If that is true, I would amend my motion to just 3.

Tillion: I'm in opposition. Basically the Aleutian Islands area are quite a bit different than the western coastal areas. These are people that are right in the fishing industry, will bring themselves right on up and the reason that they should have been left out of the other thing is that they should not be included in the more welfare-type areas, under those stipulations. If you let them have the resource, they will catch it.

Pereyra: I think we have to have some sort of CDQ program oversight here because in order to prosecute a successful halibut fishery we cannot restrict individuals to just the fish that are around their village. I think you have to provide for the opportunity to go to other areas if in fact that's necessary to conduct a viable fishery if that's the direction that the villages decide they want to go. I feel very strong about this; I think we have to have some sort of overall umbrella. This is the idea behind this in the first place. It isn't a giveaway program or just some sort of a bone to throw to those people to sort of make them be satisfied. This idea is to be helpful in a creative way and so I strongly support Mr. Blum's motion.

Cotter: Mr. Blum's motion doesn't have any impact on what Mr. Pereyra was discussing. The language in item 3 that is not addressed by Mr. Blum's motion states that the CDQ is only available for communities in that area and if that's what Mr. Pereyra wanted to get at he would have to go at it from that direction. It doesn't prohibit them from leaving the area. What Mr. Blum's motion does is it ties it into the entire CDQ program and, Mr. Chairman, I would move to amend Mr. Blum's motion to. . .well, you're just taking the whole thing out, right? I'm afraid mine would be a substitute amendment and I don't know if that's. . .Mr. Blum, what I was going to do is reference the portions of 3B below that appropriate. It was not my intent earlier to have, for instance, at the end of the 3rd quarter a release of any reserve. It was my intent to give it to them and they would have it the entire year with no release if they didn't use it in hopes that that would help them use it in the future. If you don't delete reference to item 2, then that happens, item 3B(2), and I didn't know if that was your intent or not.

Blum: Yes it was. It was my intent and if Mr. Tillion is correct that in this particular area the folks are going to harvest the fish, then the third quarter review is not necessary, the fish will be gone. They will be utilizing them and that will be a non-issue. .But I think in the instance that they are not capable for whatever reasons of using it, then having that available to others that can has a logic to it. So, I understand what you are trying to do, it is different from what I am trying to do and it will require a different procedure.

Lauber: Anything further? Call the roll. We're voting on deleting the last sentence on line 4 of number 3, Area 4B.

Vote:	<u>Yes</u>	<u>No</u>
	Mace	Dyson
	Pennoyer	Hegge
	Pereyra	Mitchell

Alverson Tillion
Blum Cotter
 Lauber

Pautzke: Fails.

Pennoyer: I'm somewhat confused between the discussions on both sides of this issue. Mr. Cotter, if in fact you just wanted to make an allocation to the people in the area, why didn't you mirror what you did in item 1 and just make it available to the residents of communities proximate to the area of concern, why did we go through the QS and CDQ discussions?

Cotter: The difference is that in item 1 I did not anticipate a IFQ program; it was going to be an open access fishery, 100% of which would be available only to residents of those communities. In this item, #3, there would be an IFQ program. In addition to the IFQ program there would be a CDQ set-aside now in the amount of 20% which would be reserved specifically for communities within that management area, disadvantaged communities within the management area. Mr. Chairman, I would move to amend the last sentence by [clarified by Chairman, under #3, last sentence on line 4] adding, or by deleting, let me read it: "CDQ for this area is not subject to the fourth quarter release provision as contained in section 3(B)(2). [seconded by Alverson] Mr. Chairman, what that then does is it brings an administrative format into play in that the community will still have to develop a program to show how they're going to use it, but it is theirs and the fourth quarter release mechanism does not apply, it's theirs for the entire year.

Lauber: Is there any further discussion? Is there any objection to Mr. Cotter's motions? Passes. Anything further under 3? Move to 4.

Mitchell: I would move to amend 4 to say, "no less than 80% of the halibut quota shall be made available for residents of disadvantaged Western Alaska coastal communities for a community fisheries development program. [seconded by Pereyra for discussion]

Lauber: We're going very rapidly, is that all the same except you're changing 20% to 80%?

Mitchell: Right.

Lauber: All right. You understand the motion, any discussion?

Mitchell: I'd like to speak to my motion. We have started out with trying to take care of the community development concerns in Western Alaska, and there are many communities, as a matter of fact, there's at least 20 that I know of along the Western Alaska coastline that if in fact we don't do something substantial, will have really no fish to fish for, and I know that people are going to complain and say that we're going to take those fish away from the QS people that would qualify in Area 4D, but I would point out that we could spread the pain around by issuing those people quota in other areas in the Gulf where there are more fish. I also want to state that I really think that you need to do this to give some of those villages, Tooksook and Tununek (sp), a chance to get into some slightly bigger boats and range farther offshore. It's their theory that halibut in particular are caught farther offshore and in many cases prevented from coming to them. Their historical subsistence catches of halibut in all those villages is very high and if we're going to have some sort of true community development I think you really have to set aside some fish, a pool that can be fished on under an approved plan. You're talking about 20 villages; Mr. Tillion has said, well, we're talking about the Pribilofs who've got a small area, a small amount. Well, we've got a large area along the

coastline with a large amount of people and we don't have any fish to go after and we need to have some of that halibut resource out there set aside for this community development program.

Tillion: I'm sorry, Henry, this one you lose me on. I didn't figure that I was a socialist and that because some people lived in an area that had small resources that we would give them somebody else's resources. The 20% is something that can be used by the people that live in that area and they should have priority; I can go along with that. The fact that the other would be set aside for people that do not live in that area to come there and fish, I think one should be very generous in their area, but I can buy this 80%.

Mitchell: Well, Mr. Chairman, these areas in the Bering Sea are very arbitrary areas. They were basically set up for allocation purposes and battles between the various interest groups. The halibut resource out there of course is a national resource; this is a regional body dealing with trying to implement long-term allocations on that resource, and I think that to make a statement that those fish belong to just one village in one area, 4C. . .4C used to basically include most of the northern part of the Bering Sea and was arbitrarily cut up for allocation purposes, not for purposes of conservation and management, and people there have been trying for a long time, their fish have been caught by other fishermen, whether they're the long-term halibut fishermen, the fish have been destroyed by the trawler activities there; equity demands that this Council provide some opportunity for them to fish in a halibut fishery. Now, 100,000 pounds in Area 4E just doesn't cut it and you're talking about under 80%, probably taking close to 500,000 pounds. Well, 500,000 pounds out of all the other Qs that are going to range from 40 to 60 million pounds probably, depending on the year, is absolutely nothing. It's a minimal, absolutely minimal amount, and this Council sat here talking about the importance of doing things for the villages and such, well, let's do something for the other 20 or 30 villages along that Western Alaska coastline.

Alverson: I'd point out that there are no villages along the coastline of 4D; it's a minimum of 200 miles from . . .to 300 miles, from Nelson Island, probably an equal distance from Atka going north, the closest communities are the Pribilofs, and I doubt if they've participated . . . the only participation has been by Alaskans and non-Alaskans from outside the community up there. I'm not going to be able to support this, and I don't think anybody sitting. . .I don't the majority of this Council believes this is a fair issue, Henry, and I think that you know it's not.

Mitchell: Well, Mr. Chairman, I'd just like to say the requirements of saying, oh well, these people didn't go out there and fish, when all they had was 17ft . . . is absolutely ridiculous. This Council has been talking for years about this concept and people out there have been trying to get the wherewithal to get some bigger boats and they have been stymied; they have been stymied by this Council. This Council used their fish and chips policy to get a lot of different things for a lot of people, including shoreside plants, leveraging people into the factory trawlers, leveraging people into factory longliners, and this Council is absolutely here refusing to do the right thing as far as letting those people have a little bit of leverage, to have a little bit of quota so they can take that quota to the bank so they can buy a 60 ft longliner. If they've got a 60 ft longliner they'll go up there and compete with Jack Knudsen. But to say, well gee they never went there, that's ridiculous.

Lauber: Call the roll. Question is on item 4, line 1, changing 20% to 80%.

Vote:	<u>Yes</u>	<u>No</u>
	Mitchell	Hegge
	Pereyra	Mace
	Blum	Pennoyer

Tillion
Alverson
Cotter
Dyson
Lauber

Pautzke: Fails.

Alverson: Mr. Chairman, I'd move that in item 4, that the "no less than" be stricken. [seconded by Blum] I would point out that the previous wording, or the wording that I'm purporting to amend, the "no less than," this area could be usurped by going interests out there and the people that have had catch history for 20-30 years out there would lose it all if the existing wording stays. And in conjunction with paragraph 5, the last sentence that says "in implementing this program community development plans shall provide a harvesting preference for residents of the community or any harvesting arrangement from persons who reside outside the community." This is a mini-Magnuson Act forcing U.S. citizens out of historical rights. The 'no less than' as proposed by Bob Mace in paragraph 3, provides for 100% usage of that resource at the sole expense of people who have had a catch history in there.

Lauber: Any further discussion; call the role.

Vote:	<u>Yes</u>	<u>No</u>
	Pennoyer	Pereyra
	Alverson	Tillion
	Blum	
	Cotter	
	Dyson	
	Hegge	
	Lauber	

Mitchell Abstained

Pautzke: Pass.

Cotter: I move to amend item 4 [3(C)(4)]by adding . . . 4A, so that it would read, " For IPHC management areas 4A and 4D, 30% of the halibut quota . . ." [seconded by Mitchell] Mr. Chairman, I didn't support Mr. Mitchell's earlier motion of 80% for 4D, not because I didn't agree with what he said, but I thought that 80% of 4D was too much of an area where the resource is fully utilized by folks who don't live around there, and there's nobody who lives around there. But, I am persuaded by Mr. Mitchell's comments on the needs of the residents and I think he very accurately points out that the amount of quota that we're talking about providing for a community development program is minuscule in relation to the total amount of IFQs that we are doling out through this process. By adding 4A, we are then providing an additional 340,000 pounds of quota share and I think it's the least that we ought to do. In fact, maybe we ought to do more, but for now that's the motion.

Lauber: Question. That 340,000, is that the total and then it would be the percentage off that, or the . . .

Cotter: No, Mr. Chairman, when I said 340,000, that's 20% of the existing 4A harvest quota of 1.7 million.

Blum: So, what's the total then for 4A & 4D?

Mitchell: 460,000.

Alverson: The historical catch in 4A does not take place in the Bering Sea. It may be in Area 4, but the harvest comes from the Davidson Bank area largely and what this is doing is. . . I don't know what communities you're talking about unless you're talking about Sand Point and King Cove, those are the communities I guess you'd be talking about, 'cause those are the ones on the peripheral area. If you're talking about Nelson Island running down to grab King Cove's fish, I think that's really grossly goes beyond the concept of CDQs. This is into an expanded area in the Gulf where you have 4 to 5,000 people participating in one-day openings and whatever those guys have got in their catch history should not be whittled away like this, particularly in an area where I doubt if the Bering Sea residents have participated because of the requirements to clear through Dutch. I doubt if there's been any participation by the communities in Nelson Island and eastern Bristol Bay; or the Pribilofs that participate in 4A. That's a Kodiak-Seward, anybody in the Gulf fishes that area.

Cotter: A couple of things. First of all, this particular motion, item 4, does not limit participation to communities located within 4D or 4A, O.K.? Communities, eligible, disadvantaged, Western Alaska communities outside of those areas can also access the CDQ that we would be setting aside for 4D. Secondly, we have gone through a process here where, in number 1, we dealt with 4E and reserved that amount for those people, but that was only 100,000 pounds. We then addressed the Pribilovians in Area 4C and we set up a specific program for them in Area 4C; we then touched on 4B and the communities in 4B, the Atkans. What this does is it takes some quota out of 4A and 4D and makes it available to all of those communities, or to Nelson Islands and those folks who really now have access to very little quota to use for development purposes.

Pennoyer: I guess I'm confused by Mr. Alverson's remarks. The 4A quota, as specified by the Halibut Commission, is it intended to be taken in either the Bering Sea or the Gulf? Is there a proportion that we get into different stock composition questions here that we . . . deal with? I'm not sure what the division of harvest is between the Bering Sea and the Gulf, and if you would give this to Bering Sea communities are you shifting harvest under a different set of stocks, or how do they do that, do you know?

Alverson: Well, I don't have a chartlet in front of me of the Bering Sea Halibut Commission areas, but as I recall, 4A went north until it abutted 4C and basically, from 4C which is the southern Pribilof area, through the horseshoe area is dominated by trawl activity; you just don't get longlining in that area of any significance, so the primary harvest is either on the very north side of the Aleutian Islands or in the Davidson Bank area and Ron could speak to that better than I could, but that's how I remember the numbers coming in from the fleet.

Pennoyer: I guess my question stemmed from the fact that I think that, and part of the confusion in dealing with this question is that in fact the areas in the Bering Sea were basically set up for allocative purposes and the Commission has often said that they don't really care; some distribution of effort makes sense, but there's no stock differences throughout that area, so we've gone back here in a community development aspect and tried to . . . deal with a management system that wasn't set up to deal with the stock and we've taken one piece of it that was done just for allocative purposes and treated it one way, and another piece we've treated another way, and now we've extended this into the Gulf of Alaska, and I'm not clear that the Gulf areas. . . I'm not clear that the Commission would assume that all of 4A would fall into the same question as the Bering Sea that the lines didn't make any difference, the fact that it was still all one stock. Basically, all of the halibut population

is sort of one stock except when the adults settle out they're assumed not to migrate any more and you do sort of have a fixed population that you're dealing with and I'm not clear how 4A blends into that. I guess my problem here is I'm not sure what the Council's intent is. If we want to take a certain proportion of Bering Sea stocks, which are interchangeable, and allocate them to community development quotas, then we've sort of not done that. We've tried to do it out of just 4D which isn't really a stock area. We've tried to do a different thing in 4E and something else again in 4B; we tried to take into account QSs, open access, and CDQs, and when we got done we didn't have much CDQ left, so now we've gone back and tried to include other areas that I'm not totally sure are Bering Sea areas, into the community development quota. I'm really of a mind that we should go back and just look at the total poundage in the Bering Sea, decide what makes sense for CDQ, and then come back and redesign what we need to do by subareas. If there are people in certain subareas of QSs in skiffs that can't go farther, I don't know where we're going to end up with this, but we're trying to jockey the percentages around now to include the Gulf of Alaska. Total Bering Sea quotas are 4.7 million pounds and QSs to residents of that area would amount to another 70-80,000, maybe. . . [Mitchell interjects: maybe 150,000]. . .

Blum: Mr. Chairman, numbers are floating around. I suggest that if you want to start using them they ought to have some validity.

Lauber: I don't know that they're germane to the motion we had on the floor, which happens to add area 4A to item number 4.

Pennoyer: Mr. Chairman, I guess there's one germane question. The 4.7 million pound Bering Sea quota does include 4A and I'm not sure what. . . Dr. Clark is here still, I wonder if we could get him to comment if that is a concern. I guess Dr. Clark is not still here, so. . .

Blum: I'm probably not going to please you, but this is getting to be a little bit confusing. I've had a couple of Council members, including myself, indicate that we're sort of lost in this thing. Could we have a ten minute break and have Mr. Pennoyer and appropriate staff lay this thing out?

[break]

Lauber: Let's come back in session, please.

Pereyra: Mr. Chairman, one of the problems that I have with this debate we've been having for the last probably most of yesterday afternoon and all this morning, is I'm looking at the purpose and scope of the CDQ program, and it says, "In order to provide fishermen who reside in Western Alaska communities a fair and reasonable opportunity to participate in the Bering Sea and Aleutian Islands halibut fishery, to expand their participation in salmon, herring and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the Western Alaska Halibut Community Quota is established." What I think we have to remember is that's really our guiding principle when we discuss this and I feel that we've gone way astray of this and we've got hung up in a lot of accounting difficulties and area difficulties and so forth, and I for one would hope that as we try to bring closure on this particular issue, that we do it with that larger objective in mind. I think it's very important that we . . . from that perspective.

Lauber: Any other comments? We have a motion on the floor to add to item 4, add Area 4A. Is there any further discussion? Call the roll.

Vote: Yes No

Mitchell
Pereyra
Cotter
Tillion

Pennoyer
Alverson
Blum
Dyson
Hegge
Mace
Lauber

Pautzke: Fails.

Pennoyer: During the break I talked to Halibut Commission staff and our implementation committee staff who had talked to the Halibut Commission during their discussions of community development quotas, and I think we've got a chart done that shows the quotas by area for all the Bering Sea areas. I think . . . I don't know what the answer is. I originally was a proponent on all of the CDQ questions of doing something like taking the purchase limits off of the government entities such as boroughs and cities and the state and allowing them to put their money into buying quota shares for disadvantaged communities and then finding their own way; of doling them out. It seems to me that made more sense that reallocating between sectors of the fleet to accomplish this, but that's not the route we've decided to go down, so it still seems to me that you need to decide what an appropriate amount is for community development quotas, taking into account the number of QSs that actually might be allocated in each of these areas. Now, we've chosen not to allocate QS in 4E; we simply made it open access to residents only in that area. By contrast, in 4E we decided to allocate QS and then put the rest in a CDQ program, but only for residents of that area, and I'm still not quite sure what the difference is accomplished in those two factors. We'd then do something different in 4C; we allocated only QS, but at a percentage higher than they've taken recently, and we've taken 4D and now maybe 4A and tried to use them for community development quotas. I talked to the Halibut Commission staff, as I said before, and the areas between 4A, 4B, 4C, 4D and 4E are largely allocative. I think basically it gets a little bit confusing when we get down to 4A because a major part of that catch may be taken in the Gulf, by a predominantly a different composition fleet that it is taken in the Bering Sea. But they've also said, of course, that they like the distribution of effort concept which they think . . . normally would naturally occur unless forced with an unnaturally large quota is forced into particular subdivision. Maybe the discussion is what you want for a community development quota. Maybe you need to get back to the total and what is appropriate and get back and look at this hodge podge and maybe even redraw the lines if you want to, but come up with some idea of what you want in total for community development quota and then decide if within the structure of the Bering Sea are there different communities or cultures that you want to treat differently. Right now I think you've got kind of a hodge podge. You don't have a community development quota, you've got some mixture of QS, expanded QS, open access, and I'm not sure where you're going to end up.

Lauber: Do you have a motion, Mr. Pennoyer?

Pennoyer: No, sir, I don't. I think you need to decide first what you think is appropriate for CDQ for the Bering Sea halibut, and of course you're doing this in a vacuum because it's also going for sablefish, and you've done something for pollock as well, so it's a little difficult to pick out, I think, what the appropriate number is; it's got to be, I guess, the feeling of the body, but we've had a lot of different numbers we've dealt with here this morning. I'm not even sure, you take all the things that have been proposed, what the total CDQ is. Somebody said it was 400,000 pounds right now out of the 4.7 million total in this area, but also there are quotas that have been allocated specifically to . . . O.K., it is there, yeah. . . (?)

Blum: Mr. Chairman, I would try a consolidating motion: I would move that we strike all of the actions that we have taken with respect to CDQs and substitute a simple provision that would be in the section, Section 3(A), that would say, "set aside 20% of the total Area 4 TAC for halibut for community development quotas for the Bering Sea. [seconded by Percyra] . . . what Steve [Pennoyer] has said, and I think the quagmire we find ourselves in with this, while well intentioned is not getting to the objective that the Council has, a simple motion that sets aside a 20% overall quota for the Bering Sea to be handled, if and when we pass 3(B) and the appropriate language for administration of that, is the simplest way for this Council to state its intent and have a process for that intent to be met.

Tillion: I wish it was that simple, Mr. Blum. The problem I have is that the Aleuts that live both in the Pribilofs and in 4B down there are in more of the ice-free areas and will enter the fishery very quickly from here on; all three of the major villages that I'm talking about here, were impacted by actions taken a long ways away, like the demise of the fur seal and like the movement from Attu, so those decisions to leave them a quota that they can actually fish is a good decision. Now, we look at the Eskimo peoples of 4E and north and you're talking about people that have very limited resources within their area and that's when you're talking about the community development quotas that go offshore. But don't, please, mix these two ethnic groups in where one where it's a matter of which one has the most votes for a CDQ and you'll find that you're taking resources away from the Pribilofs that could be harvested right in their port and giving them for social programs or for starting a boat to fish offshore for another people. So I have no problem whatsoever for community development quotas, 4E we've just given all the halibut to the people that live there and I think that's fair and equitable. 4D, a community CDQ makes some sense, the percentages that's arguing; on the Pribilofs you're going to find those people will catch and use everything you give them over a period of time; they're still developing the harbors and 4B will be the same way, so it's just not simple as dump them all in the same thing. It's like saying "Europeans;" it doesn't make any difference whether they're Norwegians or Italians, it don't work that way.

Cotter: A question, and then a comment. Mr. Blum, you said all of Area 4, that includes 4A as well? [affirmative response] O.K., I guess the comment is somewhat along Mr. Tillion's lines. What I tried to do initially when I drafted the initial motion was to take into account the allocational problems that we've been struggling with every year in some of these areas. The Pribilovians, it seems every year we wrestle with some type of regulatory process that's designed to give them 50, 60, 70% of the quota. We do the same thing with the people in Atka; we have problems with 4E, so I tried to set this motion up so that we would resolve those questions now, once and for all, and still leave some quota outside for people in 4E and other areas to access. I'm attracted to the motion because of the poundage, but I'm worried about the motion in terms of the problems that they generate down the road in dealing with the competition out there.

Blum: Mr. Chairman, if I could clarify one point. With respect to the motion, it is Area 4 within the Bering Sea, and so that part of 4A that is in the Bering Sea, that part of 4B that is in the Bering Sea, it would require some work with the Halibut Commission, but I don't think that's impossible.

Mitchell: Question of Mr. Blum. So that would mean that the quota in 4A and 4B would probably be cut in those portions of the Bering Sea, so we'd probably be looking at a total of probably only three million pounds, a total of which 20% would go for a total community development quotas. Mr. Chairman, I might want to speak to this. That would probably end up with approximately 600,000 lbs going for community development and when you take a look at the number of communities, Mr. Blum, that would not be enough resource for those communities that play into, . . . to get some of these longline vessels that wish to participate in that fishery out there. You're really looking at about

10 to 12 boats probably being built over the next three or four years and that's a substantial investment. The halibut is going to be an integral part of helping to pay a debt service on those vessels on those vessels and I think that if you're going to go to a rural (?) approach, which there's some problems because of the politics, and I can see why Mr. Tillion is afraid. He's afraid that in the years that he is not in the Governor's office that the west coast of Alaska, which votes as a block, may have significant more political clout than the Pribilovians or the Aleuts; that live on Atka. But I really think that if you're going to do anything substantial for community development in terms of halibut you really need to look at much higher number than this and there are some equity considerations; I know how people feel about being denied a certain portion of their resource out of the areas in the Bering Sea, but there's a way to spread the pain around the coast and that would be to give those people that would lose a percentage of their catch, say in 4D, you know, a guy out of Seattle or a guy out of Kodiak, to give him credit in other areas in the Gulf, for instance out of 3B and 3A and that way you would fairly spread the pain of imposing the community development program up and down the coast and all participants in the fishery.

Hegge: First, Mr. Chairman, during the break some people wanted me to have you clarify which Sunday we were going to adjourn. . . This kind of started, as I recall, at a 3% level a few years ago but I asked Lisa a little bit ago how it is affected by the Halibut Act and all sorts of different things, because we are deviating a lot. We're giving long-term assignments now to specific people, to specific areas and I'm concerned about that. I'm also concerned that we look at this as just halibut as the supplier of CDQs and I'm very concerned that we're ignoring the fact that an ITQ provides the perfect opportunity for interested agencies to provide assistance to people to get into a fishery and I think we're completely ignoring that aspect of it. Funds can be made available, either state or federal, or loans available to people to obtain the ITQs just as any other individual that decides to go out and present a business plan and get money made available to them so I'm really going to oppose the large numbers we're looking at. Also, I do seek the clarification from legal counsel on some of the ways that we are deviating.

[miscellaneous comments]

Lisa Lindeman: Mr. Chairman, what I want to do is clarify what Mr. Cotter asked before about can these CDQ programs be set up for residents for these Alaskan communities, and then clarify the authority in the Halibut Act because the sablefish IFQ program has been taken by the Council under the authority provided by the Magnuson Act. The halibut IFQ system is being set up by the Council under authority provided in Section 5c of the Halibut Act. Under the Halibut Act the Council can set up a limited access system for rural coastal Alaska communities. The protective effect of that CDQ program can be extended to rural coastal residents of any part of Alaska, the adverse effects of the measure, of the CDQ program, would have to fall equally upon similarly situated Alaskans and on Alaskan non-residents of the specially protected areas and that addresses the question of whether or not it could be established for residents of those areas. The measures also have to be fair and equitable to all affected fishermen, be reasonably calculated to promote conservation, and be carried out in such a manner that no person or other entity acquired an excessive share of halibut fishing privileges. Those are some of the standards set forth also for the sablefish IFQ program under the Magnuson Act. Lastly, these standards, or the program, could be stricter than similar regulations of the IPHC as long as they don't frustrate any purpose of the Commission as expressed in the IPHC regs. So, those are the standards by which you would set up the CDQ program.

Lauber: Have we done anything that would raise any questions in your mind as to that, what you've just told us?

Lindeman: With respect to this discussion this morning, no. . .

Lauber: Is there anything we've done so far. . .is there anything that we have done that maybe a yellow flag, if not red flag, has gone up in your mind.

Lindeman: I'd say as far as a yellow flag, not from what I've listened to.

Lauber: And, as far as a red flag?

Lindeman: I'm not going to make a call.

Pereyra: This discussion is very interesting from my perspective. You know, here a meeting or so back this Council in a very cavalier manner saw no problem at all with taking seven and a half percent of the Bering Sea pollock, seven and a half percent, and allocating it to a CDQ program. I personally felt that that was rather excessive considering the fact that these people have no involvement whatsoever in pollock. Here we have a situation where we're talking about less than 2% of the entire halibut quota being allocated into a CDQ program, so I think that when we look at these numbers one could argue that probably this 20% is a little bit on the low side. So I would hope that people would keep that in mind when it comes time to vote on this particular issue.

Tillion: It seems that the motion before us right now is a simplifying; motion but it is not. We've already done, I feel, an adequate job in 4B for the Aleut people of Nikilski (?) and Atka. We should leave that alone. I feel that the original wording that was put in by Mr. Cotter for the Pribilofs would have been preferable to what we did, I feel that was a little low. I think that if you look at the original wording here of what we did in 4E where we left that small amount of fish to the people that live there, was the correct thing to do and that 4D, if you used it for community development as Mr. Cotter first laid it out, would be reasonable. We could then move on. But I don't want to undo what we've done for those villages where the people can actually while I don't object to Mr. Mitchell's people having a community development quota for their vessels, it doesn't all have to be done with halibut.

Blum: With all due respect, I believe what is being said by the last speaker is that it is simpler for the Council to carry the political burden of this allocation than it is for the state of Alaska and I would suggest that the Council's responsibility is taken care of by providing a amount and a program that the Governor of the state of Alaska and the agencies of the state of Alaska, in concert with this Council and the Secretary, can fully implement. If in fact there are special needs for the people in 4E, and there are special needs for the people elsewhere, that's a call that the Governor and the State can very adequately make based on substantially more information than this Council has at this time to generate and filter and assess and evaluate and write reports on. I believe a simple motion for this Council to say we're prepared to do this and we're prepared to recommend to the Secretary that this process be followed, is in fact the appropriate role for this Council to plan. To go beyond that, I think, if the folks in Alaska think about it, is once again the federal government or a body of the federal government dictating how things will get done in Alaska which is one of the reasons, as I recall, that statehood was sought for some independent action, and here is an opportunity for this independent action to be taken.

Lauber: O.K., does everyone understand the question on the floor? All right, call the roll . . .

Alverson: Mr. Blum, how does your motion affect 4A in terms of poundage, not specifically, but generally, how. . .

Blum: My motion, which I clarified, is that we're speaking of the parts of 4A and 4B that are in the Bering Sea and what those numbers would be I can't begin to figure out. We have technical people that do that for a living.

Mitchell: State the full question, please.

Pautzke: It's to strike the provisions that you've done on community development quotas and set aside 20% of the total area for CDQ as modified by Mr. Blum's comments just then, in the Bering Sea.

Vote:	<u>Yes</u>	<u>No</u>
	Pennoyer	Tillion
	Pereyra	Cotter
	Alverson	Dyson
	Blum	Mitchell
	Hegge	Lauber
	Mace	

Pautzke: Pass.

Discussion continues on tape 61 - nothing more transcribed.

**COMMENTS RECEIVED BY DUE DATE OF SEPTEMBER 16, 1991
ON IFQ ALTERNATIVES
IN THE HALIBUT FISHERY**

9/13/91

11760 "A" Nix Court
Anchorage, Alaska 99515

NP FMC
PO Box 103136
Anchorage, Alaska 99510

Re: EIS/RIR/IRFA, halibut fisheries

Dear Sir:

I recommend that you add to each halibut quota share a proportional sablefish ^(bycatch) quota share. Currently, halibut fishermen are allowed to harvest 4% sablefish ^(bycatch) only when the sablefish fishery is open. This has led to unnecessary killing and waste of the sablefish resource. This sablefish quota share ^(bycatch) should apply especially to the small boat halibut fishermen that do not normally harvest sablefish because of boat size and the inability to safely participate in the fishery. It would be unnecessary to assign a sablefish quota share to those entities receiving a share through the sablefish program.

In my eleven years of halibut fishing, it has been my experience that the current 4% bycatch allowance for sablefish is too small at times therefore leading to waste of the resource. I recommend that the sablefish bycatch quota share be between 5% and 10%.

Sincerely
Stephen Kurth, F/V Shinaku

Lue Steuron
617 Kallian B-23
Guano Island
Sitka, Alaska 99835

Pg. 1

1615

Dear Members of the
North Pacific Fisheries Mgmt. Council,

I oppose the I.F.O. system
as I feel its against free enterprise
It also discriminates against honest
fishermen. Its a well known fact
that for some time now there
has been a pre and post season
harvest by dishonest fishermen.
These fishermen will be rewarded
for this theft (from honest fishermen)
by receiving a larger share of the
"pie." Are we still living in
America???

The principle of this system
is tempting as supposedly we
will be able to fish a nicer
time of the season. But fishermen
being what they are and weather
forecasters being what they are,
this is definately not a guarantee
for safer fishing times. The
better weather factor could be
enhanced by putting openings at
a time of the year when weather
is less likely to be life threatening.

It is somewhat the nature of any fishery to have tough weather times. But its still all of our own options to come or go.

Area registration would be a preference of mine over I.F.O. It would give management an idea of the potential impact on each area and spread the fleet out some. I.F.O.s would also have a greater mortality rate due to limits caught before all of the gear is hauled.

Our forefathers left England to come to America because of things like the I.F.O. system. The rich get rich and the poor get poorer, lack of free enterprise, loss of lifestyle. Please reconsider what you plan to do to a way of life that most people don't want a guarantee on.

Respectfully
Deean D. Starns
"Lifestyle Helixat-Fishman"

Mr. Richard Lauber, Chairman
North Pacific Fisheries Management Council

Sept 12, 91
SEP 16 1991

Scott Hansen
Rt. 2 Box 1206
Oroville Wash.
98844

Chairman Lauber,
I've been a crewmember in the longline industry for nineteen years. I seen alot of changes over the years, but nothing like you guys are about to do with one mighty stroke of your pen. You will create a millionair's club (Fishing Vessel Owners) and squash the little guy (crewmembers).
You people of the council have my support because something has to be done, but please lets be fair.
Scott Hansen
(crewmember)

**KODIAK LONGLINE
VESSEL OWNERS' ASSOCIATION**



326 CENTER AVENUE, P.O. BOX 135
KODIAK, ALASKA 99615
(907) 486-3781 FAX (907) 486-2470

HALIBUT • SABLEFISH • PACIFIC COD • CRAB

September 16, 1991

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
Anchorage, Alaska

SEP 16 1991

SENT BY FAX: 271-2817

Dear Mr. Lauber:

As you are aware, the KLVOA members have spent a significant amount of time evaluating and commenting on the proposed IFQ plans which the Council is addressing. We recently met and discussed the draft sablefish plan. We understand that with a few changes, this plan is considered a pilot for the halibut fishery as well.

We are deeply concerned that the Council, in a desire to provide a program suitable for the needs of different fishing groups and individuals, has seriously overlooked the concern for conservation. In passing each of the individual restrictions, the benefits to the users of the resource were mentioned, but not the resource itself. There will be significant resource problems if these plans are adopted.

Is this IFQ program which is being contemplated going to achieve the purpose of reducing the need for allocative action on the part of the Council and Secretary? Will it achieve the goal stated by Dr. Fox recently of allowing the market forces to work effectively at the harvesting level? Are we instead, accomplishing a program of social engineering which will result in a tremendous amount of Council "tinkering" in future years. We believe that the Council will spend a lot of time trying to justify this action and attempting to fix this unworkable, chaotic program.

Attached are comments which are specific to the Council action in Juneau. Thank you for reviewing our concerns.

Sincerely,

Linda Kozak
Linda Kozak

REVIEW OF DRAFT SABLEFISH LONGLINE MANAGEMENT PLAN

NOTE: The assumption is that the sablefish plan will be similar to the NPFMC IFQ program for halibut. The concerns listed are for both sablefish and halibut.

SOCIAL CONCERNS:

A Social Impact Analysis has still not been completed, or even requested by the Council. Many of the restrictions or details of this plan have some social implications which could adversely impact large groups of fishermen.

For one example, other than those grandfathered owners, future owners will be required to physically be on the vessel. How will the fishery change in the future and will this lead to hardship? When someone is ready to retire, they won't be able to hire a skipper to run their vessel which is now paid off. The continuing income that they could receive for many years will be lost. How will their quality of life be changed?

BIOLOGICAL CONCERNS:

Some restrictions might initially look good, but serious problems will result. For example, restricting vessel categories for initial quota give-away and future quota transfers. The freezer/longliner category will receive approximately 17% of the total quota, with about 35 vessels initially qualifying for quota. There is doubt as to whether this amount is even sufficient for the bycatch needs of the freezer/longliners.

Another concern is that halibut bycatch has not been addressed. If the IFQ plan for halibut is passed, there are problems with vessels fishing other fisheries. What do they do with their halibut? Will it be discarded or will they be forced to buy halibut IFQs to cover bycatch? What about freezer/longliners? They don't fish and process halibut now, will their category receive enough quota for bycatch purposes?

The restriction of not allowing leasing will cause a very disruptive fishery. What will those owners do who receive just a little bit of quota and don't want to sell it, but don't use it? There is no clause requiring them to use it or lose it. Will the first several years of the program be chaotic with vast amounts of the quota being left un-used? Is this benefiting the nation?

Trawl vessels may not buy sablefish from the fixed gear fleet. While this is widely supported, the analysis clearly states that this could lead to wastage of the resource.

The Council has indicated that discards of sablefish will be prohibited. Will this lead to a lot of small, low valued fish being delivered? Or is a better guess to assume that a tremendous amount of illegal high-grading will occur on those vessels without observers?

QUOTA OWNERSHIP AND CONTROL CONCERNS:

The Council passed a 1% ownership cap, with an additional restriction of not allowing more than 1% in Southeast Alaska. The future buyers of quota will need financing. It does not appear that the federal government will begin a loan program and the most obvious source of financing will be the fisherman's processor. This will lead to excessive market control by those processors who can afford to front the money for quota purchases. This restricts the boat owner who wishes to deliver to a processor who might be paying a higher price. Additionally, the small processor won't be able to compete in fronting money for quota purchases and he just won't get any more fish. Will he stay in business? The analysis states in several places that ownership caps are virtually unenforceable. If this is true, what is to stop someone from buying more than the cap allows?

By not allowing leasing, the boat is forced to buy quota in order to stay in business, while the very cost of this quota may force him out of business. If he is lucky enough to get a source of financing, that entity can virtually control when he fishes and where he delivers his product.

What happens to repossessed quota by the IRS or financing source? This has not been addressed.

ADMINISTRATIVE CONCERNS:

The plan which was passed by the Council includes three categories of owners; those which are grandfathered in and may continue their hiring practices, individuals who buy quota in the future, and qualified crew members. Basically, there will be a complicated management scenario where transfers to grandfathered owners will follow a certain set of rules, and transfers to individual boat owners and crew members will follow another set of rules.

Additionally, no leasing is allowed except for freezer/longliners. This will further complicate matters when quota transfers are requested.

Will not being allowed to transfer quota to one of the other five management areas cause some administrative problems?

Will the three vessel categories cause some confusion when transfers are requested and what type of proof will be required as to vessel category?

All transfers must be approved by NMFS. Unfortunately, the current feeling is that very few people will be required to accomplish the transfers. The Commercial Fisheries Entry Commission deals with about 13,000 limited entry permits and they have 35 people, with 11 people working on transfers of permits. If each pound is tradeable as a quota share, then based on the 1991 TACs, over 90 million shares would be tradeable. With an ownership cap of 1%, with an additional cap of 1% for Southeast, and three categories of owners, this is going to be very time consuming.

What if a person owns a trawler and a longliner and gets quota for the longliner and then it sinks. He doesn't want to sell the quota, but doesn't have access to another longliner. He isn't allowed to lease. Will he successfully petition the Council to allow the trawler to harvest the quota share?

ENFORCEMENT CONCERNS:

This entire package is an enforcement nightmare. No leasing, no discards, owner on board in some cases and not in others, five management areas, no freezing on a catcher boat, sales only to a legally registered buyer, ownership caps, and bycatch concerns. All these compound to make the program virtually unenforceable.

Another concern to fishermen which hasn't been addressed is the possibility of allowing deliveries to only a few selected ports. This may not have an adverse impact on the sablefish fishery, but the opposite is true for halibut. Many deliveries are made in remote areas, often to tenders.

WHO PAYS:

It is clear that the Council intent is to request that the Magnusen Act be amended to provide a mechanism for the IFQ owners to pay for all facets of the program. Unfortunately, there is no clear idea as to what the actual costs might be. Some feel that if the fishermen support his concept, that a blank check is being given to NMFS for funding. Some estimates of cost have been made which use the Canadian halibut IVQ program as a guide. This cost is at least 18 million dollars to administer the sablefish and halibut IFQ programs. If the individual boat owner is required to pay for this, the cost on average is quite staggering. If there were 200 owners, the cost would be an average of \$90,000.00 per boat. Even if there were 1,000 boat owners for halibut and sablefish, the cost would be an average of \$18,000.00 per boat. What if, in addition to this cost, each boat is required to carry an observer? That likelihood is not as farfetched as it may seem.

Currently, there is no money available to administer or enforce this program and it is unlikely that money will be made available in the near future. It is obvious that the Council intends to have industry foot the bill. Our concern is that this program will cost a tremendous amount and that fishermen who support the concept just don't realize the price they will individually have to pay. Before this program is approved, we are asking that these questions be clearly answered.

ITEMS WHICH WILL REDUCE THE BENEFITS OF AN IFQ PROGRAM

The staff analysis for sablefish clearly states that there are several items which, if passed, would reduce the benefits of the plan. Recently the Council passed a draft plan which incorporates several of these limitations. Listed below are some of the items, with page numbers from the sablefish SEIS. Many of the concerns are identical for halibut.

VESSEL CLASSES AND TRANSFERABILITY:

The three vessel categories approved are under 60', 60' and over, and freezer/longline vessels. Quota may not be transferred between classes. Trawl vessels may not purchase quota for any area and pot vessels may not purchase quota in the Gulf of Alaska.

- 2-63 "The restrictions eliminate the free transferability of IFQs among vessels of various classes as a tool for efficiently allocating the TACs among vessel classes."
- 2-20 "The potential advantages of a market solution to allocation issues would be reduced by restrictions on the transferability of Qs and IFQs. If a very restrictive IFQ program is implemented, more allocation issues will have to be addressed by the Council and the Council will probably receive more requests to change the IFQ program. Such a program may provide few advantages with respect to the Council process than Alternative 1 (status quo)."
- 2-59 "The transferability of Qs and IFQs is critical to prevent the IFQ program from being unnecessarily disruptive."

OWNER REQUIRED TO BE ON BOARD:

In the case of future purchases, the vessel owner or bona-fide crew member who purchases quota must physically be on board the vessel. The exception to this is those current operations where a skipper runs the vessel. These boat owners may continue their present practice.

- 2-68 "This would increase the concentration of IFQ program benefits among fishermen, but it would probably decrease the total benefits of the program by restricting the relatively common practice of having a vessel owner who is often not on the vessel and does not sign the fish tickets."

OWNERSHIP CAPS:

After the initial quota give-away, no person may own more than 1% of the entire quota. Additionally, no person may own more than 1% of the quota for Southeast Alaska. The 1% figure was not analyzed in detail.

- 2-69 "It would be difficult to defend 3% as opposed to 5%, 10% or 15% as numbers under which excessive market control is either present or absent."

LEASING OF QUOTA:

Catcher boats may not lease quota, but freezer/longliners may lease quota within their class.

2-67 "If no leasing is allowed, then an improper signal is sent to industry."

CONTROL OF QUOTA SHARES:

A person must control enough quota shares for the trip, before the start of the trip.

2-70 "The need for flexibility is dependant on the ability of a fisherman to accurately predict what his catch rate will be during a given trip."

OVERALL CONCERNS ON RESTRICTIONS:

While all of these restrictions may achieve some social purpose, the analysis clearly states that they will cause problems.

v "If a sufficient number of restrictions are placed on the transferability (i.e., on letting the market work), the probability that the program will produce positive net benefits will be quite small."

Our question is, if the analysis is right and the restrictions which are placed on the program will reduce the net benefits of the program, what then is the justification for implementing a very expensive program?

September 16, 1991

North Pacific Fisheries Council
Fax: 271-2817

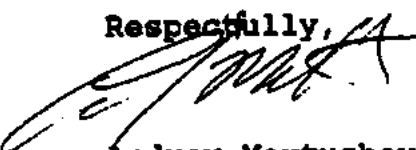
Attention: Council Member

I would like to make written comment on the proposed regulation to divide the Halibut, Black Cod, and Cod fishery in to IFOU quotas.

I agree we need this, but have fear that the larger vessel will soon own all the quotas. So I propose the following:

Divide the IFOU into two groups - below 42 feet and above. Or it could be 3 groups. Either way would assure that the small vessel would keep a percentage of the over all quota in the local areas and assure the small vessel fleet survives.

Respectfully,



Andrey Martushev
F/V INTERCEPTOR
P.O. Box 185
Homer, AK

Sept 16th 1991

SEP 16 1991

To: Steven Pennoyer, Director of the Alaska Region,
National Marine Fisheries Service
and

Clarence Pautzke, Executive Director,
North Pacific Fisheries Management Council

This is a written comment concerning
management alternatives for the halibut fisheries
in the Gulf of Alaska and Bering Sea/Aleutian Islands.

The status quo must change. Everyone should
be able to recognize the current fishery must be
changed, and the goals and objectives of limited entry,
IFQ system, seem most viable

The four apportionment rules for initial distribution
of quota shares most concern this comment.

1. The best 1 of 3 years for 1988-90.

This rule appears to be the easiest to implement,
is fair to newcomers, would cause less disruption in
the fishery, yet, for fishermen it will be harder to
swallow because of no reward for historical participation.

Why not use all three years or best 3 for 1987-90?

On the whole, rule 1 seems most fair and most unlikely.

2. The best 3 of 5 years 1986-90.

This rule is fair to newcomers yet it also rewards historical participation. Perhaps more difficult to implement, but it may be the best option.

3, & 4. best 5 of 7 or 6 of 7 1984-90.

This criteria causes too much disruption.

It increases the fleet size. During a declining halibut biomass, these rules reward fishing during peak biomass years at the expense of "newcomers" who may also have crewed during those years, thus historically utilizing the fishery, but receive no reward for those years, then become disadvantaged with quota shares after investing in the fishery, not abandoning it during a decline. If qualified applicants could use crew history back to 1984, fairness might be achieved, but this seems very unlikely. In rewarding "high liners" and people who have left the fishery, and the use of peak biomass years, rules 3 & 4 are inappropriate considerations.

General comments follow:

Excluding one year may help implementation and avoid hard-luck appeals, but there should be no more than one year excluded.

To avoid opening a can of worms, the Exxon Valdez oil spill should not be considered in any form or regard.

Length of season should be based on biology and with some regard to marketing and administration.

Only licensed buyers should be permitted to buy halibut to ensure data collection and legal compliance.

Vessel classes 1-35', 35-60', 60' over, Freezer/longline.

IFQ's need to be fully transferable and stable. Fishermen with landings on smaller vessels than upgraded to a larger vessel, these should translate to larger current vessel.

Some quota left to open access.

In conclusion, it is important to change the status quo, reward current links to the fishery and be even-handed. Initial IFQ distribution should not use years before 1996.

I appreciate the chance to comment.

God Luck

John M. Crosbie

John M. Crosbie

PO Box 1987

Homer AK

99603

Peter A. Soileau
511 N.W. 62nd St.
Seattle WA 98107
September 14, 1991

SEP 16 1991

N.P.F.M.C.
PO Box #10316
Anchoorage, AK, 99510

Dear Council Members,

This letter concerns the upcoming vote on IFQ's for sablefish and halibut.

In February, 1991, I wrote and submitted an IFQ proposal, with quota distribution that included other members of the fishery than only the boat owners, which was not included in the alternatives put forth by the council.

Since then the council has heard alot of public testimony, nearly all of which was opposed to the proposals under consideration. The testimony was not only proof of the public's rejection of the considered proposals, but ideas for rectifying the problems in the fishery were brought forth.

The North Pacific Fisheries Protection Association, of which I am a member, and others have proposed distributing this national resource in a similar way that oil, mineral and timber resources are distributed. That is through a public auction making it available to all it's rightful owners. Shares are to be used (not owned) for a specified time, then returned to the "pool" and not sold as a commodity. This is to be done with all the appropriate caps and requirements necessary, including preference given to people in the industry.

I support such a plan. None of us own these fish. We have seized the opportunity to harvest them after the Magnuson act kicked the foreign fleet out. The previously outlined plan makes it available to all of us and is well within the legal bounds of the constitution, whereas the proposed plans were questionable at best.

I urge you to listen to the public and the majority of us in the industry. Do what is right by rejecting the plans being considered. Then manage the fishery in the short term with conventional management tools, i.e. trip limits, closures, lay up time etc. until a general moratorium can be imposed. The Magnuson Act can be amended to include a progressive, fair distribution plan as outlined above and specified by the executive board of the North Pacific Fisheries Protection Association.

Sincerely yours,
Peter A. Soileau



P.S. I have heard that an amendment was put forth at the council meeting in Juneau that would provide some quota for the crew and that it was voted down. I still feel very strongly that, if an IFQ plan is implemented, the crew members should be given a share for ~~their participation in the fishery.~~ ~~I urge you to vote in favor~~ of quota for crewmembers at the next meeting.

MARK EDWARD SPRINGER
P.O. Box 13
Hooper Bay, Alaska 99604

September 16, 1991

Richard B. Lauber, Chairman
North Pacific Fishery Management Council

Agenda Item C-4, Halibut Management

Mr. Chairman:

I am a concerned resident of a western Alaska coastal community - Hooper Bay - and wish to present testimony on Halibut Management. My position herein is strictly my own, I do not claim sanction from any organization, but as you know I have been an active participant in management debates both before the Council and in the press.

If the Council decides to implement a halibut management regime in the Bering Sea (and I am in no way convinced that one is needed at this time), I urge the Council to adopt "Coastal Community Considerations Alternative 2.3."

September 16, 1991

Richard B. Hauber

Agenda Item C-4

page 2

Rather than the "Open Access" provision, I support Halibut Community Development Quotas, by IPHC area.

To the question of amount of CDQ, please consider 100% CDQ's for Area 4E and Area 4C. Here in 4E we have a current annual quota of 100,000 pounds and that is split between the original 4E and the new Bristol Bay section. The quota is divided 70/30 between 4E North and 4E south. A 70/30 split of 50,000 pounds (@ a 50% CDQ) just isn't enough fish for the IPHC area in the Bering Sea with the most coastal communities and most local fishermen. A 100% CDQ in 4E should not adversely impact the "distant water" fleet that cleans up 4E every year.

I personally don't view halibut CDQ's as marketable instruments. However, I do believe that halibut CDQ's will help Western Alaska fishermen obtain financing to improve our fleet.

September 16, 1991

Richard B. Leiber

Agenda Item C-4

Page 3

The Pribilof Island fishermen (St. Paul and St. George) are also asking for a 100% CDQ in area 4C, and I wish to go on record as supporting their request.

The issue of who can fish CDQ's where bears some comment. Halibut CDQ's should be usable across the board - we are trying to develop a Bering Sea-based fleet, so I think boats from 4E ought to be able to travel to 4D after we've caught our quota. Likewise 4C fishermen should not be constrained in their mobility, again after they have caught their quota.

The 4D CDQ will benefit the developing fishery of St. Lawrence Island, and should be accessible to 4E and 4C as well, given its potential size. Alternatively, we should be able to enter 4A or 4B after we have used our own CDQ's. If 4B fishermen use their CDQ they too should be allowed access to 4A or 4D.

I hope this is helpful to the Council

Sincerely,

Mark Edward Spring

Please add to Halibut IFQ written record.
Thank you.

STATE OF ALASKA
House of Representatives
District 27

Representative Cliff Davidson
Chairman
House Resources Committee



September 16, 1991

Box V, Juneau, AK 99811
(907) 465-2487
Box 746, Kodiak, AK 99618
(907) 486-8280

Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
PO Box 103136
Anchorage, AK 99510

SEP 16 1991

Dear Mr. Lauber,

Your Council's grand push to implement the individual fishing quota (IFQ) system is unacceptable, unjust and unfair to a vast majority of Alaskan fishermen and women and their families. Private ownership of a fisheries resource only occurs when a "person" actually has possession of the fish. With the IFQ proposals currently under consideration, the obvious effort and result is to guarantee the economic security of a few by sacrificing the livelihoods and lifestyles of the many.

Such a course is neither a fair nor equitable American solution to a public resource management problem. Nor have biological, enforcement, administrative, or other studies been done to demonstrate the cost of IFQ management over the long term. Your IFQ proposals result simply in those who control much getting even more and eventually dominating all "access ownership" to our fisheries.

Compressing the number of fishing participants in these difficult times would have very harmful consequences for Alaska's coastal communities. The recent halibut opening is an excellent case in point. Without the revenues from that short halibut opening, after the steep decline in salmon prices, many small fishing businesses would face almost certain failure. Alaskan fishermen must remain flexible and be able to diversify without facing an exorbitant entry fee to fish each fishery. As the number of fishery jobs - harvester, processor, etc. - decrease so too do the number of jobs in our communities' retail and service sectors. Less insurance, fuel and groceries would be sold; and fewer school services, welders, longshoremen, government workers would be needed... the list does not stop.

Page 2

North Pacific Management Council

Your proposals put our coastal communities in a grave risk situation. Although the Council has offered many statements in support of the drastic management changes inherent in the implementation of the IFQ system, there is little comment as to whether this solves our resource management problems. Further, what increased administrative and enforcement oversight would be generated by such a system? How would consumers be affected by concentrating the number of suppliers which allows them further opportunity to manipulate demand and market prices?

Why is there so little discussion on the massive capital requirement of such a fishery system or the ultimate control factor? Into whose hands do such schemes play? Who best gets served? Is this the ultimate resource lock-up for the benefit of a few?

Sacrificing the smaller operators in such a manner is entirely too experimental. Please say NO to IFQs!

With best regards,

Cordially,

Cliff Davidson

Representative Cliff Davidson
District 27 (Kodiak & the Aleutian Chain)

CD/sl

Kenneth M. Duffus
20441 Ptarmigan Blvd.
Eagle River, AK 99577
(907)694-2359

September 16, 1991

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

Dear Council Members:

REF: Review of the July 19, 1991 Draft EIS/RIR/IRFA for the Proposed Individual Fishing Quota Management Alternatives for the Halibut Fisheries in the Gulf of Alaska.

I have been fisherman for twelve years. I started out in 1979 with a skiff and have been fishing ever since. I presently fish salmon, halibut and cod. Before I go into my comments of the draft EIS/RIR/IRFA I want to go on record as follows:

1. The Status quo is not an option for this fishery. If for no reason other than the saving of fishermen lives and their property. Therefore I request that the council implement something perform more lives and property are lost.
2. I urge that the council take immediate action to implement a responsible program for the 1992 season.
3. I am appalled at the timing of the comment period for this important document. It is obvious that alot of effort has gone into the development of this report. Likewise immediate action is required by the council in order to save lives and property in this fishery. However the comment period spans a time frame where most fishermen are busy trying to make a living. By having the comment period timed as such the council seeks to slip in the back door and implement a program while alot of the fishermen either are out on the grounds or are closing up for the season. This action negates their input. An extension of the comment period at least through the Pacific Expo (end of October) would be appropriate.

Due to the short time frame that I have had to review this document I have not had time to correlate my comments with specific area's of the report. In addition my hasty review may have overlooked critical aspects that I may try to follow-up on later. Regardless I offer the following comments for your consideration and action:

1. The staff and council should be commended on the effort and detail that was placed into this document. I feel that most fishermen will benefit from this report.

Review of the July 19, 1991 Draft EIS/RIR/IRFA (cont.)

September 16, 1991

Page 2 of 4

2. The council has attempted to cover up the real issues through the use of the IFQ system. IFQ is another name for limited entry. You can slice it and dice it anyway you want but it adds up to the same thing. A straight forward limited entry system would treat everyone equal under the program. IFQ's do just the opposite. They are slanted towards the corporations and larger vessels while discriminating against the majority of the local vessel owners. By giving the majority of the vessel owners a small share of the pie so to speak and the larger vessel owners a large share you have not reduced the pressure on the resource at all. What you have done is make less available to the majority of the fishermen who rely on the resource for a living.
3. The use of a past catch data does not now, nor will it adequately distribute future resource allocation to the fleet. By not allowing for an across the board equal allocation of quota, the council places itself as judge and jury not taking into account details such as:
 - a) bad weather
 - b) break downs
 - c) vessel upgrades
 - d) gear/equipment upgrades
 - e) fisheries conflicts
 - f) Exxon Valdez Oil Spill

all these problems occur and are real. They would have an affect on any allocation of IFQ's. A direct limited entry program would resolve these concerns. Your proposed IFQ system will be spending years in court to resolve these and other issues. By trying to take a persons best year as a solution you still fall short of addressing these issues.

3. The holding of IFQ's by corporations, partnerships and other entities will be the beginning of the end for the fishery as we know it. Under IFQ's a corporation/processor who had a 3% QS in area 3A and given a 30 million pound quota, they could harvest 900,000 pounds. Tack that onto a processors bottom line and pretty soon there will be just corporations owning and controlling the resource. This should not be tolerated. IFQ's like limit entry permits should be held only by individuals and capped at a maximum of 100,000 or 200,000 pounds, regardless of the QS's percentage.
4. The bulk of the fleet should get the bulk of the quota regardless of past catch history. If the majority of the vessels are broken down into the 36-60' class then that is where the bulk of the allocation should go. This would also help preserve the local economies and keep halibut as an inshore fishery.
5. Your proposal for monitoring the IFQ system is as idealistic a program as your belief that you have been doing an adequate job watching for violations during only 3-4 openers in area 3A/3B. You haven't been monitoring the violations to date, how do you expect to monitor more vessels over a longer time frame under a more complicated structure. After you figure this out, your next move will be to tax the fishermen more to support more people to monitor us. Prince William Sound

Review of the July 19, 1991 Draft EIS/RIR/IRFA (cont.)

September 16, 1991

Page 3 of 4

fishermen had an opportunity to see what cost recovery is all about and I'm not impressed. Stop trying to create additional bureaucracy and red tape both for the fishermen and the processors. ADF&G already has an enforcement system in place. Augment that instead of creating a new one. If you rely on the Coast Guard and a few agents your wasting your time and our money. A nominal charge for handling the transfer of QS to individuals may offset some of these expenses.

6. IFQ's should not be allowed to transfer out of there vessel class.
7. In order to reduce the number of participants, vessels with less than 1000 #'s delivered in an eligible year should not qualify for an IFQ.
8. Over the past 5 years the number of periods has continued to drop. This forced some vessels to look for other fisheries or compete with the bigger vessels for fish in rough and often dangerous weather. The seasons to date have been totally favoring the larger vessels while forcing the smaller vessels inshore in less productive and over fished area's. Now IFQ's come along and the council wants to base them on catch from periods that have been controlled by the IHPC and in favor of the larger boats. The catch per unit effort needs to be adjusted so that all vessels are treated equal regardless of size. Since the opportunity to demonstrate ability to catch halibut has been controlled by the NPFMC and IHPC. How is the NPFMC going to compensate the smaller vessels for this?
9. I have been fishing the Gore Point area for a number of years. While the jury may never know the full impact of the Exxon Valdez Oil Spill. My experience has it that my fishing area was significantly damaged. The draft proposal fails to take this into account for the issuing of IFQ's. This needs to be corrected.
10. Larger vessels have been known to look for halibut while fishing other species thus giving them an edge prior to a period. Smaller local vessels especially in the early seasons do not have that same opportunity. By allocating IFQ's based on past catch data, you are slanting allocation of IFQ's towards the larger vessels at the expense of the smaller vessels.
11. Requiring another license for the processor is more red tape with no basis in reasoning. Every time you increase the administrative costs of the processor you decrease the value of the resource to the fishermen. Do not require another license for the processors or the fishermen. A good system already exists and has been working. There should be no unloading provisions for either the fishermen or the processors. If you are having problems with a processor have the state pull his business license.
12. For years you have been managing area's 3A and 3B in combination. Now you want to issue separate IFQ's for them. This is not a consistent action. Larger vessels have the ability to economically justify moving between area's while smaller local vessels can not. IFQ's should be as a minimum applicable to both area's 3A and 3B if not statewide altogether for the

Review of the July 19, 1991 Draft EIS/RIR/IRFA (cont.)
September 16, 1991
Page 4 of 4

smaller boats while limiting the larger vessels to one area. In addition there should be a maximum number of larger vessels allowed in any one area.

13. It appears that by implementing the proposed Draft you would increase the number of vessels fishing rather than decreasing them. If this is indeed correct then we are taking a step backwards instead of forward.
14. Most of the new entrants have been in the smaller vessels over the years due to sheer economics. If individuals wanted to speculate on receiving a windfall from being issued a permit or IFQ they merely registered there vessel and started fishing. This is even more evident in the sports charter fleet as they slaughter juvenile halibut all summer long for their customers and then jig or longline for halibut during the two or three days open for the commercial fleet in an effort to record poundage. In these cases the draft should be modified to identify sports charters as a separate entity and not allow transfer or issuance of IFQ's to sports charter operators. Instead issue separate IFQ's for their operations. In other words you can be a commercial fishermen or a sports charter boat operator, but you can not be both. As the smaller vessel fleet has seen the greatest number of new entrants, additional percentages should be allocated to this vessel class or increase the minimum criteria necessary for allocation of IFQ's, thereby reducing the number of entrants.

In closing I would like to state that let's not create another bureaucratic monster that needs feeding. A system exists that has and is working and it is a simple system called limit entry. By trying to implement IFQ's you create a system that is and has been slanted towards the large vessels and place the burden of implementing this system squarely on the shoulders and in the pockets of the fishermen who can ill afford. If IFQ's are to be implemented, allocate shares based on equal treatment of all individuals not based data manipulated by the previous seasons controlled openings.

Sincerely



Kenneth M. Duffus
Fisherman/Processor

cc: file



AFOGNAK NATIVE CORPORATION

P.O. BOX 1277

214 WEST REZANOF
KODIAK, ALASKA 99815
TELEPHONE (907) 486-6014
FAX (907) 486-2514

FACSIMILE COVER SHEET

DATE: Sept. 16 1991

FAX NUMBER: 907-271-2817

TO: N.P.F.M.C.

ATTENTION: Chairman Rick Lawler

SUBJECT: Public Comment
Sablefish / Halibut IFC

REPLY REQUESTED: YES ✓ NO

SENT BY: ALASKAN RESPONSIBLE
RESOURCE MANAGEMENT

MESSAGE: NONE

NUMBER OF PAGES INCLUDING COVER SHEET: 25

(If all pages are not received, please call 907-486-6014)

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

SEP 16

RE: Sablefish and Halibut IFQs

Chairman Lauber,

I would like to state my adamant opposition to the proposed Individual Fishing Quota System (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska.

I believe that those who directly, and indirectly, rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures, and strict Bycatch Limitations; will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize these Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with a IFQ System which is unpredictable and may well result in problems which are impossible to rectify.

Please read comments on back.

Sincerely,

John R. Thomas

NAME: John R. Thomas

ADDRESS: P.O. Box 3131

Kodiak, AK. 99615

IFQ would only benefit a relative small number of people, people who don't need any more financial help or gain. I have already heard rumors of big boat owners getting capital or loans ready to buy shares. I don't see how terminating 50%-80% of the resident Alaskan fleet over the next few years will help anybody, but the big guys that will be able to afford to keep fishing. Also I would like to know who is going to "police" Alaskan waters when things get tighter. I have fished Alaska waters for 18 years. When the shrimp fleet get more and more regs. and restrictions, more and more boats brought in illegal loads. Under IFQ's more fish would be wasted (bygrading), more fish would be stolen (illegal fishing), and more fish would be caught (spares will come out of the wood work, just like salmon permits) ^{plus inability to keep track of landings, & shares}. These thoughts are just the tip of the sword that will chop the head off the common fisherman in Alaska. I.F.Q.'s are a can of pad worms, use the management tools that

PETITION

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Such a drastic change to the management of our fisheries is not only unnecessary, but could create a problem of huge proportion. I would urge the Council members to carefully consider this proposed plan to privatize the fishery. Please don't make the mistake of thinking that you will be solving the problems in the fishery, instead the problems that will result may be impossible to rectify. The many options available to the Council in the open access system must be utilized before such a drastic measure is considered.

Name Russ D. Lundstrom
Address Box 344
Kodiak, Alaska
99615

Telephone No. (907) 486-4302
Occupation Antler Home Make Fisherman
If Fisherman, state fisheries Tanner Crab, Halibut, Salmon fishing
Salmon Landings

Name Franklin B. Hartsock
Address Box 2126
Kodiak, AK 99615

Telephone No. 487-4901 or 4962
Occupation Retired
If Fisherman, state fisheries _____

Name CALL N. ELLISON
Address 1220 FR. HERMAN
KODIAK, AK.

Telephone No. 486-3121
Occupation MECH / FISHERMAN
If Fisherman, state fisheries Salmon

Name KEN E. NEWMAN
Address 1424 MISSION DR.
KODIAK, AK - 99615

Telephone No. 496-3802
Occupation USCG / FISHERMAN
If Fisherman, state fisheries HALIBUT,
ROCK ROSE, COD.

Name RICHARD D. GAINES
Address 771 C
LARA LOUISE DR
KODIAK, AK 99619

Telephone No. 487-5270
Occupation DRUG & ALCOHOL REP USCG
If Fisherman, state fisheries SPORT

Name Wm. Guy
Address 1211 KODIAK
Kodiak, AK 99615

Telephone No. 6-334
Occupation DD
If Fisherman, state fisheries _____

PETITION

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Name Walter E. Johnson Telephone No. 486-3204
 Address Box 950 Occupation Business Owner
Kodiak, Alaska If Fisherman, state fisheries _____
99615

Name Francis M. Pendley Telephone No. 486-4840
 Address Box 207 Occupation Quality Control
Kodiak, Ak. 99615 If Fisherman, state fisheries _____

Name Collan D. Dewner Telephone No. 907/486-3802
 Address 1424 Mission Occupation Bookkeeper
Kodiak, Ak 99615 If Fisherman, state fisheries _____
Halibut

Name Brian L. Cain Telephone No. 487. 2324
 Address 11410 S. Russian Cr Rd Occupation Mechanic
Kodiak, Ak 99615 If Fisherman, state fisheries _____

Name Robert Brooks Telephone No. 907 486-5815
 Address 750 Cut off Rd Occupation Self Employed
P.O. Box 232 If Fisherman, state fisheries _____
Kodiak AK 99615

Name Thomas Coleman Telephone No. 486-3916
 Address Box 1913 Occupation Civil Engineer
Kodiak, Ak 99615 If Fisherman, state fisheries _____

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

RE: Sablefish and Halibut IFQs

Chairman Lauber,

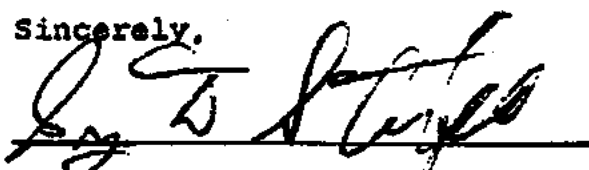
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The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures, and strict Bycatch Limitations, will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize these Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with a IFQ System which is unpredictable and may well result in problems which are impossible to rectify.

Sincerely,



NAME: GREG D. STREIFEL

ADDRESS: 1821 WEST 1ST

ABERDEEN, WASH

98520

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

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Sincerely,



NAME: DAVID F. LANK

ADDRESS: BOX 103136

ANCHORAGE, ALASKA 99510

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

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Sincerely,

Richard C Hartman

NAME:

Richard C Hartman

ADDRESS:

Box 1172

Kodiak, ALASKA

486-2788

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

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Sincerely,



NAME: TRACY AKERS

ADDRESS: P.O. BOX 3131

RODIAK AK 99615

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

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Sincerely,


NAME: Margaret Baswell
ADDRESS: PO 1803
Kodiak, AK 99615

Mr. Rick Lauber, Chairman
 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
 P.O. BOX 103136
 Anchorage, Alaska 99510

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Sincerely,

St. R. Penn

NAME: Steven R. Penn

ADDRESS: Box 249

Kod. ak 99615

In addition it would lower the value of my boat considerably and in a year like 1991 I need all the opportunities to fish different fisheries. I can.

PETITION

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Name Greene Cowan
Address Box 2414 Kodiak Alaska

Telephone No. _____
Occupation Commercial Fisherman
If Fisherman, state fisheries halibut
black cod, crab, salmon

Name Rick Schoenberger
Address Box 535 Kodiak, AK

Telephone No. _____
Occupation Commercial Fisherman
If Fisherman, state fisheries Halibut,
Salmon, black cod, cod, Crab

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

RE: Sablefish and Halibut IFQs

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Sincerely,

Peter M. Hannah

NAME: Peter Hannah

ADDRESS: P.O. 3508

Kodiak, AK 99510

PETITION

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Name Steve Polson
Address P.O. Box 3273
Kodiak, AK. 99615

Telephone No. 486-1983
Occupation Commercial fish.
If Fisherman, state fisheries Cod -
Crab - Halibut - Tender

Name James Alpiak
Address P.O. Box 13
Larsen Bay AK.
99624

Telephone No. 847-2265
Occupation Comm Fisherman
If Fisherman, state fisheries Salmon,
Halibut, Crab.

Name Robert Blount
Address P.O. Box 231
Kodiak, AK 99615

Telephone No. 486-2318
Occupation Fisherman/Sales
If Fisherman, state fisheries Cod,
Crab, Halibut & Sport

Name Bill Polson
Address Box 2594
Kodiak, ak. 99615

Telephone No. 486-2279
Occupation Fisherman
If Fisherman, state fisheries Cod
Halibut Crab Tender

Name Vincent W. Rood
Address 31-F1
Millbay Rd

Telephone No. 486 3623
Occupation Retired
If Fisherman, state fisheries _____

Name Scott A Swotooda
Address Box 1921

Telephone No. ⁹⁰⁷ 486-9429
Occupation Fisherman
If Fisherman, state fisheries Cod
Halibut - Dungeness + Tanner crab

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

Such a drastic change to the management of our fisheries is not only unnecessary, but could create a problem of huge proportion. I would urge the Council members to carefully consider this proposed plan to privatize the fishery. Please don't make the mistake of thinking that you will be solving the problems in the fishery, instead the problems that will result may be impossible to rectify. The many options available to the Council in the open access system must be utilized before such a drastic measure is considered.

Name Elsbeth A. Johnson
Address 201 Center St. Kodiak
ALASKA 99615
Elsbeth A. Johnson

Telephone No. (907) 486-5456
Occupation Librarian
If Fisherman, state fisheries _____

Name LYLE E. REIDER
Address Box 906
Kodiak, AK 99615
Lyle E. Reider

Telephone No. 907 486 3202
Occupation Service Member for
If Fisherman, state fisheries _____

Name Ralph Casey
Address Box 986
KODIAK

Telephone No. 62349
Occupation Harbor Officer
If Fisherman, state fisheries _____

Name William A. Miller
Address POY 8291
William A. Miller

Telephone No. 486-3203
Occupation Partisan Ford
If Fisherman, state fisheries _____
Part time Fisherman black Bass & halibut

Name J. T. W. Smith
Address P.O. Box 1644
Kodiak, AK 99615
J. T. W. Smith

Telephone No. 486-6836
Occupation Plant Manager
If Fisherman, state fisheries _____

Name Robert J. Gundersen
Address P.O. Box 344
Kodiak, Alaska 99615
Robert J. Gundersen

Telephone No. (907) 486-4302
Occupation Owner/Operator M/V - Summer Strait
If Fisherman, state fisheries _____
Tanner Crab Pot Cod Halibut Salmon
Salmon Tenders

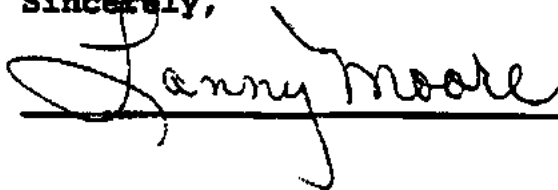
June 24, 1991

Governor Walter Hickel
P.O. Box A
Juneau, AK 99811-0101

Dear Governor Hickel:

I am opposed to the IFQ system for managing the sablefish and halibut fisheries. I believe that if such a system is established, that the small, diversified vessel will be the loser. Alaskans who live in coastal communities will lose their access to the resource. Privatizing the fishery and making instant millionaires of a few boat owners is not managing the resource, it is giving a windfall to a few. The job of the Council is to manage the fishery, not the fisherman. Problems in the fishery can be addressed with traditional management measures. It is very dangerous to completely change the management structure. Other countries who tried this are now experiencing the problems which we will face. The resource will be controlled by a few companies, quite probably foreign. There will be virtually no enforcement and the conservation problems resulting from over-harvesting will cause the stocks to collapse. Please don't make the mistake of thinking you are solving a problem, instead you will be creating a problem of huge proportion that you won't be able to rectify.

Sincerely,



Name:

LANNY MOORE

Address:

1714 B LARCH ST

KODIAK AK 99615

SABLEFIS.HKL
CC: N.P.F.M.C.
CONGRESSIONAL DELEGATION

PETITION

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Name Joanne Henke
Address P.O. Box 987
Kodiak AK

Telephone No. 486 6830
Occupation Postmaster
If Fisherman, state fisheries

Name Lois Hanow Payne
Address Box 3656
Kodiak, AK 99615

Telephone No. 486-2764
Occupation Ch. Dir. / Consultant / Water Bureau
If Fisherman, state fisheries

Name JOEL BOLGER
Address 323 CAROLYN
KODIAK 99615

Telephone No. 486-6024
Occupation ATTORNEY
If Fisherman, state fisheries

Name Joyce L. Murphy
Address Box 104
Kodiak, AK 99615

Telephone No. 486-5381
Occupation Manager
If Fisherman, state fisheries

Name Michael T. Lian D.C.
Address 305 Carter St
Kodiak, Alaska 99615

Telephone No. (907) 486-6183
Occupation Proprietor
If Fisherman, state fisheries

Name Karen King
Address 3344 Spruce Cape Rd.
Kodiak, AK 99615

Telephone No. 907-486-8111
Occupation Homeing Director
If Fisherman, state fisheries

PETITION

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Name BAINB N WATER
 Address 4254 Cliffside Rd
KODIAK AK 99615
MAIL: Box 1472

Telephone No. 486-5604
 Occupation Retired
 If Fisherman, state fisheries

Name John Butler
 Address Box 2610
Kodiak, AK 99615

Telephone No. 486-3706
 Occupation Heating Repair
 If Fisherman, state fisheries

Name Sandra Stahl-Bealby
 Address PO Box 478
2415 Anselm St
Kodiak AK 99615

Telephone No. 907 486 4813
 Occupation Real Estate Broker
 If Fisherman, state fisheries NO

Name Nancy D. Vootes
 Address Box 3016
3246 Arctic Tern
Kodiak AK 99615

Telephone No. 907-486-4415
 Occupation Federal Employee
 If Fisherman, state fisheries

Name Wilson T. White
 Address Box 254
221 Upper Millbay
Kodiak, AK 99615

Telephone No. 486-5410
 Occupation Retired
 If Fisherman, state fisheries

Name Jeff Naamoff
 Address Box 112
Larsen Bay, AK
99624

Telephone No. 847-2222
 Occupation Fisherman
 If Fisherman, state fisheries

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Name TIM HURLEY
Address BOX 864
KODIAK AK 99615

Telephone No. 486-4433
Occupation TITLE EXAMINER
If Fisherman, state fisheries _____

Name JAMES E CARUCCI
Address PO BOX 1222
KODIAK AK 99615

Telephone No. 486-6014
Occupation MANAGER - NATIVE CORP
If Fisherman, state fisheries _____

Name VERNE H. INOOD
Address 2482 SPRUCE CREEK RD
KODIAK AK 99615

Telephone No. 486-5027
Occupation CUSTOMER
If Fisherman, state fisheries _____

Name MANUEL D. GALI
Address 1012 THORSTEN ST.
KODIAK, AK 99615

Telephone No. 486-4303
Occupation MACHINE OPERATOR
If Fisherman, state fisheries _____

Name AL Boudreau
Address 1120 1TH (Sideroff)
KODIAK, ALASKA
99615

Telephone No. 486-3817
Occupation Electric. ENGR.
If Fisherman, state fisheries N/A

Name Sam Emeick
Address P.O. Box 151
LARSEN BAY, AK.

Telephone No. 847-2240
Occupation Fisherman
If Fisherman, state fisheries HALIBUT,
cod, Salmon, CRAB

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Name Bob Satterthwaite Telephone No. 486-3101
 Address Box 2199 Occupation Insurance/Finance Consultant
Kodiak AK 99615 If Fisherman, state fisheries _____

Name JULIE M FLOYD Telephone No. 486 5142
 Address Box 84 Occupation Retired Teacher
KODIAK, AK 99615 If Fisherman, state fisheries _____

Name DAVID S. NEASE Telephone No. 486-7700-486-4912
 Address Box 787 Occupation Manager Kodiak Electric Ass
Kodiak AK 99615 If Fisherman, state fisheries _____

Name _____ Telephone No. _____
 Address _____ Occupation _____
 If Fisherman, state fisheries _____

Name _____ Telephone No. _____
 Address _____ Occupation _____
 If Fisherman, state fisheries _____

Name _____ Telephone No. _____
 Address _____ Occupation _____
 If Fisherman, state fisheries _____

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Name WILLIAM H BULLEN
 Address 1116 REZANOFF
KODIAK AK 99615

Telephone No. 486 5398
 Occupation BUSKIN RIVER IN P.
 If Fisherman, state fisheries _____

Name Karleton Short
 Address 3314B Woody Way, 2000
Kodiak AK 99615

Telephone No. 486-5854
 Occupation Government
 If Fisherman, state fisheries _____

Name CRAIG H. JONASON
 Address Box 207
KODIAK, AK 99615

Telephone No. 486-4826 / 2000
 Occupation REAL ESTATE BROKER
 If Fisherman, state fisheries SALMON

Name Nancy McMurtrey
 Address P.O. Box 3103
Kodiak AK 99615

Telephone No. 486-6244
 Occupation Self-employed Mgmt Consultant
 If Fisherman, state fisheries _____

Name _____
 Address _____

Telephone No. _____
 Occupation _____
 If Fisherman, state fisheries _____

Name _____
 Address _____

Telephone No. _____
 Occupation _____
 If Fisherman, state fisheries _____

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Name Tom Swartz
Address 579 Marine Way
Kodiak, AK 99615

Telephone No. 486-3101
Occupation Quillman
If Fisherman, state fisheries _____

Name John M. Carlson
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Kodiak Alaska
99615

Telephone No. 486 5385
Occupation Life Fisherman agent
If Fisherman, state fisheries _____

Name ANDREW K BRUMBAUGH
Address 1625 MILL BAY ROAD
KODIAK, AK 99615

Telephone No. 486-6421
Occupation REAL ESTATE ELECTRONICS
If Fisherman, state fisheries _____

Name JAMES E. PEETER
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(Box 2853)
KODIAK, AK 99615

Telephone No. (907) 489-5982 H
(907) (486-5969 W)
Occupation SELF EMPLOYED
If Fisherman, state fisheries _____

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name _____
Address _____

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

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Name JIM BRENNER
 Address PO Box 1067
KODIAK, AK
99615

Telephone No. 486-3126
 Occupation MANAGER
 If Fisherman, state fisheries N/A

Name Ken Ocarogin
 Address Box 8204
Kodiak, AK -
99615

Telephone No. 486-7047
 Occupation Manager
 If Fisherman, state fisheries N/A

Name WAYNE A. STAPINS
 Address 1219 Solive Lane
KODIAK AK 99615

Telephone No. 486-6036
 Occupation Executive Director
 If Fisherman, state fisheries _____

Name Tom Merriman
 Address Box 1855 310 Pioneer P
Kodiak AK 99615

Telephone No. 486-4276
 Occupation owner/seasonal
 If Fisherman, state fisheries _____

Name Jerome Selby
 Address Box 1962
Kodiak, AK 99615

Telephone No. 486-4833
 Occupation Mayor
 If Fisherman, state fisheries _____

Name BERNIE BALLAO
 Address Box 1529
KODIAK, AK. 99615

Telephone No. 486-4202
 Occupation SELF-EMPLOYED
 If Fisherman, state fisheries _____

P E T I T I O N

**IFQ
ALERT!**

IFQ

NOV 11 1991

I would like to state my adamant opposition to the proposed **INDIVIDUAL FISHING QUOTA SYSTEM (IFQ)** for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A **TRADITIONAL MANAGEMENT TOOL PLAN** utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures and strict Bycatch Limitations, will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize the Management Tools **NOW**. The proposed IFQ plan will only exaseprate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME Kenneth D. Reppand
ADDRESS 1616 S. 1st Avenue
Kodiak, AK 99615

OCCUPATION clerk
IF FISHERMAN, WHAT FISHERIES _____

NAME MARK MANDEL
ADDRESS P.O. BOX 2174
KODIAK, AK 99615

OCCUPATION FISH BUYER
IF FISHERMAN, WHAT FISHERIES _____

NAME Michelle Weekly
ADDRESS Box 1726
Kodiak, Alaska 99615

OCCUPATION fishermen
IF FISHERMAN, WHAT FISHERIES herring, halibut, salmon

NAME ALISON CHILDS
ADDRESS Box 3213
Kodiak, AK 99615

OCCUPATION payroll clerk
IF FISHERMAN, WHAT FISHERIES _____

NAME CLARA DAVIDSON
ADDRESS Box 746
Kodiak, AK 99615

OCCUPATION LONGSHOREMAN
IF FISHERMAN, WHAT FISHERIES _____

NAME Evelyn Davidson
ADDRESS Box 746
Kodiak 99615

OCCUPATION Homemaker
IF FISHERMAN, WHAT FISHERIES _____

223

P E T I T I O N

IFQ

! IFQ ALERT

I would like to state my adamant opposition to the proposed INDIVIDUAL FISHING QUOTA SYSTEM (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

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I urge the Council to utilize the Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME *Belene Dorman*
ADDRESS *Box 1666*
Kodiak, AK

OCCUPATION *Retail Sales &*
IF FISHERMAN, WHAT FISHERIES *Wilding*

NAME *[Signature]*
ADDRESS *Ann Shryock, P.O. Box 1632*
Kodiak, AK 99615

OCCUPATION *Exec. Special State of AK*
IF FISHERMAN, WHAT FISHERIES *Tull Sub SE*

NAME _____
ADDRESS _____

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME _____
ADDRESS _____

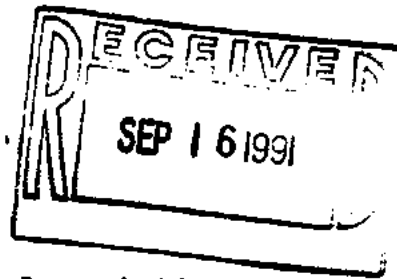
OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME _____
ADDRESS _____

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME _____
ADDRESS _____

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____



North Pacific Fisheries Protection Association
6610 Fremont Avenue North
Seattle, WA 98103

September 10, 1991

Mr. Richard Lauber, Chairman
North Pacific Fisheries Management Council
PO Box 103136
Anchorage, AK 99510

Dear Mr. Lauber:

During the last Council meeting in Juneau, several members of the Council mentioned that it is the job of the Council to establish policy that conforms to the regulations of the Magnuson Act. In the Magnuson Act it states very clearly in USCA 16-1851(a) that:

(4) "...If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges", and subsection (5) further provides that (5) "Conservation and management measures shall, where practicable, promote efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose." (Emphasis added.)

Yet when Mr. Pereyra pointed out these provisions in seconding and supporting Mr. Mitchell's amendment to provide some quota for crew members in the preferred IFQ proposal, the majority of the Council quickly voted down that proposal without discussion. This vote made it appear that many members of the Council have their own agendas to follow which take priority over the public policy responsibilities required by their positions on the Council. Also, the record is absolutely bare with regard to the conservation requirement of the National Standard.

There has been ample testimony to indicate the extreme dissatisfaction of the public and the fishermen with the idea of an IFQ program. The preferred alternative is certainly better than the "chinese menu" distributed earlier, but that is all that can be said for it. In addition to the failure of the preferred alternative to meet the specific National Standard requirements, the following are some of the problems we see:

(1) If there is going to be an IFQ system, crew members should be entitled to a portion of the quota based on their past participation in the fishery. As The NPFPA has pointed out before, boat owners have already been compensated for their vessels, many of which were constructed with C.C.F. money, by receiving a substantial boat share profit and by depreciating their boats. There is no good rationale for owners to reap a windfall profit on top of that. Any windfall profit should be distributed among all of the people involved in this cooperative labor, including the working crewmembers.

(2) We object to the grandfather clause that allots more than 1% of the TAC to boats that have caught more than 1% in the past. These boat owners should not be entitled to an exception. The ostensible purpose of the IFQ system is to rationalize the fishery, not preserve the catch record of a few individuals.

(3) At the last meeting we were told that the budget for enforcement is already exhausted, and that they need more money and personnel. We were also told that NMFS could not possibly present statistics on the cost of enforcement generated by the preferred alternative before December. It is unconscionable to vote on something in September, if you will not know the cost until December. As Mr. Alverson pointed out at the last meeting, he could not vote on a proposal for IFQ owners to pay for enforcement until he knew the cost of enforcement. Surely that should apply to the cost of the entire program.

(4) There are substantial unanswered questions and unaddressed issues which must be resolved before this program can logically and legally proceed. There has been almost NO mention of the environment or resource management, let alone a full and meaningful discussion. Most of the discussion is oriented towards who is going to make the money in this industry. The by-catch issue has not been addressed. We were told again at the June meeting, for the third straight meeting, that highgrading is going to be a problem with this program.


And finally, there has been no discussion of the social and economic impacts of this plan on the 70 or more Alaskan coastal communities cut out of the port delivery of halibut and sablefish by the preferred alternative proposal.

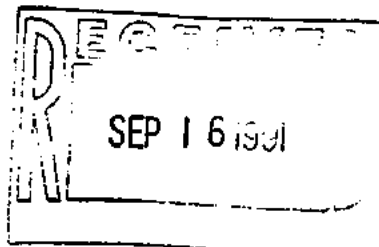
The NPFPA has already submitted an alternative proposal, amending the Magnuson Act, for an auction system to distribute the quota in a manner similar to that used for distribution of rights to most natural resources. Experience credits would be awarded to individuals. The credits would be based on crewmember's past participation in the fishery, to give experienced crewmembers first priority, caps would be established to prevent monied investors from gaining control of the industry, and a use-it-or-lose-it policy to keep the IFQ in the hands of fishermen who want to fish. This is a system which would solve many of the problems with the current preferred alternative.

If the Council is determined to pass a version of the preferred alternative IFQ proposal, it is essential that it provide free quota allotments to the crew members, equivalent to those for the boatowners, according to the guidelines of Mr. Mitchell's Crew Member Amendment, introduced and the August meeting, or Peter Soileau's Proposal, submitted prior to the April meeting, it would divide the quota according to the traditional set-line agreement used by the Deep Sea Fisherman's Union. Our members consider it inexcusable that neither of these proposals, nor the one our organization submitted proposing non-transferable quota, nor the amendment to internalize the cost of the program have been submitted for review by Council Staff.

We appreciate that the Council is under pressure to come up with a fishery management program that will work. The members of the NPFPA join many other individuals and organizations in the hope that you will, at the very least, modify the current proposal to make it fair and equitable, and to conserve the resource to rationalize the fishery and develop a comprehensive model program, rather than pushing through an inferior program just in order to produce something.

Respectfully submitted,


Laura K. Cooper
Executive Director



Agenda C-3, C-4

FREEZER-LONGLINER ASSOCIATION
720 West Blaine St.
Seattle, WA 98119
(206) 283-7700

September 13, 1991

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

RE: Sablefish/Halibut IFQ Proposals

Dear Mr. Lauber:

The policy of the Freezer-Longliner Association is to work co-operatively with the Council to find reasonable and effective resolutions to fishery management problems. To date we have stressed conservation-oriented issues which in our view will benefit all fishery participants in the long run. Occasionally our views may differ from those of the Council on a particular management measure. In that case we will try to express our concerns in a constructive manner.

The following comments are based on the Sablefish IFQ record, and apply to the Halibut IFQ proposal to the extent that the sablefish measure serves as a model for the halibut proposal.

The Freezer-Longliner Association has experienced considerable difficulty in attempting to understand the Sablefish/Halibut IFQ proposal, and the record on which it is based. The draft sablefish SEIS/RIR/IRFA presents a vast array of possible elements which might go into a preferred alternative. The SEIS cover letter of May 14, 1991, states, "The Council is not restricted to accepting an alternative in its entirety, but may combine elements of different alternatives in structuring the preferred alternative for Secretarial review". The number of possible combinations and permutations of these elements is very large, making reasoned comment difficult until after a preferred alternative has been chosen.

We had hoped that after selecting a preferred alternative the Council would produce and circulate for public comment an analysis of that particular alternative, setting out its economic, social and environmental impacts in comparison with those of the other proposed alternatives.

As things stand we find ourselves searching through a lengthy document which offers sporadic and often subjective analysis of countless "elements", but does not address in any cohesive manner the particular series of elements which comprise the preferred alternative. In fact some of the selected elements of the preferred alternative are "new options" which were not included in the alternatives proposed for public comment. We are forced to question the adequacy of this record, and suggest that it be reconsidered in light of the letter of July 25, 1991, from the NMFS Alaska Region to the Chairman, identifying possible deficiencies in the analysis of Amendment 18/23.

Please consider the following general comments:

I. Purpose of an IFQ System

Dr. William Fox, Assistant Administrator for Fisheries, NOAA, recently stated the advantage he perceives in a properly-constructed IFQ system: "We need to extricate the government as much as possible from the allocation process, moving...to programs that allow market forces to work effectively at the harvesting level." (emphasis added, "Focus on the Fisheries", Washington Post, August 28, 1991) The preferred alternative for the sablefish/halibut IFQ proposal seems to go in the opposite direction. It is highly allocative, and contains so many restrictions and constraints that the market is severely inhibited. These include detailed qualifying requirements, vessel size and type categories, limitations on sales and leasing, multiple management areas with discrete quotas, cumulative ownership limitations, processing limitations, offloading restrictions, etc. The list goes on and on. The preferred alternative seems more an exercise in "social engineering" than an attempt to establish the market as the mechanism to determine the disposition of capital, labor and access to the resource.

We do understand the desire to protect local communities and small vessels. As the SEIS points out, however, locking in the "status quo" does not necessarily serve those interests. (SEIS at 2-63:65)

II. The Impact of Constraints

The SEIS speaks in general terms of the negative impact of nonmarket constraints, and describes at length the problems associated with vessel class restrictions -

"If a sufficient number of restrictions are placed on transferability (i.e., on letting the market work), the probability that the program will produce positive net benefits will be quite small." (SEIS at v., emphasis added)

"The potential advantages of a market solution to allocation issues would be reduced by restrictions on the transferability of QSS and IFQs. If a very restrictive IFQ program is implemented, more allocation issues will have to be addressed by the Council and the Council will probably receive more requests to change the IFQ program. Such a program may provide few advantages with respect to the Council process than Alternative 1 (the status quo)." (SEIS at 2-20, emphasis added)

"The transferability of QSS and IFQs is critical to prevent the IFQ program from being unnecessarily disruptive. If both QSS and IFQs can be sold, each current participant in the fishery would have an opportunity to continue to harvest sablefish at his current level..." (emphasis added, 2-59)

"Using vessel classes would limit the transferability of QSS and IFQs and in so doing would prevent them being transferred to those who would be willing to pay the most for them. To the extent that willingness to pay reflects the value of alternative uses, this means that the benefits derived from the fixed gear sablefish fishery TACs would be lower. It was estimated that had IFQs been in use in 1989, option 2 would have reduced the joint harvesting and processing profits by \$1.2 million compared to what they would have been with option 1 (i.e., without vessel class restrictions). In making these estimates, it was assumed that the profits from the fishery would be maximized in each case, but that the maximum profits would differ due to the additional constraint imposed by these restrictions. Comparable estimates are not available for options 3-6." (SEIS at 2-63, emphasis added)

The SEIS elaborates at length the drawbacks of a prohibition against sales of QSS and IFQs between vessel classes. At various points it suggests that IFQ's will not necessarily result in large boats dominating the fishery; that the historical distribution of landings is not necessarily optimal; that fixing the amount of QSS and IFQs within vessel classes could work to the disadvantage of those who sought to sell outside their class; that fixing the percentages of an area's TAC available to each vessel class could severely limit the ability of the fleet to respond to changing fishery conditions - bycatch being a special consideration; that vessel size restrictions will tend to produce a fleet in which a large number of vessels are clustered at the upper end of each of the smaller vessel classes; etc...the section concludes:

"In summary, vessel class restrictions (options 2-6) will tend to maintain the historical distribution of catch by vessel class. This will prevent a shift in the distribution of landings to the more profitable vessel

classes. In some areas smaller vessels may be more profitable and the restrictions would prevent them from taking an increasing share of the catch. In other areas, larger vessels may be more profitable and the restrictions would prevent them from taking an increasing share of the catch. The restrictions eliminate the free transferability of IFQs among vessels of various classes as a tool for efficiently allocating the TACs among vessel classes..." (SEIS at 2-65, emphasis added) The option of using different vessel class restrictions in different areas could be used to eliminate some of the potential problems associated with vessel class restrictions - but the preferred option does not adopt this approach.

The complex of constraints introduced by the preferred alternative goes far beyond transferability between vessel classes. Clearly it diminishes the net benefits of the program, perhaps to the point where they are negative. Yet no comprehensive analysis of the comparative costs and benefits of the alternatives is presented.

III. New Options

In its "Chinese menu" approach to selecting elements for the preferred alternative, the Council seems to have departed from the original bill of fare. The preferred alternative includes several elements which Council staff characterizes as "new options" (see Table 1.3., ALTERNATIVE IFQ SYSTEMS FOR MANAGEMENT OF SABLEFISH FIXED GEAR FISHERIES OFF ALASKA). These include Initial QS Amount, best 5 of 6 years, 1985-1990; Vessel Category Designations, catcher vessels 2 categories, <60' and >=60'; Transfer of QS/IFQs, freezer vessel QS may be sold or leased, catcher vessel QS may be sold but not leased.

Since these new elements were first introduced into the array of proposed alternatives during the Council's selection of a preferred alternative, neither the Council nor the public had a prior opportunity to review or to comment on the new elements. No analysis of the preferred alternative containing these elements appears in the DRAFT SEIS. No new analysis has been provided.

Again referring to the NMFS letter of July 25, 1991, some questions arise, particularly under NEPA. Does the SEIS identify the preferred alternative? Is all information that analyzes the environmental impacts of the alternatives included in the SEIS? Does the document provide a single coherent and comprehensive environmental analysis? Does the SEIS in fact analyze the alternatives in terms of their environmental effects? For example it is clear that fishing patterns may change drastically under an IFQ program - have

the various environmental impacts of such change been analysed?

IV. Cost/Benefit Analysis

There is speculation throughout the SEIS with regard to the costs and benefits of an IFQ program, generally. It is estimated that increased profit under an unrestricted IFQ program could be substantial, but it is also made clear that restrictions could reduce or eliminate gains. For example it was calculated that if IFQs had been in use in 1989, imposition of vessel class option 2 would have reduced harvesting and processing profits by \$1.2 million compared to option 1 (no vessel class restrictions). The SEIS states that "Comparable estimates are not available" for the other options, however. (SEIS at 2-63, emphasis added) Certainly no estimate is available for the preferred option, because several of its elements were not included in the analysis.

Many of the constraints imposed by the preferred alternative are aimed at maintaining the historic distribution of harvest levels. Unfortunately the analysis states that "It is difficult to compare the benefits and costs of maintaining the historical distribution." (SEIS at 2-63, emphasis added)

Various other costs associated with an IFQ program are identified. Such a program will increase incentive to underreport landings and to highgrade target species, but "It is not known how much additional unreported fishing mortality with IFQs would be due to highgrading and intentional under-reporting with IFQs." (SEIS at 2-21, emphasis added) Other enumerated costs include initial allocation of longline QSS, annual specification of IFQs, monitoring catches and transfers of QSS and IFQs, enforcement and other administrative expenses. Is it clear that these costs are offset by benefits derived from the proposal?

It must be asked whether the DRAFT SEIS/RIR meets the requirements of Executive Order 12291 and the NMFS Operational Guidelines. Can the Secretary, based on the record, determine that the benefits to society from the proposed regulation outweigh the costs to society? Does the chosen alternative maximize the net regulatory benefits to society while imposing the least net cost? Does the analysis focus adequately on each alternative and provide enough information to make these determinations? Does it analyse the preferred alternative, including its new elements? Does the analysis meet the other requirements of E.O. 12291?

V. Limitation on Holdings

The preferred alternative limits individual ownership of QSS to 1% of the TAC, and provides that no more than 1% of the TAC can be taken by any one vessel. This is a significant constraint, which could greatly affect fishing operations - especially if it were applied in other fisheries. Why was 1% selected, instead of 3%? Paragraph 6 of Subsection 2.2.3.6.3 may offer some explanation, but it is difficult to decipher. The analysis does not offer a specific explanation for this element of the preferred alternative. The effect of a 3% cap is considered in appendix I, "Economic Profit in the Directed Sablefish Fixed-Gear Fishery." We do not, however, find an analysis of the 1% limitation, other than its effect on regional distribution of landings by vessel size classes which are not a part of the preferred alternative. (SEIS, Appendix III) Perhaps our greatest concern has to do with the 1% limitation as a possible precedent for other fisheries.

VI. QSS by Vessel Class, Bycatch and Discards

The prohibition against sales of QSS and IFQs between vessel classes, together with the hindcasting of qualifying years raises some significant questions for freezer-longliners. Few of our members would receive enough quota to conduct a directed fishery on sablefish or halibut under this proposal. More important, we are not certain whether there would be enough sablefish and halibut quota within our vessel class to provide us with bycatch in our directed cod fishery - this is especially true of halibut. Even if there were enough quota theoretically, there is no guarantee that the owners would be willing to sell. Nothing in the preferred alternative tells us whether we must purchase quota and retain bycatch of sablefish and halibut, or whether we may discard them if we own no quota. There is speculation on these issues in the SEIS, but little analysis. The document does point out that if participants in fixed gear fisheries were required to have sufficient IFQs to cover their sablefish catch whether or not the sablefish is retained, serious problems could arise: "...if the IFQs for a vessel class are not sufficient to meet sablefish bycatch needs in other fixed gear fisheries, this option could be very disruptive for other fixed gear fisheries and impose high costs. That is, the net benefits of this option would be reduced substantially if there are vessel class restrictions or if there are other restrictions on the transferability of IFQ to those who take sablefish bycatch." (SEIS at 2-71, emphasis added)

These issues are of sufficient importance that we feel the final decision on disposition of sablefish and halibut bycatch should be expressed in the preferred alternative,

and the economic and environmental impacts analysed in the SEIS.

VII. Precedent

One of the most troublesome aspects of this process is that we have no indication of Council policy with regard to IFQs in other fisheries. We recognize that if IFQs are to be pursued, different criteria will be necessary for their rational distribution in various fisheries - a facile reliance on past participation would be inappropriate.

Our operations target primarily on Pacific cod in the BSAI area. They were stimulated by the recent rise in cod prices, and have been sustained by the positive conservation aspects of our fishery - our prohibited species and other bycatch problems are minimal. We have invested in good-faith reliance on the regular surplus of cod TAC which has remained at the end of each fishing year. With increased participation by shoreside delivery fixed gear fishermen, we anticipate that annual cod TACs will soon be achieved. We do not wish to be disenfranchised by the sort of hindcasting evident in the sablefish/halibut preferred alternative.

VIII. Concentration of Ownership, Foreign Control

In his letter to the Council of June 24, 1991, Senator Stevens expressed concern that an IFQ program might lend itself to concentration of ownership and/or foreign control of QSS. We share those concerns.

IX. Who Pays?

It is apparent that implementation and administration of a sablefish/halibut IFQ program will be expensive. It is also apparent that Congress is unlikely to appropriate monies for this purpose. If industry is to pay for the implementation of an IFQ program, industry should be informed as to just how much it will cost - before industry is asked to approve the package.

X. Conclusion

Our group has struggled to decipher the motivations and real-world effects of the proposed IFQ program for sablefish and halibut. Our comments are offered with constructive intent.

We share the view of Dr. Fox that the primary purpose of an IFQ system is to extricate government from the allocation process, and to replace it with the market mechanism. We do not believe that the current sablefish/halibut preferred alternative achieves that goal.

The administrative record appears to be seriously flawed, inviting disapproval or legal challenge. We feel that if the Council wishes to proceed with this action, a revised SEIS/RIR/IRFA should be prepared for public review and comment, and the Council should reconsider its decision in light of those comments.

Thank you for your attention.

Sincerely,

Thorn Smith
Executive Director

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC HEALTH
SECTION OF EPIDEMIOLOGY

3601 "C" STREET, SUITE 576
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ANCHORAGE, ALASKA 99524-0249

INFECTIOUS DISEASES
AIDS/STD
TUBERCULOSIS
IMMUNIZATION
CHRONIC DISEASES
DIABETES
INJURY CONTROL
561-4406

September 16, 1991

SEP 16 1991

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

Dear Mr. Lauber:

The National Institute for Occupational Safety and Health (NIOSH) and the Division of Public Health (DPH), Alaska Department of Health and Social Services wish to call your attention to public health issues affected by Halibut Management decisions. Opportunities may exist that could reduce injuries and deaths among fishermen. I asked NIOSH to assist me in providing information to the North Pacific Fishery Management Council (attachment). We both endorse your plans to consider alternatives to the Open Access Halibut Management approach.

The public health problem of injury is one of the greatest problems facing our nation and our state. Occupational injury comprises a leading cause of death, morbidity and disability, and Alaska has the highest occupational fatality rate of all states. During 1981-1984, almost 50% of all occupational deaths in Alaska involved commercial fishermen. The death rate for fishermen in Alaska is seven times the national average for all industry groups (1-3).

Due to the extremely short and inflexible halibut openings off the coast of Alaska under existing Open Access Halibut Management, commercial fishermen work under "extremely adverse environmental conditions or not at all" (1). This imposes an added danger on an inherently dangerous trade. The cost of operating within existing time limits that disregard adverse weather conditions is a greatly increased risk of loss of crew and vessel.

NIOSH and DPH are charged with improving health and safety. Of the goals and objectives listed in the Halibut Management EIS/RIR/IRFA, the safety problem has not been given enough priority and should stand foremost as a basis for considering and determining an effective alternative management system. The high injury and mortality rates in commercial fishing suggest that attention to safety strategies will reduce the risk of occupational injury facing fishermen.

We suggest that the halibut management system should be modified to allow for more flexibility on the part of the worker. The proposed Individual Fishing Quota (IFQ) system extends the season, substantially reducing the need for fishermen to disregard unsafe conditions.

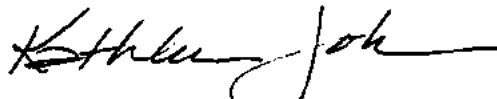
Richard B. Lauber
September 16, 1991
Page 2

If this proposed IFQ system is not able to be implemented, perhaps the current system could be modified to consider adverse weather conditions before opening the fishing period. Environmental conditions are an important contributing factor in fishing vessel casualties, and consideration of weather information is critical to improved safety margins (3). I hope this information will prove useful to the Council and encourage safer fishing practices.

Yours truly,



John Middaugh, M.D.
State Epidemiologist



Kathleen Johnson, R.N., M.P.H.
Injury Control Program

Attachment

References

- (1) Knapp, Gunnar and Nick Ronan. 1990. "Fatality Rates in the Alaskan Commercial Fishing Industry," Institute of Social and Economic Research, University of Alaska, Anchorage, No. 38.
- (2) Knapp, Gunnar and Jennifer Christian. 1991. "Occupational Injury and Illness Rates in the Alaska Commercial Fishing Industry," Unpublished paper prepared for presentation, University of Alaska, Anchorage.
- (3) National Research Council. 1991. Fishing Vessel Safety: Blueprint for a National Program, Washington D.C.: National Academy Press.



National Institute for
Occupational Safety and Health
Centers for Disease Control
Atlanta GA 30333

Alaska Activity, Division of Safety Research
3601 "C" Street, Suite 250
Anchorage, Alaska 99503
September 13, 1991

John Middaugh, M.D.
Chief, Section of Epidemiology
Division of Public Health
State of Alaska Department of Health and Social Services
3601 "C" Street, Suite 576
Anchorage, Alaska 99524-0249

Dear Dr. Middaugh:

The North Pacific Fishing Management Council plans to consider alternatives to the Open Access Halibut Management (OAHM) approach at their meeting on September 23-27, 1991. I am writing this letter to assist you in commenting on the Council's consideration from the perspective of increasing safety in the management of the halibut fishery.

Hazards associated with the current fishery management system derive from a series of 24-hour seasons, which are set in advance and are inflexible to change when bad weather threatens the safety of fishers who participate in the fishery. In both halibut fisheries this year (one on May 7-8, 1991 and another on September 3-4, 1991), storm conditions led to hazardous fishing conditions. I have observed four implications to safety of the current OAHM approach:

► First, fishers are injured or killed during the season where weather is a recognized risk factor. For example, on May 9, 1991, during the first season of the year, two fishers' skiff was swamped by high waves while fishing for halibut. Both fishers were killed.

► Second, the U.S. Coast Guard's search and rescue capacity is taxed far beyond normal during these short seasons. During the May 6-9 period, there were 54 calls for assistance reported state-wide. Likewise, during the September 24-hour season, 20 calls from vessels in distress were made. The high intensity of calls during these short periods of time pose problems in managing search and rescue operations.

► Third, the short season motivates the halibut fisher to overload their vessel because of the lack of time to take a full load to a processor and return for a second fishing run. Thus, they tend to load halibut beyond the stability limits

of the vessel. As an example, in the September 3 fishery, a 58-foot fishing vessel sank with a full load of halibut in 12 to 15-foot seas when a rouge wave rolled it over. Fortunately in this case, the U.S. Coast Guard rescued all five fishers.

► Fourth, the Council's consideration of change led to unsafe conditions in the fishery. The Council is considering changing from the OAHM system to an Individual Fishing Quota (IFQ) system. The IFQ would in large part be based upon the history of participation in the fishery, and IFQ permits are expected to become valuable commodities. As a result, in order to qualify for a future marketable permit many of the vessels participating in the fishery are ill equipped for commercial fishing.

As an example, a small vessel, which is normally used for recreation, participated in the September fishery. Their vessel had no hold for large amounts of halibut and had little gear. While fishing in 9-foot seas, they lost their gear, one of their two engines stalled, and they decided to return to port under the power of one engine. Because of their slow travel at 9 knots, the exhaust from the engine curled up and over the back of the vessel and into the cabin. As a result, all aboard suffered carbon monoxide poisoning. One individual was reportedly within 5 minutes of death before his rescue. All four were successfully rescued and later recovered.

The first three considerations indicate the need for more flexibility in the halibut fishery so as to allow fishing during weather that presents a reduced risk than has been experienced in the last two halibut fisheries. Moreover, as indicated in the fourth consideration, the act of considering change potentially leads to aberrations in fishing behavior that is inherently unsafe. Expediency in deciding upon a more flexible management approach in the fishery is, thus, imperative for the safety of many who are ill equipped or not trained to safely fish commercially.

I hope my comments are helpful in encouraging greater safety in the halibut fishery. Thank you for the opportunity to assist you in this important area of public health.

Sincerely yours,

Melvin L. Myers
Melvin L. Myers
Acting Chief

David Shrader
 412 Willow Street
 Kodiak, AK 99615
 September 15, 1991

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

SEP 16 1991

Dear Mr. Lauber:

I respectfully request that you and the other Council members seriously consider the following comments in your deliberations regarding the implementation of Individual Fishery Quota management schemes for either the Alaska sablefish or halibut fisheries.

I am absolutely and unconditionally opposed to the implementation of any form of IFQ scheme in the Alaska sablefish, halibut, or any Alaska fishery. I feel very strongly that such implementation will result in the migration of ownership of access to these fisheries, and consequently the wealth derived from them, to the minimum number of wealthy interests mandated by law. In this case that would mean 100 "persons", as the proposed language reads. It takes little imagination, however, to recognize that the real number of controlling interests could very easily be far less than that, considering the legal "fan dance" that associations, corporations, and big business types have at their disposal to hide the identities of the true controlling parties.

This concentration of exclusive fishery access rights and wealth will be the first major step toward the demise of the commercial fishing industry as a viable contributing facet of Alaska's economy, and will ultimately cost thousands of jobs and livelihoods in fishing communities and support industries throughout the state.

The implementation of IFQs is clearly not a management decision based directly in resource conservation concerns. Conservation needs will continue to be addressed as they have been, utilizing resource surveys, stock assessments, and exploitation rates and harvest quotas, and I'm sure time and area closures will continue to be employed to accommodate specific stock and other biological concerns. As has been documented in New Zealand and Canada, IFQ schemes will most likely prove to be an extremely expensive and impossible administrative and enforcement nightmare, which the Council has yet to adequately address, and it is not only possible but likely that the victims most seriously damaged by this management travesty will be the resources themselves.

Discussions regarding implementation of IFQs, or "share-quotas", are not new-- such considerations have been carried on at the Council level for many years now, propelled at different velocities at different times, depending on the personality makeup of the Council members. There has never been a "consensus" favoring IFQs from the industry. Strong objections to such systems have been consistently provided to the Council by various segments of the industry, however, and they have just as consistently been ignored in favor of "requests" from certain vested interests and overzealous bureaucrats.

One specific aspect of the Council's handling of the IFQ issue over the years that I have found particularly inappropriate and frustrating has been the total disinterest by the Council in the impacts of the implementation of such a scheme on other fisheries, diversified fishermen, and the industry as a whole.

As has been pointed out many times, highly diversified fishermen such as those that make up the Kodiak fishing fleet, find their economic stability and ability to endure resource and market fluctuations in their flexibility between various fisheries. Many vessels switch easily between longlining, crabbing, dragging and seining, for example. No single fishery is less important than the whole, when it comes to the overall success of a fishing business. During certain years, I've had the halibut fishery contribute as much as one-third of my total income as a crewman, and the loss of that option through the attrition of job opportunities will have a very serious detrimental impact on my livelihood. However real this interrelationship between resources, markets, business needs, etc is to those directly involved in the fishing industry on a daily basis, the Council has insisted on restricting its considerations to specifically the fishery under discussion---until recently.

It is now apparent, with the Council's intention of "dovetailing" the sablefish, halibut, and groundfish IFQ schemes, that a much broader concern has been under scrutiny all along, while public comment has been restricted to address fisheries targeting individual species. This convenient change of tune is apparently at least superficially in response to an interest in addressing bycatch concerns and providing for the utilization of nontarget catch. These are certainly worthy goals, but do not take into consideration the varying marketing conditions for these species, nor are the questions of highgrading, blackmarketing, and other enforcement concerns adequately addressed. Decisions such as how much of what species to include in one's catch are considerations beyond the scope of management, and should be left as business decisions to individual fishermen.

However, this interest in "dovetailing" management plans does demonstrate the difficulties in isolating one fishery's management concerns from the rest of the industry. Diversity and flexibility are the keys to the economic stability of the fishing industry, and management plans must reflect this flexibility. Limited access plans, including IFQ schemes, are irreversible systems which reduce the ability of both fishermen and management to react to the highly variable conditions which are naturally a part of this industry. If it has been the intent of the Council to eventually include all federally managed fisheries under an IFQ management umbrella, as seems to be the case, then such an all-inclusive plan should have been presented to the public for consideration and comment, as that will be the reality under which the industry will be expected to conduct its business and the resource needs will be addressed, rather than this piecemeal approach which has gone on for so many years.

While open access management is certainly not perfect, it has provided for the adequate protection of the resources, as best as mankind can be expected to protect such things, and has provided fishermen and industry with the flexibility and business options necessary on which to build stable communities and provide livelihoods for thousands of people. Another byproduct of open access fisheries has been the development of new fisheries such as the tanner crab and sablefish fisheries, piggyback-style, as resource and market conditions have varied. IFQ management will not only reduce this ability to diversify, it will put many people and communities completely out of business. Such problems as overcapitalization and increased effort have not been the products of open access management so much as of tax incentives, capital construction funds, etc.

I urge the Council to abandon this drive toward IFQ management. I am convinced that a pro-IFQ decision will prove fatal for the commercial fishing industry in Alaska.

David Shrader
David Shrader

F/V SCHY ONE
P.O. BOX 210985
AUKE BAY, ALASKA 99821

SEP 16 1991

September 16, 1991

North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 998510

Dear Sir:

Following on comments we have concerning the proposed halibut individual fishing quotas.

1. We think it is necessary for the halibut fishery to go to a IFQ system for the reasons outlined in the proposal.
2. The comment period for the proposed regulations was absolutely the worst time possible. The individuals who are effected the most, the fisherman, are fishing and unable to review and comment on the proposals in August and September.
3. We did not see where size of boat has anything to do with the proposed allocations and feel that it should. Several halibut openings have been based on the quota system according to size of boat. This is important, especially when considering the economic impact on the vessel owner. For example, a fisherman with a larger boat will have more a fiscal responsibility that someone who owns a smaller vessel.
4. When basing quotas on past catch histories only one or two of the highest years should be factored into the allocations. The reason for this is that a fisherman may have purchased a vessel only four years ago and has not had sufficient time to build up his/her catch rates. Since the openings have been so short the past few years, a relative newcomer has not had time to learn the fishery as those who have been fishing for more years.

Thank you for the opportunity to have input into this important decision the council will be making.

Sincerely,

Mark Burger and Catherine Gitkov
Mark Burger and Catherine Gitkov
Owners

To: North Pacific Fishery Management Council members
attn: Clarence Pautzke
delivered to Linda Behnken

6-23-91

I am in favor of the ITQ system for the halibut and black cod fisheries. I feel the present management system for them is not good for the fishery, the fish stocks or the product delivered to the public.

I feel that in the halibut production records of individual fishermen that some consideration should be taken into account for the limited "mop up" openings. For the fisherman who usually catches above average for the size boat they have the present system of limiting them by the length of their boat unfairly restricts them and it would be even more unfair to determine ITQ shares by this method.

The only solutions I see are to either: 1) Take the percentage of the ~~total~~ total that each boat caught in the unlimited openings and apply it to the total catch allowed in the limited "mop up" openings so that those that have caught more get more. or 2) To not use the "mop up" openings in figuring ITQ shares. In this way those fishermen who do above average for their size boat in unlimited openings would not be penalized for having a small boat. If someone did poor or well in the unlimited openings, regardless of the size of their boat, it would be equally reflected in figuring ITQ shares.

I am sure any ITQ system implemented will have good parts and bad parts, of which hopefully there will be more good parts. ~~Overall~~ The present management system I feel is unacceptable.

Sincerely,
Carolyn Nichols

ATTN: CLARENCE PAUTZKE
deliver to Linda Behrken

6-22-91

North Pacific Fishery Management Council:

I would like to voice my approval for a IFQ system for managing Black cod and Halibut. There are many good reasons which have been discussed and re-discussed over the past 4 or 5 years why I think the IFQ system would be an improvement over the status quo, not the least of which are safety, product quality + wastage. I hope the council institutes such a program.

When designing a program for Halibut IFQ's I think people should remember that many fishermen's historic poundage has been controlled by I.P.H.C. + their vessel length classes. I believe there is a potential to reward fisherman for many years to come because they owned a longer boat than other fisherman. I think that whatever final method is used to compute an individual's past history in the Halibut fishery it should be based on full openings not "mop up" openings. Either mop up openings should be

deleted completely or A individuals mop up catch should be computed from the percentage of the Halibut catch he caught prior to the mop up opening. I feel that it would be unjust to use past mop up performance in the Halibut fishery when IPHC has set production caps based on vessel length. Vessel length really has nothing to do with a individuals ability or past performance in the fishery.

Thank you,
Randy Nichols
Randy Nichols
Box 3044
Sitka, AK.

Aug 24TH

AUG 27 1991
To: North Pacific Fisheries Management Council.

My NAME is Tom Uber, I AM A resident of SITKA, and have lived here since the EARLY 70's. I started fishing as a crewmember for blackcod and Halibut in 1976 and have done so most years since then

I am totally against IFQ's because they give no credit to the crewmembers who have worked long + hard. Your IFQ proposal says that crewmembers will have the right to buy IFQ's. I ask why I should have to buy anything when people just getting into fishing 88, 89, 90 are going to be given free IFQ's. I hear skippers say that when IFQ's come into effect over →

They will no longer be in need
of a crew or how they will
sell out + have lots of money.

I ask your Council what
the hell are the rest of us
supposed to do, I have kids
that have needs just like you
people

If your stinkin' IFQ
preposal is gonna be fair
lets give the crew members
a crewshare of the IFQ's
after all they shared in
catching the fish. I will
oppose ~~the~~ the IFQ's in the
present form + will join
in any lawsuit against them

Sincerely
Tom Uber

AUG 27 1991

PO Box 859
Homer, AK 99603
August 25, 1991

North Pacific Management Council
Mr. Rick Lauber, Chairman
PO Box 103136
Anchorage, AK 99510

Dear Sirs:

I am writing to make an appeal against adoption of an ITQ system for sablefish and halibut management. As a small boat owner/operator I see my participation in the halibut fishery at jeopardy should an ITQ system be put in place. After this near disastrous salmon season, halibut is the one bright spot on my fishing horizon.

Monies from the halibut and black cod fisheries currently are spread throughout the coastal communities of Alaska. ITQ's will concentrate the fishery into the hands of a much smaller number of fishermen and deckhands, leaving many of us unable to utilize a resource populating our home waters. The large bureaucracy that would have

to be established to implement and monitor an ITQ system speaks against implementation of such a system, as do the experiences of the other nations that have implemented IFQ programs.

The present system of open access can be improved upon to address many of the current criticisms against it. As someone who depends on access to the halibut fishery to make my boat payments and support my family, I urge you to defeat the ITQ proposal and instead concentrate on improvements to the present open access system.

Thank you.

Sincerely,
Philip Brudie

August 25, 1991

AUG 28 1991

Dear Sir:

I think I.F.G.s for Halibut is a very good thing. How do you describe them? If you go according to past catches your reward the fishermen who fished illegally before and after the 24 or 48 hour time limit, if you assign percentage according to past catches, you reward fishermen for fishing more gear than they could retrieve in the allotted time. You know the area, the fishermen who sets miles of gear and then chops it off at 1/2 or 3/4, leaving lots of lost skates, fishing for months to come.

What about the fishermen who fished just the right amount of gear, so that he could take good care of it in the short 24 hour allotted time. The fishermen who fished a smaller amount of gear, so that he could take good care of his halibut and bring in a very good product.

I've heard horror stories of fishermen bringing in thousands of pounds of halibut, but not bothering to clean or ice their fish until after the 24 hour time limit. If you go according to past catches, you will be rewarding

them!!

I think you should give
 what I & Q. according to boat
 size, it's fair to call it will
 allow for a more evenly distributed
 history. You can't go back through
 the years and review everyone's
 fishing history. Some people
 had bad luck, some people
 had broken boats, lost gear,
 bad weather. Myself, my
 daughter was killed in deep
 water and my wife severely
 injured this year ago. Why
 bother fishing? I fished with
 me on our 21 foot boat. Are
 you going to take everyone's
 personal problems into account?

Of course you can't.
 Boat size is the only way to go.
 I can live with a 2000 lb. limit
 that will take place this system.
 I hate this rabbit derby type
 fishing. It's very dangerous, if
 the weather is bad you have to
 go, you're limited to a certain area,
 or your boat fails and you can't
 go.

Sincerely Ray Etten
 P.O. Box 725

Ward Cove, Alaska 99928

F.V. Huntress

Ray Etten over 20 years
 in Alaska

To: North Pacific Fisheries Management Council:

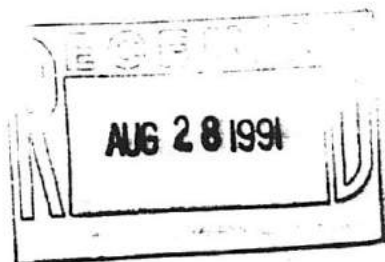
As a blackcod crew member since 1976, I've seen the blackcod fisheries go from an enjoyable way even relaxing way of making a good living, to the present day living nightmare. A fisheries that turns a common everyday fishermen into a ruthless greedy fool. We've got too many fishermen running too much gear for too few of fish in too small of an area. And were losing too much gear, and wasting too many fish, and we are all losing our financial ass in the process. we used to be able to fish almost all year around now we are down to just a few days a year, fishermen are jeopardizing lives and property in these derby like fisheries. To put it in plain simple english it's just Stupid!

As a crew member I stand to gain nothing financially from any kind of IFQ program but I don't give a damn about that I'll give my support to the health of the fisheries and the fishermen. Please do something!!!

Sincerely,

Dennis Beam

crew member;



HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

AUG 12 1991

Name of Proposer:

F/V GULL MAIDEN

Date:

8-1

Address:

5219 SHILSHOLE NW
SEATTLE WA 98107

Telephone:

ATTN MASON WILLIAMS
206-784-0171

Brief Statement of Proposal:

LIMITED ENTRY BASED
ON YEARS 1984 TO 1988 TO
QUALIFY

Objectives of Proposal: (What is the problem?)

ELIMINATE LICENSES &
BOATS

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

TO MANY VESSELS IN
FISHERIES

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

HALIBUT FISHERMEN WIN
SALMON, CRAB (PART-TIMERS) LOOSE

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

BUY BACK PROGRAM

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

Signature:



RECEIVED
AUG 12 1991

Nenana, Alaska.
August, 8th 1991.

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P. O. Box 103136
Anchorage, Alaska 99510

May 22, 1991

Dear Sir:

I am opposed to the IFQ system for managing the sablefish and halibut fisheries. I believe that if such a system is established, that the small, diversified vessel will be the loser. Alaskans who live in coastal communities will lose their access to the resource. Privatizing the fishery and making instant millionaires of a few boat owners is not managing the resource, it is giving a windfall to a few. The job of the Council is to manage the fishery, not the fisherman. Problems in the fishery can be addressed with traditional management measures. It is very dangerous to completely change the management structure. Other countries who tried this are now experiencing the problems which we will face. The resource will be controlled by a few companies, quite probably foreign interests. There will be virtually no enforcement and the conservation problems resulting from over-harvesting will cause the stocks to collapse. Please don't make the mistake of thinking you are solving a problem, instead you will be creating a problem of huge proportion that you won't be able to rectify.

Sincerely,

Thomas Frost

P.S. Let's Keep the Federal Govt, Out of the Fisheries, the Alaska Dept of Fish & Game, are Very Capable!!
we had enough during Territorial Days
Policy making

Thankyou
Tom

NAME: Thomas Frost

ADDRESS: P.O. Box 516, NENANA, AK.
99760.

SEP 16

September 13, 1991

Chairman Rick Lauber
North Pacific Fisheries Management Council

Dear Mr. Lauber,

I am writing in regards to your proposal for I.F.Q.'s in the sablefish fishery.

I want to state my opinion that I am for the proposal and sincerely hope that it will go through.

I fished sablefish until 1984 when I became a mother. My husband fishes sablefish now and I still depend on the fishery for the lion's share of our income.

I know many people are against it and as with any proposal you are never going to satisfy everyone. Sure, I may not agree with every aspect of it but overall it's a good proposal.

The fishery needs this or the future looks bleak.

The size of the sablefish fleet needs to be reduced. Please help guide the council to do the right thing.

Thank you for your time.

Sincerely,

Kari L. Johnson

Kari L. Johnson, Mother and longliner

SEP 16 1991

September 13, 1991

North Pacific Fisheries Management Council
Chairman Rick Lauber

Dear Mr. Lauber,

We are professional longline crew members aboard the F/V Kariel, owned and operated by Steve Fish.

We would like to take this opportunity to express our support for the sablefish I.F.Q. system put out by the council for public review. We have been witnesses to the deterioration of the fishery and the erosion of our income base because of the overcrowding of the fishery.

We feel that it is in the best interest of professional crew members to have such an I.F.Q. system in place.

WE agree in principal to the specific points brought up by Steve Fish in his accompanying letter. Especially the provision for a 1% maximum cap on ownership of shares, and the division of catcher and freezer boat shares. These provisions would help assure the existense of small incremental shares allowing crew members and others to acquire shares and build a more rewarding presence in the fishery. And it would be a fishery with a future, which at the moment is not much more than a question mark.

Thank you for your time.

Sincerely,

Todd M. Rawls

Craig D. Crandall

Charles L. Vickery, Jr.

Thomas L. Funk

William S. Patrick

Todd M. Rawls

Craig D. Crandall

Charles L. Vickery, Jr.

Thomas L. Funk

William S. Patrick

September 12, 1991

North Pacific Fisheries Management Council

Gentlemen of the Council,

I am writing to express my strong support for your sablefish I.F.Q. program put out for public review.

I have fished black cod and relied on it for my living since 1979. I have watched the fishery rise to prominence since a relative few of us secured the lucrative Japanese market by catching the entire quota for the first time in 1984. And I have watched its subsequent decline as more and more people, boats and gear pour into the fishery from everywhere. I won't subject you to yet another list of current problems facing the fishery. They are well documented.

I feel the current proposed system answers several of my previous concerns about I.F.Q.'s.

1) By keeping freezer and catcher shares separate and splitting into vessel size categories at 60', the proposed system can, I hope, keep the fleet composition much as it is. By doing this, continued employment in shore-based processing and support industries will be insured. The division of freezer and catcher boat shares is an essential component of a successful management plan, keeping large corporate-owned freezer vessels from displacing the predominately shore-based current fleet.

2) I favor a 1% maximum cap on quota shares owned by an individual (no ownership by corporations- like the state system) in any area. I feel it is important to have available shares in small increments for those desiring to start out with a small vessel, seeking to expand, or for crewmembers desiring to acquire shares and have the option of working toward vessel ownership.

3) I favor fishermen being in control of shares. Shareholders must be on the vessel, as in the Alaska state system. In the case of bare-boat leases, the fisherman involved should be assured of at least 1/2 of the shares earned by participation. Owners deserve some credit for financial risk, etc., but at least the bulk of shares earned should go to the fisherman, not the distant owner.

I really don't want to burden the process with amendments and modifications to suit my own desires. I feel it is critical to get this system in place in order to stop the current slide toward derby-style fishing in the sablefish fishery. Diversification into other fisheries is no longer a realistic panacea as most fisheries are now suffering from over-capitalization (including some protected fisheries now under limited entry). This very tendency toward multi-species fishing has led to the current sad state of the sablefish fishery, and conversely, leaves few viable options for the sablefish fisherman displaced by the over-crowding in his "own" fishery.

This I.F.Q. proposal comes closest to providing a system which benefits the most people through the use of a public resource by a diverse and varied group of people.

Thank you for your time and interest.

Sincerely,



Steve Fish Owner/operator F/V Kariel

Oliver N. Holm
Box 3865
Kodiak, Alaska 99615

SEP 16 1991

NPFMC
Anchorage, AK

Dear Mr. Chairman:

I wish to comment on the blackcod and halibut IFQ proposals. As you know, I have been involved in the Council's debating of halibut and blackcod limited entry since 1983. While I find it difficult to continue pouring time and money into council meetings year after year. I still feel that the Council has not come up with a system that is economically or socially better than open access. IFQ's are often sold as a conservation measure. This couldn't be further from the truth. With year round landings and incentives for high grading and the necessity of discarding fish when a vessel doesn't have a quota share, large overruns of the quota are likely.

In addition, a large class of arbitrarily excluded citizens will be created who will see no rational reason why they should be precluded from harvesting the resource. The attitudes in the salmon fishery prior to statehood when trap operators were favored over others will come back and enforcement will be a losing battle. Current cheating on seasons doesn't generally threaten the resource as it is all openly landed and is counted against the quota.

The Magnuson Act gives some mention to protecting the historic social organization of the fisheries. The IFQ system only protects the interests of the first round of fishermen who are given the quotas. Crewmen, shoreworkers, processors, suppliers and Alaska's coastal communities have a stake in these fisheries also, and would surely lose under the new system. The consumer is often cited as benefitting from the IFQ system. This is a myth as prices will be as high or higher under the IFQ system. Fish hauled out of Alaska under IFQ's in an effort to maximize profits to the IFQ holder will not be as fresh or as good as product delivered a few hours after it is caught and frozen as is the practice with the lion's share of the fish now.

While admittedly there is some benefits to the original operator who is granted a free harvest right, the social costs are far too great to conduct this experiment in social engineering while there are so many clear cut losers.

We are all familiar with the social and political instability in some South American countries that is largely the result of all their natural resources being owned by a few, while the rest of the population faces poverty and economic servitude. It is hard to believe that the U.S. Government is considering a move that will block Alaskans from participating in resource harvesting at their very doorstep.

It is time to reject IFQ's once and for all. Under the current threat of limited entry, vessels are precluded from not fishing even when economic circumstances would make it sensible, because, they risk losing their right to participate in the future. This definitely contributes to the crowding in the halibut and blackcod fisheries. Although for most participants, these fisheries are a viable and important economic activity. There are traditional management measures that have been ignored, that could benefit the fishery, for example -- tank inspections, and check-ins.

Sincerely,



Oliver N. Holm
President, Kodiak Longliners Association

September 15, 1991

Blake W. Kinnear, F/V Lin-J
211 Hillcrest
Kodiak, Alaska 99615

North Pacific Fisheries Management Council
Anchorage, Alaska

Mr. Chairman and members of the NPFMC:

My name is Blake Kinnear and I am a life long Alaska Resident and make my entire living from diversified fishing activities. This is a family owned vessel, and our success for the past 20 years has been based upon our ability to diversify, and the flexibility to participate in many fisheries.

- shrimp trawling,
- crab fisheries
- grey cod
- longlining for blackcod &
- halibut
- tendering for salmon and herring.

I would like this letter to document my opposition to the IFQ type management system being implemented in any of our Alaskan fisheries, particularly halibut. I support "traditional" management methods designed to protect the resource and limit gear. I believe healthy fisheries are much more likely to result from some well thought out gear limitations, (combined with tank inspections for larger vessels and vessels who will be making long transits) than from an elaborate plan creating red tape confusion, and be unenforceable with the regulatory infrastructure now in place.

IFQ's will tend to be consolidated in larger operations, which will remove the economic benefits of the fishery from our coastal communities in the course of a few short years. Regulations attempting to avoid concentration of quota in the hands of a few large entities have shown themselves vulnerable to legal challenge in certain East Coast Fisheries that have tried IFQ's. This is only one aspect of IFQ's that has already been developing independently of expectations, overharvesting due to high grading and black market transactions that are much easier to accomplish if fish are passing over the docks constantly & have shown itself to be a problem in Canada and New Zealand.

Can the NPFMC honestly say that U.S. regulatory agencies have an adequate handle on all the fish products currently moving in and out of Alaska. In my travels around the state I observe consistent unsupervised trans-shipment of product to Japanese trampers in remote areas.

I have decided (in the ten years that limited entry strategies have continually been considered and rejected) that the NPFMC's time and effectiveness have been severely wasted by the relatively small group of politicians, bureaucrats and greedy businessmen who have a hidden agenda, each for their own reasons for locking up our fisheries in an imitation "agri-business" which has already taken over most aspects of food production, packaging, and marketing.

Government find large corporations more to their liking to deal with. Bureaucrats would like to carve out new sources of funding to protect fading government budgets and maintain as top heavy a system of regulation as possible. Some Fleet owners and processors see an opportunity to secure investments after an overbuilding binge. The self interest is understandable, but the worst part is that the plan is unenforceable at any cost and will encourage widespread cheating that will devastate the resource. Again, I say we should have

- **more traditional gear limitations**
- **step up enforcement of meaningful rules that can be most easily enforced, and**
- **pay for a workable system of minimum size with reasonable user fees.**
(For example the Kodiak processors and fishing organizations for the past DECADE have requested tank inspections, with no action from either the NPFMC or the IPHC.)
- **Lets maintain the flexibility of our fleet and the economic health of our coastal communities by keeping access open to as many small operators as possible, thereby spreading and multiplying the economic benefits.**

Over and over meetings have been scheduled during important fishing seasons or moved to locations more convenient for bureaucrats than industry. (Example: the postponing sablefish decision to Juneau after the NPFMC had advertised this decision for their Anchorage-June meeting. Another example of poor planning was that for three years the NPFMC took up the issue of crab bycatch in the Bering Sea, negotiating numbers with the trawl fleet on the opening day of the Bristol Bay King Crab Fisheries.)

The disenfranchisement of fishermen and processors by the NPFMC's approval to send forward the sablefish IFQ plan this past summer, in spite of overwhelming opposition, indicates the Councils complete failure to listen to industry, its own advisory council and points to questions of representation and possible conflict of interest.

Please listen to what the fishing industry is saying, from processors and from the coastal communities in Alaska and **do not accept this poor excuse of a bureaucratic resource management strategy.**

Thank you for your time and consideration of my views.



Blake W. Kinnear, Skipper
F/V Lin-J

SEP 16 1991

Dear Sir: *RICK LAUBER*

I have been commercial fishing in Alaska since 1973. I worked as a crew person then operated boats for owners then bought into a boat of my own in 1978. In order to accomplish this I was able to participate in any number of fisheries, to choose which would net me the best profit with the least expense. I have a loan on my boat from the state of Alaska. When the King crab fishery at Kodiak collapsed in 1982 I was unable to make that year's payment, but I was able to diversify into other fisheries and have since done well enough to continue my payments.

Now things are looking quite slow with the drop in salmon prices and already slow Tanner crab season, Kodiak halibut quotas dropping I had hopes of fishing sablefish to help make up the difference. Like in 1985, 1986 I fished a little sablefish to supplement my income.

We all need diversification to survive in changing times, what will happen to all the boat owners and all the crew persons who make an average income by participating in 4 or more separate fisheries throughout the year, must they become Bureaucrats to manage all that it will take to implement IFQs or a limited entry program for sablefish, ect?

What will happen to the boats who have state loans, CFAB, NBA who are going to be forced out of the fisheries because they won't qualify for IFQ's.

These resources belong to every one. I can't believe that with all the management tools there are, IFQ's is the only one the NPFMC is looking at. IFQ's will make a few rich men and quite a few Bureaucratic jobs to manage it. Is this the preferred system? I vote no for IFQ's I vote no for limited entry.

THANKS

Ron Thompson

RON THOMPSON
BOX 567
KODIAK, AK
99615

OTSU FISHERIES

P.O. BOX 2527 • TELEPHONE (503) 738-0858
GEARHART, OREGON 97138

JOHN A. SVENSSON
CHAIRMAN OF THE BOARD
CYNTHIA T. SVENSSON
PRESIDENT

11 SEPT 91

MR. RICK LAUBER
CHAIRMAN

SEP 16 1991

NORTH PACIFIC FISHERY ~~MANAGEMENT~~ COUNCIL
P.O. BOX 103136
ANCHORAGE, ALASKA

DEAR MR LAUBER:

I STRONGLY SUPPORT IFQ'S ON BOTH
SABLE FISH AND HALIBUT. FOR THE FOLLOWING
REASONS

1. HIGHER FISH QUALITY
2. LESS ILLEGAL FISHING - THERE IS NO
REASON TO POACH FISH WHEN YOU ONLY
GET SO MUCH.
3. AND SAFETY TO THE FISHERMAN.

THANK YOU



P.O.Box 33

Pelican, Alaska 99832

September 11, 1991

North Pacific Fisheries Management Council

P.O.Box 103136

Anchorage, Alaska 99510

SEP 16 1991

Dear Council Members:

After years of public testimony, scoping meetings, staff research and NPFM Council discussion, a workable solution is in the making. Staff and Council must be commended for all its hard earned effort. IFQ management is a win win situation for fisherpersons, processors, and NMFS. Change is always scary but I see it as a real answer to alot of the management problems the fishing industry faces today. This Alaskan strongly supports a system that promotes seafood quality, at sea safety and local economic development, as long as these remain in sight as priorities, Alaska will continue to prosper. Thank you for the opportunities I have had to have an impact on your decision making. Future generations of Alaskans will be able to make a living from the waters that surround this Great Land.

Sincerely,

Patricia Phillips

Patricia Phillips

F/V Nancy K

CITY OF HYDABURG

P. O. Box 49

Hydaburg Alaska 99922

(907) 285-3761 or 285-3793

September 9, 1991

SEP 16

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

Sirs:

In reference to the proposed IFO (Individual Fishing Quota) management system for Alaska's halibut fishery and preferred management for sablefish; The community of Hydaburg would like to make the following comments objecting to the plans:

In our view, the plan is a deliberate attempt by the Federal and State land and resource managers to circumvent the intent of Title VIII of ANILCA which provides for priority use of the resources which they customarily and traditionally used and the implementation of an administrative structure which provides the guidelines and authority to manage the resources necessary for their subsistence needs.

Title VIII, Section 805 of ANILCA gives the responsibility of community quotas to the various regional councils and not to the federal or state managers. It is clear to us that the yearly report to the Secretary lays out the procedures for requesting yearly needs of fish and wildlife populations to satisfy subsistence needs.

The uses and needs of fish and wildlife populations are not dated, but, are subject to change from year to year to allow the subsistence lifestyle to adjust to the needs of the subsistence community; once the Regional Councils have made their determination of needs, it is the Secretary's legal responsibility to provide for priority subsistence uses to meet identified subsistence needs.

We do not believe the State of Alaska should have any role in the management of any subsistence resource because the recent actions of the Alaska Supreme Court has in effect repealed the State subsistence law in which the State was required to be consistent with Title VIII of ANILCA.

Sincerely,



Victor Burgess
Vice-Mayor for the City of Hydaburg
and
Chair Person for Hydaburg Fishery Advisory Committee

cc: federal subsistence board

Section 3. COMMUNITY DEVELOPMENT QUOTAS (CDQs)

No more than 20 percent of the annual fixed gear Total Allowable Catch for each management area in the Bering Sea/Aleutian Islands (BSAI) area shall be made available in that management area for a western Alaska sablefish community quota program.

The purpose of the program is to provide the opportunity for disadvantaged western Alaska communities to enter the BSAI area sablefish fishery and thereby assist in the development of a self-sustaining fisheries economy.

The program is also intended to complement and work in conjunction with the western Alaska community quota program adopted by the Council for BSAI pollock.

The western Alaska sablefish community quota program shall be implemented through the draft regulations attached. In implementing this program, community development plans shall provide a harvesting preference for residents of the community over any harvesting arrangements with persons who reside outside of the community. Appended are guidelines under which the CDQ program will be implemented.

Section 4. AD HOC WORKING GROUPS

Two ad hoc working groups shall be established. One by the Council composed of representatives from longline vessel owners, crew members and processors, who would likely be affected by the Council's action on IFQs. The second group will be established by the Alaska Regional Director, NMFS, composed of administration, data management, enforcement, and legal professionals. The groups will develop a

detailed implementation plan covering all aspects of carrying out the Council's preferred alternative for a long line (fixed gear) IFQ management program (for sablefish and halibut). All states represented on the Council shall be given an opportunity to provide technical input to the groups.

Guidelines for Implementing Western Alaska Sablefish Community Development Quotas

Section 1. PURPOSE AND SCOPE. In order to provide fishermen who reside in western Alaskan communities a fair and reasonable opportunity to participate in the Bering Sea/Aleutian Islands sablefish fishery, to expand their participation in salmon, herring, and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the western Alaska sablefish community quota is established. Residents of western Alaska communities are predominantly Alaska Natives who have traditionally depended upon the marine resources of the Bering Sea for their economic and cultural well-being. The western Alaska sablefish community quota is a joint program of the Secretary and the Governor of the State of Alaska. Through the creation and implementation of community development plans, western Alaska communities will be able to diversify their local economies, provide community residents with new opportunities to obtain stable, long-term employment, and participate in the Bering Sea/Aleutian Islands sablefish fishery which has been foreclosed to them because of the

(See: Preferred management plan, page 21)

Preferred management plan, co.

page 20)

capital investment needed to enter the fishery.

Section 2. WESTERN ALASKA SABLEFISH COMMUNITY QUOTA.

(a) The NMFS Regional Director shall hold 20 percent of the annual Total Allowable Catch of sablefish for each management area in the Bering Sea/Aleutian Islands area for the western Alaska sablefish community quota. These amounts shall be released to eligible Alaska communities who submit a plan, approved by the Governor of Alaska, for its wise and appropriate use. Any of the TAC not released by the end of the third quarter shall be made available for harvest to any individual or vessel providing the person does not own, hold, or otherwise control unused IFQ for that fishing year.

(b) Not more than 12 percent of the total western Alaska sablefish community quota may be designated for a single community, except that if portions of the total quota are not designated by the end of the second quarter, communities may apply for any portion of the remaining quota for the remainder of that year only.

Section 3. ELIGIBLE WESTERN ALASKA COMMUNITIES

(a) The Governor of Alaska is authorized to recommend to the Secretary that a community within western Alaska which meets all of the following criteria be a community eligible for the western Alaska community quota program (hereafter "the Program"):

(1) be located on or proximate to the Bering Sea coast from the Bering Strait to the westernmost of the Aleutian Islands or a community located on an island within the Bering Sea, that the Secretary of the Interior has certified pursuant to section

11(b)(2) or (3) of Pub. L. No. 92-203 as Native villages are defined in section 3(c) of Pub. L. No. 92-203;

(2) be unlikely to be able to attract and develop economic activity other than commercial fishing that would provide a substantial source of employment;

(3) its residents have traditionally engaged in and depended upon fishing in the waters of the Bering Sea coast;

(4) has not previously developed harvesting or processing capability sufficient to support substantial participation in the commercial groundfish fisheries of the Bering Sea/Aleutian Islands because of a lack of sufficient funds for investing in harvesting or processing equipment; and

(5) has developed a community development plan approved by the Governor, after consultation with the North Pacific Fishery Management Council.

(b) Any number of eligible communities may apply under a single development plan. In cases where more than one community applies in a joint application, each community is entitled to its full portion of the quota.

Section 4. COMMUNITY DEVELOPMENT PLANS

(a) Within 60 days of the effective date of these regulations, the Governor shall submit to the Secretary, after review by the North Pacific Fishery Management Council of the criteria which the community must, at a minimum, include in a community development plan to be eligible to participate in the program. The criteria shall include provisions concerning the following:

(1) amount of quota requested;

(2) length of time community is requesting to receive a share of the quota;

(See: Black cod IFQ plan, page 24)

Black cod IFQ plan, contd.

(from page 21)

(3) benefits that will accrue to the community from approval of their plan and release of quota, including how the plan will assist in diversifying the community's economy and provide opportunities for training and employment;

(4) how the benefits will be shared within the community;

(5) business plan which will provide adequate information to complete a financial feasibility assessment;

(6) business arrangements which are entered into between a community and residents who reside outside of the community, provided that residents of a community shall receive a preference for a portion of the harvesting quota over any arrangements for harvesting with persons who reside outside of the community; and

(7) within 30 days of receipt of the criteria from the Governor, the Secretary will approve, disapprove, or return the criteria to the Governor with recommendations for changes necessary to comply with the provisions of this Act, or other applicable law.

(a) Within 45 days of receipt of an application for a community, the Governor shall review the community's eligibility for the program and the community development plan and forward the application to the North Pacific Fishery Management Council for its review and recommendations. The application shall be subject to a public hearing before the Council. If the Council does not review the plan at its next regularly scheduled meeting, the Governor shall then submit the application to the Secretary for designation of a portion of the quota. The Governor shall submit the application to the Secretary within 14 days of Council action or within 14 days of the date of the adjournment of the Council meeting without any action taken on the application, unless the application is withdrawn by the applying community.

(b) Within 10 days of the receipt of an application approved by the Governor, the Secretary will designate a portion of the quota to the community, if the community development plan satisfies the criteria developed by the Governor and approved by the Secretary, or return the application to the Governor.

September 12, 1991

SEP 16 1991

Dear Members of the North Pacific Fisheries Management Council:

I am a Sitka fisherman and am urging you NOT TO PASS THE INDIVIDUAL FISHING QUOTA PROGRAM ON TO SECRETARY OF COMMERCE MOSSBACHER.

The problems of overcrowding the sablefish grounds had begun by 1985 in the Gulf of Alaska (Federal Register, LEGISLATIVE I.D. No. 205865, Page 50 FR 28580, No. 135, 7/15/85).

Your IFQ program would reward those who created the problem! Those fishermen bought 300% more gear just to have the jump on their neighbors in a rush to gain round poundage of sablefish. Most fishermen were not professional enough to dress their fish. Therefore, two-day-old dead fish often were dropped into refrigerated salt water or slush systems just to sit for another three days before being unloaded.

Your system would also reward the fishermen who jumped the gun at starting times on openings. For years we started fishing at midnight on April 1. Large numbers of fishermen set their masses of sablefish gear after dark and obtained an unfair advantage, not to mention a lot more dollars.

The tiny bit of security my family and I would receive from our share of an IFQ program certainly is not worth me supporting those who caused the frenzy in the sablefish fishery in the Gulf of Alaska. I now watch those who created this overly intensified fishery with their "give-a-shit" attitudes bragging and beating on their chests as to how much their worth will be if this program is passed and it makes me sick.

Please reconsider your support for the present IFQ system and vote no for IFQs.

In its stead, I strongly support hook limits or, as a last result, trip limits.

Sincerely yours,

Walter C Pasternak

Walter C. Pasternak
F/V Lory
Box 830
Sitka, AK 99835
Phone 747-5943

WCP:mm

cc Sen. Ted Stevens
Sen. Frank Murkowski
Rep. Don Young

9-9-91

SEP 16 1991

DEAR SIR

I am ~~opposed~~ ~~to~~ ~~the~~ 24 hr, openings for HALABUT. IT IS UNNECESSARY AND VERY DANGEROUS. I have heard THAT THIS MIGHT BE CHANGING AND I COULDN'T BE HAPPY. I HAVE ALSO HEARD ABOUT YOUR I.F.O. IDEA I ALSO AM VERY OPPOSED TO THIS IDEA. THIS WILL TAKE AWAY OUR FREE ENTERPRISE THERE MUST BE A SAFER AND MORE EQUAL way FOR US ALL. HOW ABOUT A PUNCH CARD? TROLLERS COULD SELL HALABUT THAT THEY CATCH SO THEY WONT BE WASTED. WE COULD HAVE A QUOTA BY AREA AND HAVE A WEEK OF LONGHINING AND PUNCH YOUR CARD AT THE BUYER AND THE CARD YOU HOLD. THE NEXT WEEK COUNT THE FISH AND THEN OPEN IT BACK UP OR CLOSE IT. HOW ABOUT LIMITING OUR GEAR? LIMITING OUR CATCH ACCORDING TO THE SIZE OF BOAT IS VERY

UNFAIR - especially THE big jump in
poundage as it is now. I.F.Q's
are unconstitutional.

THANK YOU

LYNNE MORROW

PO BOX 216

GUSTAVUS AK

99826

907-697-2440

Sitka Alaska
Sept 12th 91

North Pacific Fisheries
Management Council

SEP 16 1991

Dear Madam or Sirs

I am writing this for my son Milor & myself, we have a few comments on this IFC plan.

The Council should include tragedy & hardship in these rules, to qualify for a halibut permit.

I fished & sold halibut commencing year early in 1960, then my son Milor, started fishing for halibut later part of year 1970.

In 1983 Milor bought a 28 ft commercial boat. He did buy all new complete longline gear, buoys & poles. So I went with my son, because it is larger than my boat. We could go where the halibut are. On this halibut opening went on the fish grounds & set our long line out. Then we drifted jigging for halibut, while our longline was fishing for us.

The sad news was, aprox 3 hrs later we went to the spot we put our gear & could not find them. No sign of our buoys or tall bamboo flag poles. We looked till dark & next

day. Time limit for halibut was closed, some one had stolen our gear.

A fisher-lady also had her gear missing, which was set not very far from ours. So with her & us searching could not find. Altho some one that apparently had taken her gear, phoned a few days later and told this fisher-lady, where her longline gear was. Our was gone forever.

In 1984 my wife Ann, which is Milen's mother, was very sick ended up taking her south to a hospital.

In 1985 thru 1990, was one hardship of another. Year of 1989 was catastrophe, my wife Ann, (Milen's mother) bad news was we had to take her south to Virginia Mason hospital. She had an operation & aprox 60 days later died on us Easter Sunday.

Labor Day July 4th my mother had a heart-attack. Had to fly south. She was in a hospital aprox 4 weeks & died.

A short while later Sept 7th 1989, My son-in-law or Milen's brother-in-law, went longlining for the 24 hr halibut opening. He never returned home. With all the intensive searching, was no trace of him, lost at sea.

After this triple shock of 1989 pretty much explains why we never longlined in 1990 year

Milan, and myself had to get accustomed living without Ann. Getting re-organized, personal business to take care off, change of style living. This tragedy was very hard on rest of our family, and us. Takes awhile to get over it. Also even to-day we still have some catching up things to do.

Anyway Council Members in your IFO rule plan, if you had tragedy, hardships or ect. Was not able to longline in your set 1988, 1989, 1990 years, or 1985 thru 1990 as stated in news paper reports. Should at first give the fisherman a trial hearing, if he applied for a IFO permit.

Milan & myself longlined or jigged for halibut, before your commencing 1985 to 1990 years, to be able qualify for a IFO permit.

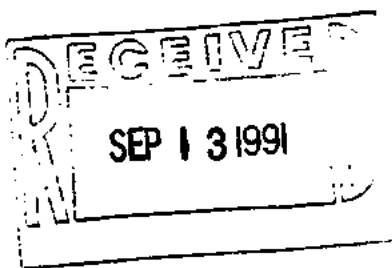
I strongly believe we both, Milan & I should have grandfather rights, for past years of participation in halibut fishing.

Please our requests & comments some consideration. Thank You, Council Members.

We remain sincerely,
Lewie Rucka & Milan Rucka

P.O. Box 1255

SITKA, AK 99835



MARGARET TESTARMATA

P.O. Box 263

SELDOVIA, AK 99663

13 SEPTEMBER 1991

DEAR NORTH PACIFIC FISHERY MANAGEMENT COUNCIL:

I AM WRITING TO COMMENT ON YOUR PLAN FOR HALIBUT QUOTA SHARES,
I AM IN AGREEMENT WITH THE BASIC CONCEPT OF QUOTA SHARES.

I AM PLEASED WITH SOME ASPECTS OF THE CHOSEN BLACK COD PLAN
AND HOPE YOU WILL ADOPT THEM IN THE HALIBUT PLAN. SPECIFICALLY,

1. ASSIGNING QUOTA SHARES BY VESSEL SIZE AND TYPE AND MAKING THEM
NONTRANSFERABLE BETWEEN SIZE/TYPE CATEGORIES.

I FAVOR A 60' BREAKPOINT ON VESSEL SIZE CATEGORIES, AND AM NOT
OPPOSED TO ADDITIONAL BREAKPOINTS AT 36' AND 90'.

2. REQUIRING THE OWNER OF THE QUOTA SHARES TO BE ONBOARD DURING
FISHING AND DELIVERY.

3. RESTRICTING OWNERSHIP OF QUOTA SHARES TO VESSEL OWNERS AND
BONA FIDE CREW MEMBERS.

THE DEFINITION OF BONA FIDE CREW MEMBER THAT WAS ADOPTED
FOR BLACK COD NEEDS TO BE MODIFIED FOR HALIBUT. A PERSON COULD
HAVE FISHED EVERY HALIBUT OPENING FOR THE PAST 7 YEARS IN ONE AREA
AND STILL HAVE LESS THAN 50 DAYS OF TIME PORT-TO-PORT, ESPECIALLY
IF S/HE FISHED ON A SMALLER BOAT THAT FISHED CLOSE TO PORT.

THAT PERSON MAY NOT HAVE ANY OTHER COMMERCIAL FISHING EXPERIENCE
FOR ADDITIONAL CREW TIME, BUT SHOULD STILL BE ALLOWED TO BUY QUOTA
SHARES BASED ON CONSISTENT CREWING IN THE HALIBUT FISHERY.

A BONE FIDE CREW MEMBER FOR HALIBUT SHOULD PROBABLY BE DEFINED
AS SOMEONE WHO HAS FISHED A CERTAIN NUMBER OF HALIBUT OPENINGS,
6 OPENINGS SEEMS REASONABLE, /OR ~15 DAYS UNDER THE QUOTA SHARE SYSTEM)
WHERE OPENINGS WILL NOT EXIST

AS FOR THE VARIOUS OPTIONS FOR ASSIGNING QUOTA SHARES, I AM IN FAVOR OF ONE THAT LOOKS BACK OVER 7 YEARS OF CATCH RECORDS. TOO MANY BOATS HAVE JUMPED ON THE BANDWAGON IN THE LAST FEW YEARS BECAUSE OF THE THREAT OF LIMITED ENTRY. I THINK THE PEOPLE WHO FISHED BEFORE LIMITED ENTRY WAS IMPENDING SHOULD BE REWARDED, AND THE GREEDY OPPORTUNISTS WHO TRIED TO GET IN ON THE LAST MINUTE SHOULD NOT GET TOO MUCH. (THIS VIEWPOINT IS NOT TO MY ECONOMIC ADVANTAGE, AS I ONLY MADE MY FIRST HALIBUT DELIVERY IN 1990 AND THEREFORE WOULD GAIN MORE IF YOU CHOSE THE SHORT TERM, 3 YEAR CATCH RECORD - (RULE 1)) I FAVOR RULE 3 OR 4.

I AM OPPOSED TO YOUR POSITION REGARDING AWARDED QUOTA SHARES TO CREW MEMBERS. I HAD BEEN FISHING HALIBUT AS A CREW MEMBER SINCE 1985 AND IN 1990 BOUGHT MY OWN BOAT AND MADE THE FIRST DELIVERY IN MY NAME. THIS BOAT PURCHASE WAS NOT A LAST MINUTE ATTEMPT TO GET ON THE HALIBUT BANDWAGON, BUT A NATURAL PROGRESSION IN MY CAREER AS A SALMON / HALIBUT FISHERMAN. I FEEL THAT I SHOULD BE GIVEN CREDIT (QUOTA SHARES) FOR THE 5 YEARS I CREWED HALIBUT. I THINK AN EQUITABLE AWARD WOULD BE BASED ON (MY CREW SHARE PERCENTAGE) * (POUNDS DELIVERED ON THE TRIPS I CREWED THE SKIPPER I WORKED FOR ALSO AGREES WITH THE IDEA OF GIVING CREW MEMBERS CREDIT, ESPECIALLY WHEN THEY PROGRESS FROM DECKHAND TO OWNER/OPERATOR OF THEIR OWN VESSEL.

FINALLY, I WOULD LIKE TO SUGGEST THAT A SMALL BLACK COD QUOTA SHARE BE AWARDED WITH THE HALIBUT QUOTA SHARES TO COVER POSSIBLE BYCATCH. OVER THE YEARS, WE KEPT BLACK COD UP TO THE LIMIT WHEN THE SEASON WAS OPEN AND DISPOSED OF THEM OTHERWISE. IF ONE OF THE INTENTIONS OF THE PLAN IS TO PREVENT WASTE, THEN IT WOULD MAKE SENSE TO ATTACH A PROPORTIONAL BLACK COD BYCATCH QUOTA TO EACH HALIBUT QUOTA SHARE. MOST BLACK COD BOATS FISH HALIBUT AND WILL THEREFORE GET A HALIBUT SHARE WHICH WILL MORE THAN COVER THEIR HALIBUT BYCATCH. HOWEVER, MOST SMALL (LESS THAN 40') BOATS THAT FISH HALIBUT HAVE NEVER FISHED FOR BLACK COD AND ONLY CAUGHT IT AS BYCATCH. AS THE PLAN NOW STANDS, THEY WILL GET

NO BLACK COD QUOTA TO COVER THEIR BLACK COD BYCATCH DURING HALIBUT FISHING, UNLESS THEY CHOOSE TO BUY IT. I SUGGEST EACH PERSON RECEIVING A HALIBUT QUOTA SHARE BE GIVEN A SMALL BLACKCOD QUOTA SHARE FOR BYCATCH. THIS BLACKCOD BYCATCH QUOTA SHARE COULD BE PERMANENTLY ASSIGNED TO THE HALIBUT QUOTA SHARE SO THAT IT COULD NOT BE SOLD SEPARATELY AND NEGATE THE INTENTIONS OF THIS PLAN.

THANK YOU FOR TAKING THE TIME TO CONSIDER MY COMMENTS.

SINCERELY,

Margaret M Testamata

OWNER/OPERATOR

F/V MOTHER EARTH

Box 263

SELDOVIA, AK 99663

DECEMBER 77
SEP 13 1991

To the North Pacific Fishery Management Council

In regard to agenda item c4 Halibut Management:

I feel that the IFQ and QS plan for Halibut is unfair for the following reasons.

(1) All IFQ and QS are based on the number of pounds landed only.

This poundage per vessel is proportional to the investment of the vessel owner. NPPMC may as well be saying, "a share will be given for every dollar invested." The large investors will get large quotas, even though many of these boats are fishing for other species. Some of these vessels may have participated in this fishery for only a few days and are going to receive quota shares of nearly 100,000 pounds per year for an unlimited period of time. This will be a salable item that could possibly be worth half a million dollars. That's a sizeable gift for being partially responsible for the chaos in the Halibut fishery.

(2) There is no consideration for actual physical participation in the plan before 1985. Under the NPPMC plan, one landing of Halibut between 1985 and 1990 guarantees a quota share. Many of our present day halibut fishermen will get small quotas because there is no provisions for participation prior to 1985.

THE PEOPLE WHO FISHED HALIBUT FOR THE LAST TWENTY FIVE YEARS HAVE A DEFINITE INTEREST IN THE FISHERY AND MUST BE GIVEN THEIR DUE CREDIT REGARDLESS OF HOW MUCH THEY CAUGHT.

Thank you

Dennis VanDyke
HC01 BOX 1330
Kenai, Alaska, 99611



SEP 13 1991

HALIBUT ASSOCIATION**OF NORTH AMERICA**

2319 NORTH 45TH STREET, SUITE 187
 SEATTLE, WASHINGTON 98103
 PHONE 206-784-8317
 FAX 206-547-0328 (Ext. 187)

VIA FAX: (907) 271-2817

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 Kellner Fish Company
 TED L. OTNESS
 Alaska Fresh Seafoods
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 Aleutian Dragon Fisheries
 Annette Island Packing Company
 Chugach Alaska Fisheries
 Dragnet Fisheries Co. Inc.
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 Pacific Seafoods
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 Queen Fisheries
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Astoria Seafood Company

WASHINGTON

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 Kellner Fish Company
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 Ocean Beauty Seafoods, Inc.
 Pacific Alaska Seafoods
 Pacific Salmon Company
 Peter Pan Seafoods, Inc.
 Sea King Fish Company
 Seafood Producers Cooperative
 Trident Seafoods Corporation
 Windjammer Seafoods, Inc.

September 16, 1991

Mr. Richard Lauber, Chairman
 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
 P.O. Box 103136
 Anchorage, Alaska 99510

Dear Mr. Lauber:

While the Halibut Association of North America (HANA) is encouraged by the progress the Council has made in developing preferred plans for sablefish and halibut IFQ's, we remain concerned that adequate measures have not yet been included that address the likelihood of under-reporting and high-grading. We ask, then, that you include the following recommendations as amendments to the preferred plans; we believe they will greater protect the resource against those destructive practices.

First, expand the "Definitions" section to include the terms "Legally registered buyer", "NMFS monitored port", and "Check-out/ check-in procedures". These definitions will send a strong message that the Council intends for the program to include a comprehensive and tight monitoring system while vessels are engaged in fishing their quota shares. Further, the additions will clarify the Council's vision of the monitoring aspects of the plan and head-off ambiguities the staff may encounter when they design the regulatory framework that will accompany the program. Without at least this level of surveillance, high-grading and under-reporting will surely ensue.

Second, all vessels should be required to check-in and check-out with NMFS. Those that carry certified observers throughout the trip could deliver their catch to a legally registered buyer at any location. Vessels not carrying observers, however, could off-load their catch only at a NMFS monitored port.

HANA 9/16/91

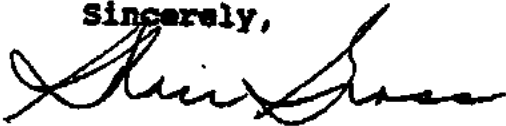
page 2

By all accounts, the fishery resource is at risk without a comprehensive, tight, and necessarily costly monitoring system. It stands to reason, then, that before adopting an IFQ program, the Council must have realistic expectations that appropriately high levels of funding are attainable. Given existing laws, budgetary constraints, and already over-extended NMFS mandates, that is clearly not the situation.

It is incumbent upon the Council to address this dilemma before it moves forward with an IFQ program that leaves industry the beneficiaries of a complex and out-of-control program that seriously jeopardizes the resource. The Council must go on to seriously question whether there is justification for the cost of their IFQ program compared to other alternatives.

HANA's bottomline remains conservation of a valuable renewable resource. We hope you share our concerns and will include the above recommendations in your final deliberations.

Sincerely,



Shari Gross
Consultant to HANA

SEP 13 1991

Gregory Beem
Vessel Owner
Vessel Operator
Box 1994 SITKA AK

NPFMC

Dear Council members

I approve of the draft plan for
Sable fish I.F.Q.'s - please vote
for I.F.Q.'s in September

I also support a similar plan
for Halibut.

Reasons: Our present derby-style
fishing is wasteful - dangerous -
our resource quality suffers
our market is poor

We fishermen have put our lives on
the line too many times and we've
worked hard many times for NAUGHT
We won't be gaining a windfall,

but some credit for our
persistence and our investments.
those who would see us as getting
something for nothing have
not fought their way through
knagged groundlines in a SE gale,
those people are ignorant of
how our lives are the life blood
of the longline fisheries and so
deserve recognition as such.

Sincerely

Greg Beem
ELU FDA - June

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

RECEIVED
SEP 13 1991

RE: Sablefish and Halibut IFQs

Chairman Lauber,

I would like to state my adamant opposition to the proposed Individual Fishing Quota System (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska.

I believe that those who directly, and indirectly, rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures, and strict Bycatch Limitations; will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize these Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with a IFQ System which is unpredictable and may well result in problems which are impossible to rectify.

IFQ'S WOULDN'T
HURT [ME] TOO MUCH
BECAUSE I'VE BEEN
IN THE FISHERY LONG
ENOUGH TO PROBABLY
COME OUT THE SAME AS
I DO NOW, IN TERMS OF
MY "SHARE". I STRONGLY
OBJECT TO QUOTAS ~~BEING~~ BEING
OWNED + CONTROLLED BY ANY PERSON WHO IS NOT
ACTIVELY ENGAGED IN THE
ACTUAL ACT OF FISHING. ALSO

Sincerely,

[Handwritten Signature]

NAME: KJ Kerman F/V WINDY SEA

ADDRESS: BOX 416

KODIAK, AK 99615

THE ENFORCEMENT END OF HOW MUCH A PERSON TAKES IN A YEAR COULD BECOME →

AN IMPOSSIBILITY WHICH WOULD RESULT IN OVER HARVESTING OF THE RESOURCE. I DO FAVOR OUR PRESENT SYSTEM OF HARVEST THOUGH I REALIZE IT DOES HAVE SOME PROBLEMS. ~~THE~~ HALIBUT IS A FISHERY THAT DOES THE MOST GOOD FOR THE MOST PEOPLE AS IT STANDS NOW.

I SHUDDER TO THINK OF THE HALIBUT RESOURCE BEING CONTROLLED BY A HANDFULL OF INDIVIDUALS AND CORPORATIONS LIKE WHAT HAS HAPPENED IN OTHER PLACES WHERE TFR'S HAVE BEEN INSTIGATED.

I FQ'S NO THANK YOU

SINCERELY



SEP 13 1991

Box 1367
Sitka, Ak. 99835
September 10, 1991

It would be appreciated if the following could be forwarded to the advisory panel on sablefish and halibut and to the council members.

Dear Council members:

Another twenty-four hour halibut opening has come to a drastic end with no regard from the regulators as to the consequences of such an opening for the fishermen involved in harvesting the resource or for the resource itself. The IPHC set our openings for the 1991 season for a time of the year when weather changes rapidly and often is impossible to fish in. Mother nature could not have cooperated more than if she were a deliberate partner in a planned stormy and resource damaging fishery. What is most amazing is that there was no loss of human life. The same statement cannot be applied to the loss of halibut to the fishery and to the harvesting of halibut as a source of food for human consumption.

In our area of Southeast Alaska, very few fishermen were able to retrieve all of the gear they had set before the sudden storm hit the outside waters. Those of us who have been able to get back out and retrieve our gear were saddened and angered by the thousands of pounds of dead fish that we shook back. Most people still have not been able to retrieve their gear and it is a fore gone conclusion that all fish on that gear are dead and wasted. It is my personal feeling that more product was wasted than was delivered during this opening.

I know of boats that set 12,000 hooks to attempt to catch a 10,200 pound quota. I set 700 and caught a 4,600 quota. What happened to the excess fish on that gear? Anyone who has fished bottom fish on longline gear knows that after a long soak the fish will mostly be dead and consequently wasted. We need an IFQ system now! And in the interim before it can be implemented we need a different system of management than that presently employed. I do not need to list the options for different management schemes. They are well known and well publicized.

The present management of the halibut resource results in a loss of fish through weather and through the setting of too much gear for the time allowed in the fishery. The derby management also results in the loss of gear, boats, and-in most openings-human lives. The council has a plan before it now that can change this. My fishing colleagues and I urgently request that you do so at your September meeting.

Sincerely,
Robert D. Schell
Robert D. Schell
F/V Alice Faye

North Pacific Fisheries
Management Council

SEP 13 1991

Sept. 9, 1991

Dear Madam or Sirs;

My late husband Daniel Novcaski, made most of our style of living from commercial fishing. Working as a deck hand longlining for black cod or halibut, also worked for salmon trollers.

In 1988 & 1989 halibut opening my husband Daniel, was halibut longlining with his own boat and equipment.

With these 24 hour halibut opening seems like they mostly turn out to be unsafe, stormy conditions. The Sept. 7, 1989, 24 hour halibut opening Daniel went long-lining to get his quota of halibut. This turned out to be a very sad tragedy for all of us. Daniel, never came home again, is lost at Sea including our boat & equipment.

Sirs or Madams, I would like you to include in your IFQ planning rules, a provision in which I will be able to qualify for Daniel Novcaski's, (my deceased husbands) IFQ Quota permit, based on hardship to our family.

I would very much love to go halibut fishing in weather of my choice. Also own something that my late Daniel worked very hard for and lost his life while halibut fishing. This IFQ permit should belong to us.

Please give my written letter request's top priority consideration.
Thank you. I remain Sincerely,

Jackie Novcaski

Jackie Novcaski
3208-10 HPR
Sitka, Alaska 99835



ALASKA STATE LEGISLATURE

Representative Gail Phillips

September 10, 1991

SEP 13 1991

Mr. Richard B. Lauber, Chairman
N.P.F.M.C.
P.O. Box 103136
Anchorage, Alaska 99501

Dear Mr. Lauber:

For as long as I have lived in Homer, I've listened to our local fishermen's anxieties and concerns over the 24-hour halibut periods during the poor weather times in May and September.

It seems to follow that there will be bad weather, especially during the September opening, and this year was no exception. Many of the boats from the Kenai Peninsula had a very poor opening, primarily due to the weather.

This problem has been around for years, and I know countless hours have been spent in trying to find a solution. In talking with many of our area's halibut fishermen, one option they appear willing to try is the quota system on boats similar to the one that is presently in place in Canada.

If the smaller-boat owners had all year to bring in their catch, rather than having to adhere to a pre-dated 24-hour period, the benefits would be significant: they could fish when it was safe to do so, fresh halibut from Alaska could be marketed year round, processors wouldn't be jammed at one time, families could plan around fishing times they choose, and their financial picture would be much brighter.

I realize that if a quota system were to be implemented, that would bring additional problems as far as who gets what, and where the cut-offs would be. However, I feel strongly that too many problems exist for the small boats under the present system, and we need to find a better alternative.

I don't know how the Canadian program compares to the I.F.Q. program the Council is looking at. Your last newsletter was very informative, and I would appreciate a response as to the comparison between the Council's proposal and the Canadian plan.

Sincerely,

Gail Phillips
GAIL PHILLIPS
Representative

GP:kmd

cc: North Pacific Fisherman's Association

9-9-91

NPFMC
Mr. Rick Lauber

SEP 13 1991

Dear Mr. Chairman,

Upon reviewing the draft EIS/RIR/IRFA proposed for the ALASKAN halibut fishery, I would like to support the following views.

I support an IFQ allocation system for halibut.

I support using my one best season from 1988 - 1990 for determining my initial quota share.

I support free transferability of both QS and IFQ; buy, sale or lease.

I support reserving 20% of the quota for community open access.

an Alaskan power tweller,
Jim Wild
Sitka Cove, AK.

I strongly support IFQ. Being a participant in longlining since 1975.

Status Quo has made my profession as a longliner a parttime job, At best, and forced me into a diversified group of fishermen.

Black cod fishing this year was a joke.

I was out late on the first opening due to mechanical failure. When I did head out, by the time I reached Rugged Island, just outside Resurrection Bay, I started running into flags + bags. No one fishes 60 fathoms for Black cod. But here we had it, the late opener invoked the summer fleet along with the threat of unlimited entry. I ran for the edge, ran for eight hours out passing by bags + flags steadily. Once at the edge I ran another 36 hours along the edge, I could not find a spot to fish. Nothing was left untouched. Well I thought Seward Gully I ran 6 hours up the gully till finally in 90 fathoms I found an opening. We All know what is up here, Blackcod yes, but it is mixed with all species of ground fish. But because of the late habitat

opener in September the late Blackcod opener in May. The decision left me was to fish.

I never thought I would find myself in 80 Benthoms for Blackcod. I was forced into it, we are seeing the demise to overfishing stocks and very possibly a lot of Alaskan fishing boats and loans go into default, because of the greedy fishermen state

Halibut needs to follow suit with its own IFQ. This September 3rd opening was just enough. We had record participation and of course our normal blow. So we had a record Coast Guard participation, with at least 10 emergencies in Southeast outside alone. This is a statement from the US Coast Guard. What are this cost

After being blown off Me-fishing grounds myself this year we lost in this Derby this time, we also lost in the spring Derby.

The spring Derby in May caused every one in ~~my~~^{Halibut} are a loss. Because of my past production, I have had an increasing amount of followers year (we don't have fishermen anymore). Well after I set my first set 3 other boats proved to set, by me, over me, across me. Again this year I had 1500lb skate avg. But in the process 24 skates of my gear was definitely as by other boats because of sporked lines. At the close of the open

There were 58 skates lost on the piece of ground
I fish all by 4 boats. This piece of ground is 2.5
miles long and .75 miles wide. My guess 70,000
lbs of halibut was washed here alone. The four boats
harvested (63,000,) (8,000,) (10,000,) (37,000) what's that
about 40% of the resource on this spot alone was
washed. What is really washed in a halibut
derby? I believe no one really knows. This
has got to stop. No more Status Quo
Act Now and go IFQ.

William Connor
William Connor
Cape Reliant
907-772-9211
Box 1124 Petersburg Ak 99830

MEMO-letter

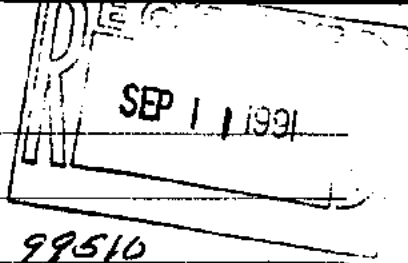
Juneau Ready Mix Inc.
Hildre Sand & Gravel Co.

Box 270 • Juneau, Alaska 99802 • Phone 586-3412 or 586-1313

To N.P.F.M.C.

Box 103136

ANCHORAGE, AK. 99510



Date 9-7-91

Subject Proposed IFQ -

GROUND FISH.

- Gentlemen,

Why don't you ALLOW S.E. Alaska TROLLERS TO RETAIN & SELL
A CERTAIN BYCATCH OF HALIBUT UNDER THIS NEW PROPOSAL?

It could BE A Flat # Like 500 lbs per BOAT per
YEAR OR A percentage of lbs. of Halibut vs # lbs of
Salmon sold. It would NOT apply to those TROLLERS who
participate in The REGULAR Halibut Fishery.

Sincerely,

Chuck Porter

Chuck Porter

Fly Charlie Brown.

William E. Odell
411 Marine Street
Sitka, Alaska 99835

September 3, 1991

North Pacific Fisheries Management Council
Box 103136
Anchorage, Alaska 99510

SEP - 9 1991

Dear Council Members:

This letter is in support of the Individual Fishing Quota plan for black cod harvest in the outside waters of the State of Alaska as approved by you, the NPMFC, at your recent meeting in Juneau.

An important benefit of this plan which I have not seen mentioned is as follows:

Large black cod bring a substantially better price per pound than small fish-hence, if the individual IFQ holder is not pressured by the short over crowded season, as is presently the case, he will keep the larger, more lucrative fish and will release more of the smaller, immature fish. This was a common practice before regulation of the fishery was necessary. The release of the small fish is a valuable conservation measure and is financially beneficial to the fisherman. Survival rate of the released fish is high as the individual black cod is not adversely affected by the pressure changes from very deep water to the surface low pressure water. The black cod, especially the small, come up full of fight and zip straight down when released, with the exception of the small percentage that are hooked in the gills. These are dead upon surfacing and would probably be kept by the fisherman. The following chart is meant to illustrate the benefits to the fisherman and to the fishery of keeping the larger fish and releasing the small. It illustrates a hypothetical landing of 40,000 pounds at a hypothetical price of \$1.80 per lb. for large and \$1.30 for small with the weight break at five pounds. Of course there can be countless variations of these figures but the basics would be fundamentally the same.

EXAMPLE NUMBER ONE

60% large 5½ lb. average, 40% small, 3½ lb. average per fish

No. of large	No. of small fish	Total No. fish
4,364	4,571	8,935
24,000 lbs. @ 1.80	16,000 lbs @ 1.30	40,000 lbs.
\$43,200.00	\$20,800.00	\$64,000.00

EXAMPLE NUMBER TWO

90% large, 5½ lb average, 10% small, 3½ lb. average per fish

No. of large	No. of small	Total No. fish
6,545	1,142	7,687
36,000 lbs.	4,000 lbs.	40,000 lbs.
\$64,800.00	\$5,200.00	\$70,000.00

Example number two shows a saving of 1,248 fish and a gross stock of \$6,000.00 more than example number one.

The professional fisherman will tend to limit the percentage of small fish landed, as much as possible, IF HE IS NOT LIMITED BY SHORT OPEN SEASONS WITH EVERYONE FORCED TO FISH SIMULTANEOUSLY.

Being retired I have nothing to gain personally from IFQ but my 25 years of black cod fishing in the Gulf leave me with a real concern for the well being of the fishery. I had the pleasure of skippering the largest trip of long line black cod landed by an American vessel. (117,500 lbs. Juneau Alaska 1966). Approximately 95% of this fish was large. I have fished the Gulf of Alaska from Cape Omaney in Southeast to the Shumagin Islands Westward and found that bottom or ground conditions are remarkably similiar. There are good spots and bad, narrow shelves, steep edges, broad flats and deep gullys over the entire area. I have landed black cod in Sand Point, Kodiak, Seward, Pelican, Juneau and Sitka. It was a good life.

Thanks for listening to an old ex-long liner and best wishes in your thankless task of regulation.

Sincerely, *William E. Odell*

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

SEP 14 1991

Name of Proposer: MAX H. CUTSHALL
Address: DONNA E. CUTSHALL
F/O ASSIDUOUS OWNERS AND SKIPPER.
P.O. Box 969
SEWARD, ALASKA 99664
Date: 8 - 91
Telephone: 224-3776

Brief Statement of Proposal:

a LIMITED ENTRY TO HALIBUT FISHERY PROGRAM
WITH QUOTA BASED ON THE LAST FIVE (5) YEARS OF
FISHING HALIBUT. PERIOD OF FISHING TO BE APRIL
THRU OCTOBER.

Objectives of Proposal: (What is the problem?)

CURRENT NO-WIN SITUATION OF SEVERAL 24-HOUR
HALIBUT PERIODS IN SPRING AND FALL. WEATHER MOST UNPREDICTABLE
FISHING HAZARDOUS, MANY LIVES IN JEOPARDY, ESPECIALLY THE
SMALLER COMMERCIAL HALIBUT FISHERMEN. HALIBUT STOCK LOW
DUE TO BOTTOM-FISH BY-CATCH AND NATURAL CYCLES. KILLER WHALES

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

LACK OF AGREEMENT DUE TO DIVIDED INTERESTS -
PROBLEM HAS GROWN STEADILY WORSE AND DRAGGED ON FOR
NEARLY TEN YEARS NOW. NEED TO ACT DUE TO FACT THE
HALIBUT STOCK (FISHERY) IS DECREASING, LOSS OF LIVES, JOBS,
EXTREMELY DIFFICULT FOR SMALLER FISHERMEN WHO STILL
HAS SAME HIGH COSTS, LOSS TO ECONOMY, OF LIFE, LIMB AND
PROPERTY.

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

SMALLER FISHERMEN WOULD BE MORE ABLE TO
PARTICIPATE SUCCESSFULLY. ACCESS LIMITED TO FEWER
BUT QUALITY OF HALIBUT FISHING AND QUALITY OF FISH ARE
WOULD IMPROVE. BETTER MARKETING YEAR AROUND BEING.

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

ELIMINATE
TOTALLY ~~HALIBUT~~ HALIBUT BY-CATCH -
MOST DIFFICULT TO ENFORCE AND PROBABLY
COST PROHIBITIVE.

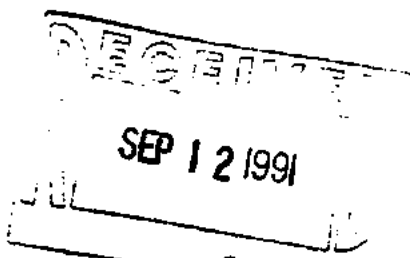
Supportive Data & Other Information: What data are available and where can they be found?

ANCHORAGE DAILY NEWS, REPORTS OF HAZARDOUS
" times SPRING, 1991 HALIBUT FISH
PERIOD, etc.

Signature:

Max H. Cutshall

Donna E. Cutshall



P.O. Box 169F
Sitka, AK, 99835
PH. (907) 747-8562

Sept. 9, 1991

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

Gentlemen;

I strongly support The Black Cod IFQ PLAN which you will be voting ON at your Sept. meeting.

I think that you and your STAFF HAVE done a great job of putting together a plan that does not take away too much from anyone of us fisherman and HAS a good chance of adding some STABILITY AND common sense to a fishery which at the present time is dangerous, out of control and incapable of anything BUT getting WORSE.

I strongly urge you to try your BEST to get this program accepted.

I am a S.E. AK. Longliner and HAVE made my entire living for almost 20 years fishing HALIBUT & BLACK COD. My son HAS done the same for almost 16 years, as HAS my BROTHER. My son HAS ALSO tried to sign up in P.W.S. for the PAST 3 years and MY BROTHERS packs fish when he can. This time in the fishery may not give me any special insight, BUT I do believe it gives me a certain HISTORICAL perspective on its problems - I strongly feel that history will prove that you gentlemen made the right decision if you CAN ACHIEVE this IFQ PROGRAM. sincerely, James G. (AL) CHESNUT
"FLV EL TIBURON"

SEP 1 1991

SEPT 7, 1991

NORTH PACIFIC MANAGEMENT COUNCIL
PUBLIC COMMENT ON HALIBUT IFQ PLAN

I AM STRONGLY AGAINST THE HALIBUT IFQ PLAN. I HAVE FISHED SALMON, HERRING AND HALIBUT FOR 17 YEARS AS A BOAT OWNER AND CREWMAN, BUT I WON'T GET ENOUGH HALIBUT QUOTA TO DO ME ANY GOOD. I WON'T BE ABLE TO BUY ANY BECAUSE IT WILL BE REAL EXPENSIVE, PROBABLY \$7 PER POUND, LIKE IT'S GOING FOR IN CANADA. WITH NO TIME LIMITS TO THE OPENINGS AND A GUARANTEED CATCH AMOUNT THE JOBS FOR EXPERIENCED CREWMEN WILL DISSAPPEAR. A LOT OF PEOPLE WHO AREN'T STRONG ENOUGH FOR DECK WORK GET A WEEK OR TWO OF GEARWORK IN THE HARBOR BEFORE AND AFTER THE 24 HOUR OPENERS WE HAVE NOW. THESE OPPORTUNITIES WILL DISSAPPEAR.

IF I TRY TO BUY QUOTA I WILL BE COMPETING AGAINST (UP TO) 60' BOATS THAT WILL PROBABLY BE TARGETING ON COD AND BUYING HALIBUT QUOTA SO THEY CAN SELL THEIR HALIBUT BYCATCH. MY 32' BOAT IS NOT BIG ENOUGH FOR OFFSHORE COD LONGLINING. THE BIG BOATS WILL BE ABLE TO PAY MORE BECAUSE THE HALIBUT COMES TO THEM FREE, IN THE COURSE OF THEIR COD FISHING.

WITH HALIBUT STOCKS ON THE WAY DOWN AND AN ALMOST CERTAIN LAWSUIT PENDING

ON IFQ'S IT LOOKS LIKE A POOR BUSINESS DEAL TO PAY \$7 A POUND FOR HALIBUT QUOTA

WHOEVER MAKES THE RULES CAN SHIFT THE RESOURCE TO WHOEVER THEY WANT. RIGHT NOW THE BIG BOAT OWNERS MAKE THE RULES AND THEY HAVE SHIFTED THE ADVANTAGE TO THEMSELVES. THEY PLAN TO LOCK IN THIS ADVANTAGE WITH IFQ'S.

THE HALIBUT OPENINGS IN 3A ARE SET JUST EARLY ENOUGH (MAY 7) AND JUST LATE ENOUGH (SEPT 3) SO THE BIG BOATS CAN DEAL WITH THE WEATHER AND THE LITTLE BOATS CAN'T. THE PLAN WORKED PERFECTLY. FOR THE BIG BOATS ON BOTH OPENINGS IN 1991. THE 24 HOUR OPENING IS USED BECAUSE IT TAKES ABOUT THAT LONG TO PLUG A 58' LIMIT SEINER, OR GET A PRETTY GOOD LOAD ON A LARGER BOAT. IF THERE IS A CLEAN UP OPENING, THEY USE TRIP LIMITS TO MAKE SURE THE SMALL BOATS CAN'T COMPETE EQUALLY.

MOST OF THE ACCIDENT AND SAFETY PROBLEMS COULD BE SOLVED BY GOING TO 12 HOUR OPENINGS IN JUNE, JULY AND AUGUST.

YOU COULD ALSO OFFER FRESH HALIBUT ON THE MARKET MORE OFTEN WITH MORE SHORT OPENINGS. WE WILL NEVER SEE THIS HAPPEN BECAUSE BIG BOATS WOULD LOOSE THEIR ADVANTAGE.

TO PAGE 2

PAGE 2

HALIBUT, BLACK COD AND THE OTHER
FEDERAL FISH RESOURCES BELONG EQUALLY
TO EVERYONE AND WE SHOULD ALL
HAVE AN EQUAL RIGHT TO HARVEST THEM.

I AM REAL FED UP WITH PEOPLE
LIKE CLEM TILLION AND RON HEGGE
THAT CAN'T STAND TO COMPETE ON AN
EQUAL BASIS, SO THEY GET INTO POLITICS
TO CHANGE THE RULES TO THEIR PERSONAL
ADVANTAGE. IT'S A HORRIBLE CONFLICT
OF INTEREST FOR TILLION AND HEGGE
AND OTHERS ON THE COUNCIL TO CHOOSE
AN IFQ PLAN WHEN THEY KNOW THESE
IFQ'S WILL BE GOING TO THEMSELVES,
THEIR FAMILIES OR THEIR BUSINESS
INTERESTS.

I EXPECT THE DEALS HAVE BEEN
CUT AND THE PUBLIC COMMENT PERIOD
COMES AFTER THE DECISION, AS USUAL.

I HOPE YOU END UP IN COURT
FOR 20 YEARS ON THIS DEAL.

SID NELSON
BOX 564
HOMER, ALASKA 99603

COMMISSIONERS:

LINDA ALEXANDER
PARKSVILLE, B.C.
RICHARD J. BEAMISH
NANAIMO, B.C.
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STEVEN PENNOYER
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SEATTLE, WA
GARY T. WILLIAMSON
SURREY, B.C.

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

September 4, 1991

DIRECTOR
DONALD A. MC CAUGHYAN

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

TELEPHONE
(206) 634-1838

FAX
(206) 632-2983

Dr. Clarence Pautzke
Executive Director
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Clarence:

The IPHC staff would like to comment on the NPFMC proposals for Individual Fisherman Quotas (IFQ) for the Pacific halibut fishery. Many of the proposals will have a direct effect on IPHC management, and there is a need to coordinate Council action with the management responsibilities of the IPHC.

In general, the IPHC staff supports an IFQ management system. Such a system should reduce wastage, improve safety and quality, and provide better economic returns to the fishermen. However, we are concerned that some IFQ systems could compromise the IPHC objective of obtaining accurate information for stock assessment, upon which we base catch limits for the fishery. We would also be concerned if IFQ's allowed for an overharvest. **The monitoring and enforcement proposal described in the draft document will not be adequate to maintain full control over halibut landings, so we would support the status quo over any of the IFQ alternatives.**

Specifically, the IPHC requires that accurate catch data are available on a timely basis and that the costs to IPHC of monitoring and sampling do not increase significantly. The following measures will assure cost effective and high quality data:

1) A minimum IFQ of 500 pounds (net weight--head off, guts out). This is the weight of the largest fish. To set the minimum IFQ lower could force fishermen to divide individual fish, and would increase the number of shares to be monitored.

2) Ability to monitor compatible with fleet size. The incentive to underreport inherent in an IFQ system requires very high quality monitoring and enforcement. The attached figures for the most recent trip limit halibut openings in Areas 2C and 3A show that U.S. fishermen exceeded trip limits at many ports. Processors in other ports reported no overages, yet a substantial number of fishermen landed precisely the trip limit. We have looked to the Canadian Individual Vessel Quota (IVQ) system as a guide to monitoring requirements. We believe that the IFQ system should include: sufficient monitoring to cover all halibut IFQ vessels during the unloading, sufficient monitoring of other vessels to prevent halibut landings by unauthorized fishermen, and a system of reporting halibut landings to the IPHC staff.

SEP - 9 1991

3) A system that encourages fleet consolidation. Consolidation will ease monitoring and enforcement costs. Therefore, we oppose establishing vessel size categories or other restrictions that limit transfer of Quota Share or IFQ, unless monitoring and enforcement is adequate to completely account for all landings. We suspect that a system that permits a doubling or tripling of fishermen above the present level, with up to 20,000 individual fisherman-area quotas, cannot be monitored and enforced with the amount of funding likely to be available. We strongly suggest that initial consolidation be accomplished with a "filter" system such as a minimum landing (aggregate over the seven year qualifying period or in any year) or landing during the last year or two. We would prefer that the IFQ system not increase participation above present levels.

4) Seasonal closure of the fishery. As indicated in our June 13, 1991 letter to the Council, the IPHC staff is considering recommending a seasonal closure to allow data consolidation, to maintain management control, and to maintain most effective stock assessment techniques. We plan to recommend a winter closure, although the extent of the closure has not been determined.

5) Compensate for IFQ overages. Under IPHC regulations, we close the halibut fishery in a regulatory area when the catch limit is reached. Fishermen have tended to slightly exceed trip limits in the U.S halibut fishery, and the Canadian IVQ fishery to date in 1991 has been several percent above the sum of the individual quotas. The attached figures show that up to four percent of the landings in some U.S. ports were forfeited as over trip limits, even though many fishermen do not come close to catching the catch limit. Closure of the fishery may occur before some fishermen have used their IFQ's. A system that compensates for overages will prevent this. We suggest that the Council either calculate initial IFQ's assuming an overage of at least five percent, or develop a system to compensate individuals not allowed to fish all or part of their IFQ's in the event that the fishery closes before all IFQ's are taken.

We fully support the formation of industry and agency work groups to more completely define the monitoring and enforcement needs of the IFQ system, and will be pleased to participate. We anticipate that recommendations of the work groups will lead to an IFQ system that we can fully support.

The IPHC staff appreciates the opportunity to comment on the IFQ proposals, and looks forward to cooperating with the Council to formulate an effective IFQ program.

Sincerely yours,



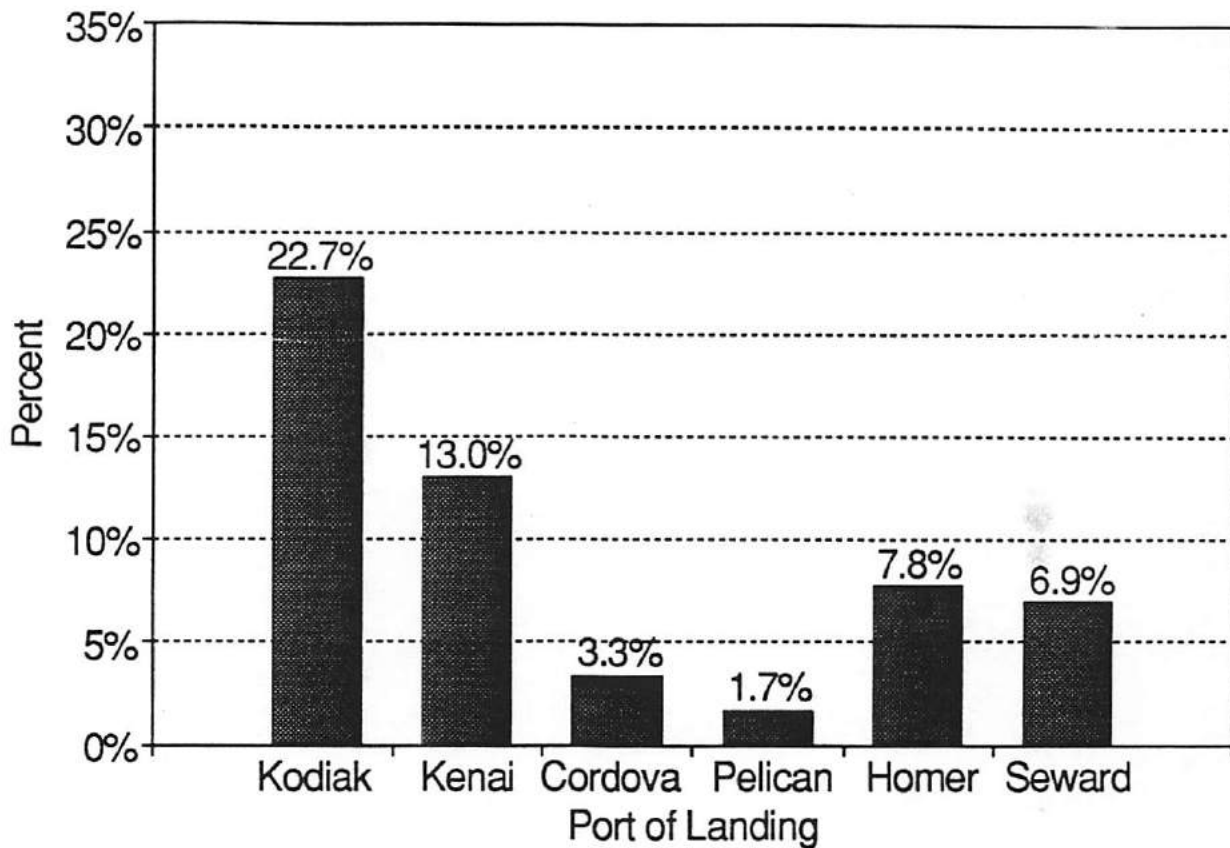
Donald A. McCaughran
Director

cc. Commissioners

encl.

Vessels Exceeding the Trip Limit

Area 3A, Aug. 1990



RECEIVED

SEP - 9 1991



Kodiak Motors, Inc.

201 CENTER STREET
KODIAK, ALASKA 99618
(907) 488-3201

9/2/91

Dear Mr. Lauber

I am a small business owner in Kodiak and since I'm the only candidate for Mayor I'm probably the next City Mayor. I am writing to strongly oppose I. F. Q's for Sablefish + Halibut.

I've observed governments attempts to solve problems since 1930's and believe the track record is pretty poor. I. F. Q's would be another airline deregulation solution. Force out the small guys + after 10 years leave the public at the mercy of a handful international fish barons. Resulting in economic disaster to Alaska Coastal Communities.

I urge you + the Council to use traditional management options, maintaining open access for fishermen to protect these fisheries

Sincerely

Walter E. Johnson

cc: Sen. Stevens
Sen. Murkowski
Rep. Young

DON YOUNG
CONGRESSMAN FOR ALL ALASKA

WASHINGTON OFFICE
2331 RAYBURN BUILDING
TELEPHONE 202/225-5785

COMMITTEES:

INTERIOR AND INSULAR
AFFAIRS

MERCHANT MARINE AND
FISHERIES

POST OFFICE AND
CIVIL SERVICE



Congress of the United States
House of Representatives

Washington, D.C. 20515

August 22, 1991

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SEP - 3 1991

DISTRICT OFFICES

701 C STREET BOX 3
ANCHORAGE, ALASKA 99513
TELEPHONE 907 271-5978

BOX 10, 101 12TH AVENUE
FAIRBANKS, ALASKA 99701
TELEPHONE 907 456-0210

401 FEDERAL BUILDING
P.O. BOX 1247
JUNEAU, ALASKA 99802
TELEPHONE 907 586-7400

501 FEDERAL BUILDING
KETCHIKAN, ALASKA 99902
TELEPHONE 907 225-6880

RT. 1, BOX 1605
KENAI, ALASKA 99611

BOX 177
KODIAK, ALASKA 99615

P.O. BOX 1860
NOME, ALASKA 99762

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

Dear Rick:

It is my understanding that the Council has approved for final review an individual quota system for the Alaskan sable-fish fisheries. I believe the Council intends to vote on the proposal at its September meeting.

During the course of the Council's deliberation on the individual quota system, my office has received a great deal of correspondence primarily in opposition to individual quotas. I am sure that the Council has received similar correspondence as well as public testimony both for and against individual quotas. It is now up to the Council to consider those views when voting on a final proposal.

Since 1976, when I helped create the Regional Council system through passage of the Fishery Conservation and Management Act, I have maintained a policy of not interfering in Council business. I have no wish to change that policy now. However, the strength of the Councils system lies in its support from the fishing industry. If the Council does not maintain that support, then it will be increasingly difficult to prevent a transfer of management to the national level by the Department of Commerce or some other Federal agency. If for no other reason than this, I hope you will listen closely to what concerned fishermen, processors, and local communities have to say about individual quota systems.

I also hope you will carefully consider the cost of imposing and maintaining a quota system. As I recall, the National Marine Fisheries Service (NMFS) commented at your June meeting that such costs would be huge. The Alaska region of NMFS is already suffering from a shortage of funds and staff as evidenced by the fact that work on the Council's onshore/offshore proposal will not be completed by NMFS until the end of September. It is highly unlikely that the Congressional appropriations process will provide sufficient additional sums to implement an individual quota system.

You and the other Council members are charged with the heavy responsibility of managing the complex fisheries in the waters off Alaska. You have done an excellent job over the past 14 years and I know you will do the best you can in the future to support our commercial fishing industry.

Sincerely,



DON YOUNG

Congressman for all Alaska

DY:rmc

RECEIVED
SEP - 3 1991

Director
National Marine Fisheries Council
Anchorage, Alaska

RE: Halibut Fisheries for Area 4A

Date: August 29th, 1991

Dear Sir:

In response to your article in the Fisherman's News regarding the IFQ on the halibut fisheries, below are our comments:

We think it stinks, Why? Because, we have been a skiff fishery here in Akutan for about 8 years now. When we say skiff we're talking 16' to 19' in length, with a carrying capacity of about 800 to 1000 #'s. With the present regulations IPHC and the NMFC has set we can't make a living in the halibut fisheries. For instance, 1991 you gave us two opening's. One in May, which we couldn't fish because, of the weather and the fish still being in the deep, but still enabled the big boats to move in and take a substantial amount of the quota, while we sat on the beach and watched them deliver to Trident.

According to the fisheries schedule, we would get a 24 hour opening on the 20th of August. We patiently waited to fish the opening and to do our darnest but, low and behold 2 weeks before the opening, 12 hours were taken away from us. Of the 10 skiffs that participated in that 12 hour opening our catch came out to about 1200#'s per skiff. Barely enough to pay for permits, gas, etc; What do we have to survive on for the winter?

To our understanding there were in excess of 100 boats that fished Area 4A. We know 80 plus boats checked in at Akutan and more at Dutch Harbor. Most of these boats fished salmon and other species of fish before coming to Area 4A. Now, visualize our ten 16' skiffs competing with 80 plus boats that range from 32' to 80' and tell us how we can make a living in the halibut fisheries on a 24 hour opening, let alone 12 hours. It is the only fisheries we participate in.

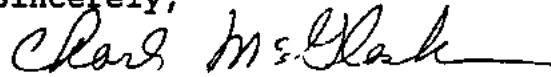
Although we are all born and raised here in Akutan we were denied any kind of salmon fisheries permits. What will we have to offer the next generation??

We heard rumors about an exclusive area fisheries. We could probably live with that. Or maybe a separate allocation for our skiff fisheries, which we could fish at our leisure, but something has to be done.

Let us know how the Atka Fisheries work. They get to fish more on the same quota. Why? Please let us know your feelings on the matter and what can be done.

Our halibut fishing income is what keeps us surviving in the winter. So, our livelihood is being based on your decision's.

Sincerely,



Akutan Fisheries Association
President

cc:

International Pacific Halibut Commission

SEP 3 1991

1212 31st street
Anacortes, Wa. 98221
August 29, 1991

Mr. Clarence Pautzke
P.O. Box 103 # 36
Anchorage, Ak. 99510

Dear Mr. Pautzke:

The construction of our 90' house aft power scow, lady Selket, was completed in April 1990. We participated in three halibut fisheries last year, but our poundage was low. We knew this would improve over the following years.

In a recent fishing publication regarding this new IFQ program, I called the phone number given and talked with Brent Paine. Then I talked to Clem Tillium. After speaking with these two gentlemen, I found out that we could be put out of business! Under the proposed guidelines of I.F.Q.'s being awarded on halibut poundage landed between the years 1985-1990, I would not receive enough quota to pay for my fuel. I would

2

be forced to purchase another quota in order to operate this vessel.

If there was a quota available immediately, it would possibly carry a price tag above our capabilities.

We understand that the fishermen who have been participating in this fishery for years want to be protected, but does this protection have to go so far that the beginner (who had operated before the proposed cut-off date of 1990) have his chances of a successful career taken away? This should never happen in any type of industry in the United States!

We have invested over a million dollars in our vessel and gear. We cannot continue spending.

My wife and I reside in Washington State. I have been on this vessel in Alaskan waters and in Alaskan ports nine months this year. My wife has been on the vessel five months. We purchase our fuel, groceries,

clothing, gear, marine parts and services in Alaska. We hire labor in Alaska and several crew members have been Alaska residents. We tender herring and salmon for Alaska fishermen.

We are in our mid-forties and have worked hard all our lives. We have never asked for a hand-out. We have seen many programs that have set up businesses for people coming into our country. We are hard working Alaskan fishermen, and now we are asking for a chance to continue.

We know this is a complex and difficult issue, but possibly there is a formula that can be agreed upon that will not put new entrants out of business. We are hoping a percentage can be agreed upon along with vessel length. This percentage could be derived from the quotas allotted to the long-time fishermen.

4
Thank you for your time and your
consideration to our thoughts.

Respectfully,

~~Mike Goad~~ Susan Goad

Mike & Susan Goad
Flu Lady Selket

(206) 293-3005

(206) 293-4050 FAX

CHARLES N. MULLAVEY
RICHARD L. PROUT, P.C.
HENRY W. GRENLEY
ALAN K. FOE, P.S.
GREGORY J. LAWLESS
KATHLEEN A. ALLEN
MITCHELL B. HUNTLEY
JANINE A. LAWLESS
B. MICHELE LAMB

P.O. BOX 70567
2401 N.W. SIXTY-FIFTH
SEATTLE, WASHINGTON 98107
(206) 789-2511
FAX: (206) 789-4484

SEP - 3 1991

August 30, 1991

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

Re: Individual Fishery Quotas

Gentlemen:

I understand that the subject of individual fishery quotas (IFQ's) is going to be up for discussion in the September meeting, 1991. I am particularly concerned about one aspect of the proposed IFQ regulation that I have heard about.

I have been advised one proposal is that corporations not be allowed to own IFQ's. I presume the thought is that if corporations can own IFQ's, then the IFQ's can fall into the hands and control of large businesses. I do not deny that is a potential issue. I would like to point out however that many fishing operations are actually "mom and pop" operations and are still corporations. Our office has been involved in representing fishermen for well over sixty years and we represent several hundred boats ranging in size from gill netters to crab catcher processors. Almost all of the corporations we represent have from one owner to a maximum of three or four owners. These corporations are not giant conglomerates, simply corporations which have been formed for the purpose of limiting liability. With the changes in the last few years in the tax laws, in fact, forming a corporation for tax purposes for most fishermen does not make any sense at all.

The Washington State Supreme Court and the Alaskan courts have stated time and time again that "the purpose of a corporation is to limit liability." Meisel v. M&N Modern Hydraulic Press Company 97 Wn.2d 403 (1982). I would like to point out that the average settlement for a wrongful death lawsuit in the State of Alaska for a man who is married or has dependent children seems to be in the range of 1 million to 1.3 million dollars. Many of the fisherman I represent carry a maximum personal injury liability coverage of

North Pacific Fishery Management Council
August 29, 1991
Page two

two to five hundred thousand dollars on their boats. In fact many of the smaller boats cannot obtain larger amounts. As I point out to my clients, although higher liability limits are sometimes available the costs are often exorbitant. Some of the larger companies of course can afford the increased liability insurance premiums, but many of the smaller operations can not afford the premiums without serious economic hardship.

I would urge the members of the Council not to restrict IFQ's to individuals only, because that would mean many people for economic reasons are going to be forced to operate their small businesses as proprietorships. This means in the case where there is a serious injury or death the insurance coverage will be "outrun", leading to personal liability of the owner or owners and possible loss of their homes, bank accounts and other investments.

I think it would be a serious mistake to adopt this plan because it would force fishermen to arrange their businesses to accommodate a management plan, which does not necessarily take into account what is best for the fishermen from the tax, personal or financial point of view.

Yours sincerely,



Richard L. Prout, P.C.

RLP:js

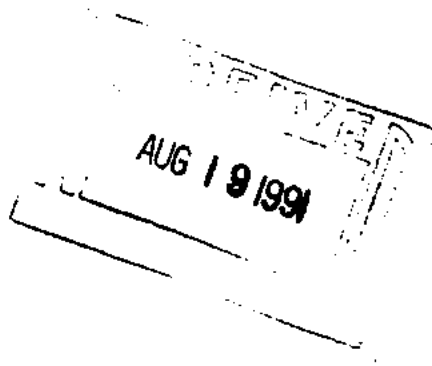
HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

Name of Proposer: Brad Dickey

Date: 8-15-91

Address: PO Box 2677
Homer, Ak 99603

Telephone: 907 235-7953



Brief Statement of Proposal:

Some type of share quotas should be similar to final Sablefish system, as many of the same boats are in both fisheries and there is a lot of cross by catch problems.

Objectives of Proposal: (What is the problem?)

to many boats in too short a time frame cause safty and bycatch problems. Also short openings do not maximize market price due to not enough fresh fish on market over a longer period of time.

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

The tools of limited openings etc haven't addressed the above problems.

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

Traditional fisherman in fishery win. Fish win (due to bycatch)
New comers loss, but can buy in.

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

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

Signature:

HALIBUT MANAGEMENT PROPOSAL
North Pacific Fishery Management Council

Name of Proposer: STEVEN K. STREITZ

Date: 8-8-91

Address: 301 So. 6th St.

Mount Vernon, WA. 98073

AUG 48

Telephone: 206-336-9561

Brief Statement of Proposal: Implement I.F.Q. Based on % (percent) of catch from years 1985-1989, to go to Boat owner-operator - OR Base Boat Charter operator.

Objectives of Proposal: (What is the problem?) To allow better product at a better processed price to reach the public in a fresh state.

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

when 25 million pounds or more of halibut hit the processors in one day, no one wins.

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

Eliminate Buy catch. I believe everyone would win - No processor glut. Safer conditions for fishermen. More time to care for fish. FRESH product to public over a long period of time.

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

They haven't worked so far other than to harvest the fish.

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

you already have it. catch records and market results -

Signature: Steven K. Stritz

COMMENT

GROUND FISH FISHERY MANAGEMENT PLAN AMENDMENT PROPOSAL North Pacific Fishery Management Council

Name of Proposer: Jim Green

Date: Aug 1, 1991

Address: 1033 M. Har St
Ketchikan, AK 99901

Telephone: 407-225-5317

Fishery Management Plan: Re: Proposed halibut IFQ, a modification

Brief Statement of Proposal: A portion (at least) of the total commercial halibut quota shall be set aside for public bidding or auction. Auction should be in small quantities. Quantities receiving no bids shall be available for bid in subsequent years.

Objectives of Proposal: (What is the problem?) Money for management & flexibility of "shares".

- 1) Additional public monies would be received for resource management via the bidding process.
- 2) Fishermen could bid to increase their "share" when they want. This allows increased business flexibility.

Need and Justification for Council Action: (Why can't the problem be resolved through other channels?) The legislative channel could be taken, but this would likely not be as appropriate or well planned.

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

- No impact of stock.
- Public monies paying for management of harvest could be less.
- Fishermen wishing more quota would likely pay more per pound of fish harvested, on average, since they would need to bid for poundage.

Are There Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem? ① For raising management money, increased fees or fish taxes are possible, but would impact on all halibut fishermen, not just those bidding for extra "share" or "quota". ② Do nothing, and hope the public continues to support fisheries management programs.

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

Signature: James W. Green

Pete Farris
3225 W 81st Ave.
Anchorage, AK 99502

28 June 91

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. Box 103136
Anchorage, AK 99510

Ref: 97th Plenary Session, Agenda Item C-7
Halibut Management

Dear Sirs:

My standing to comment on this issue is that of a halibut fisherman who is likely to be denied continuing access to this fishery in the event an IFQ management system is implemented.

When I was commissioned in the Marine Corps in 1968, I took an oath to "support and defend the Constitution of the United States against all aggressors, foreign and domestic," and I am acting today in that capacity. I believe the denial of access to a public resource to be an infringement of the constitutional right to equal protection under the law. In some cases, a valid argument can be made for the limitation of Constitutional Rights when mandated by the overwhelming public interest. In this particular instance, many potentially effective and far less draconian management options exist; and I therefore wish to state my vehement objection to any proposal for a division of this resource on an individual quota basis.

In addition to my objection to harvest quotas on constitutional grounds, I must say that I object based on the fact that an IFQ system will, upon enactment, immediately become almost irreversible due to its effect on investment in the fishery. As fishermen sell and purchase quota shares, a constituency will be created for continuation of the IFQ system, regardless of whether or not it proves to be either fair, or effective in causing any real improvement over the present situation. Other management devices are available, and should be implemented if needed, which allow a much higher degree of flexibility. They can be modified or eliminated altogether as the situation requires. Once the IFQ is in place, we're stuck with it--good or bad!

In summary, my opposition to the IFQ system of management is based on my belief that it is an unwarranted abridgement of constitutional freedom, that other alternatives exist which can be used to cause improvements in the fishery, and that any IFQ allocation will be inherently permanent before it can be determined whether such allocation is either effective or necessary.



Pete M. Farris

AUG 26 1991

PO Box 195
Talkeetna, Ak
99676

8/21/91

NPFMC
PO Box 103136
Anch, Ak. 99510

I would like to invite your attention to my earnest proposals presented to you in this letter.

Currently, I'm in Seldovia working on my boat where I hope to be ready for the next halibut opening, my first.

For your consideration I propose that these criteria be used to justly determine in a fair and square way who can engage in commercial fishing for halibut and his quota:

Firstly, the hold capacity for each boat licensed for halibut in 1991. The calculated total would be compared to the projected harvest figure. This would give each boat the opportunity to fill his boat full or 3/4 full

when best suited to his boat and his own needs.

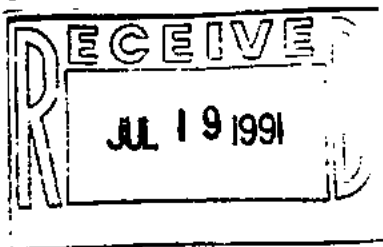
Secondly, the economic need of each licensed owner/operator. At least 25% of his income should be from halibut. The higher his dependency the more points he would receive.

Thirdly, any boat licensed to fish in 1991 should qualify for fishing halibut if their economic need is based on this fishery as pointed to in number two.

In summation, who can fish should be based on economic need and on having a licensed boat in 1991. The quota should be based on the size of the boat.

For myself, last year I sold everything to be able to fish halibut and sablefish as well as rockfish, grey cod... Individual circumstances should also be considered...

Sincerely,
Harold Parker



P.O. Box 404
Juneau, Alaska 99807
June 27, 1991

RECEIVED
JUL - 9 1991
I.P.H.C.

INTERNATIONAL PACIFIC HALIBUT COMMISSION
P.O. Box 25009
Seattle, WA 98145 2009

Dear Sirs:

I am writing you in concern of the probability of some form of fishing/vessel quotas soon to be enacted. I understand they will be voted on in September. I began commercial fishing in 1986 with the purchase of a drift gillnet permit for G.E. AK and have participated in halibut longline fishing since, OR nearly.

In the spring of 1988 I landed some 11,000 lbs though some was sold independently or kept. That year (if memory serves) you sent to vessel classification. In the early spring of 1989 a storm severely restricted my landings in Area 2n as I had done the first opener. As I had a small "1" vessel that was due for replacement, the winter of 89-90 I built a larger "0" class vessel with accommodation for serious longline endeavor.

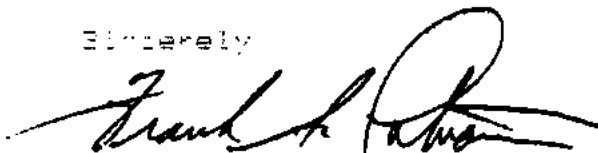
In the construction of the F/V Lonestar shortly before launching I fell into a fish hold breaking several ribs against the hatch combing. As a result I was unable to fish at all or make any landings for record in 1990. As the "season" of '91 dawned I made an attempt at fishing but was again unsuccessful for various reasons and landed so few fish that they were kept for personal use. To a significant degree much of my poor performance these last two seasons is due to medical problems.

In the summer of 1987 my back was injured (compressed) in a construction accident while assisting to raise a wall. Though this rendered me sore and stiff for a while I nearly recovered and in time went to see Dr. Retewig in Juneau. Since this time my back has increased in discomfort and now is affecting my production in the longline fishery. I have "wedging of T6 and T8 vertebra, upper thoracic scoliosis with significant thoracic kyphosis and compensatory lumbar lordosis."

I fear as a result of IPQ's (or whatever) I will be quota'd so low as to be forced out of the fishery entirely because of resulting economic limitations. My only real option is to acquire a larger vessel and operate a large enough crew to take the physical strain off myself.

I hope I have adequately communicated to you my concern and predicament, and would perhaps be bold to request that my medical problems and resulting production decline be taken into account in your possible quota determinations.

Sincerely


Frank A. Putnam

LICENSE #
956367

SEP 16

Dear Council Members,

First let me state that I am absolutely opposed to the IFQ system of regulation for the halibut and black cod fisheries as now proposed. I am opposed to this system because the halibut and black cod fisheries are already on a quota system, so biologically the fisheries are protected from over fishing .The quota system has proven itself to protect and enhance the fisheries as needed. The only reason for IFQ,s is for the benefit of a few fishermen and the convenience of the processors .The problem with the proposed IFQ system is that it gives exclusive rights to a few chosen fishermen to harvest a common property resource which I believe is unacceptable and against the basic concept of democracy.

Here is another idea that I think is as fair as is possible under the circumstances.Scenario: If a person wants to fish in 1992, he must apply for a share before March 15,1992 and he must sign up for the area he wants to fish .Then IPHC divides the quota for that area up among the fishermen that have applied based on the gross tonnage of the boat as determined by the U.S. Coast Guard .The fisherman is issued a poundage that can be delivered between May 15 and September 15 th.This gives every one an equal chance at the common property resource and it spreads the catch out over a long period of time,so it can be easily handled by processors and give a better market for the fish. It would also allow trollers to harvest fish through out the season which has been a long established tradition until recently.

Please consider the above ideas or some similar form of them.
Let me reiterate that the present IFQ ideas are grossly unfair
and unacceptable.

**THIS FORM LETTER SIGNED AND RETURNED BY THE FOLLOWING
PEOPLE:**

Sincerely, Fred C. Howe.

Fred C. Howe
F/V Apollo
Elfin Cove, Alaska
99825

Sincerely

Max Goodwin
MAX GOODWIN

Sincerely James A. Miller F/V QUEST p.o box. 07, Ester, A.K.
99725

James A Miller

Sincerely Greg R. HOWE F/V KETA P.O. BOX 09, Elfin Cove, A.K
99825

Greg R. Howe

Sincerely PHILIP C. RIDDLE F/V LENNEA
P.O. BOX 216, GUSTAVUS, AK.

Philip C. Riddle

Robert C. Bell
Sincerely Robert C. Bell F/V Gunvor 1392 Grenac RD. Fairbanks
ak. 99701

Sincerely

Conley Ward
F/V Prosperator
Elfin Cove
Box 83
AK 99825

Mr. Richard Lauber, Chairman
North Pacific Fisheries Management Council
PO Box #103136
Anchorage AK 99510

SEP 13

Dear Chairman Lauber:

I am a crewmember on a longline vessel fishing in the North Pacific. I am writing to protest your proposal for Individual Fishing Quotas on halibut and sablefish in the waters under your jurisdiction.

Your proposal discriminates against a recognizable group of participants in the fishery; the crewmembers, and in favor of another group of participants; the vessel owners. Such discrimination is unfair, and I believe it is also a violation of the Magnuson Act. Your proposal also does not provide for any means of paying for the enforcement and management of the IFQ system. I believe that is a serious flaw and mistake.

Please reject the current proposal or amend it to address these problems.

Sincerely,

L. W. H. Crewmember 9-11-91
L. W. H.
2405 B. Schaefer
Anch AK 99507

Dear Chairman Lauber:

I am a crewmember on a longline vessel fishing in the North Pacific. I am writing to protest your proposal for Individual Fishing Quotas on halibut and sablefish in the waters under your jurisdiction.

Your proposal discriminates against a recognizable group of participants in the fishery; the crewmembers, and in favor of another group of participants; the vessel owners. Such discrimination is unfair, and I believe it is also a violation of the Magnuson Act. Your proposal also does not provide for any means of paying for the enforcement and management of the IFQ system. I believe that is a serious flaw and mistake.

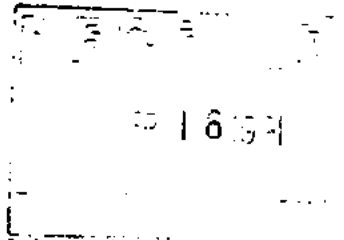
Please reject the current proposal or amend it to address these problems.

Sincerely,

W. G. R. Crewmember

 MICHAEL S. ROGERS
16701 71ST PL. W
LYNNWOOD WA 98037

Mr. Richard Lauber, Chairman
North Pacific Fisheries Management Council
PO Box #103136
Anchorage AK 99510



Dear Chairman Lauber:

I am a crewmember on a longline vessel fishing in the North Pacific. I am writing to protest your proposal for Individual Fishing Quotas on halibut and sablefish in the waters under your jurisdiction.

Your proposal discriminates against a recognizable group of participants in the fishery; the crewmembers, and in favor of another group of participants; the vessel owners. Such discrimination is unfair, and I believe it is also a violation of the Magnuson Act. Your proposal also does not provide for any means of paying for the enforcement and management of the IFQ system. I believe that is a serious flaw and mistake.

Please reject the current proposal or amend it to address these problems.

Sincerely,

Kimeth Ekwoog, Crewmember

"33 YEARS" AS A CREWMEMBER



SEP 12

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P. O. BOX 103136
Anchorage, Alaska 99510

RE: Sablefish and Halibut IFQs

Chairman Lauber:

I would like to state my adamant opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska.

I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All Alaskans will lose if this plan is implemented.

Such a drastic change to the management of our fisheries is not only unnecessary, but could create a problem of huge proportion.

I would urge the Council members to carefully consider this proposed plan to privatize the fishery. Please don't make the mistake of thinking that you will be solving the problems in the fishery, the problems that will result may be impossible to rectify.

I urge the Council to utilize the many options and traditional management measures within the open access system to provide the industry with a specific and comprehensive traditional management plan.

Sincerely,

Jean E. Alwert

NAME: JOAN E. ALWERT

ADDRESS: Box 1711

Kodiak, AK 99615

THIS FORM LETTER SIGNED AND RETURNED BY THE FOLLOWING PEOPLE:

Sincerely,

Sincerely,

Robin Clark
F/V Evening Star

Robin R. Clark

Michael Clark
Operator F/V Evening Star

Michael E. Clark

Sincerely,

Steven W. Russell

Steven W. Russell
Owner/Operator F/V Susan Kay

Sincerely,

Susan K. Russell

Susan K. Russell
Owner F/V Susan Kay

Sincerely,

Wm Hoglen

NAME: Wm Hoglen
ADDRESS: Box 4478
Kodiak AK
99615

Sincerely,

Karen L. King

Karen L. King

Sincerely,

Lance Nelsen

NAME: LANCE NELSEN
ADDRESS: PO BOX 3972
KODIAK AK 99615

Sincerely,

Jody Nixon

NAME: Jody Nixon
ADDRESS: Box 1747
Kodiak AK. 99615

Sincerely,

Kristen Lewis

NAME: Kristen Lewis
ADDRESS: P.O. Box 974
Kodiak AK 99615

Sincerely,

Heri Berg

NAME: Heri Berg
ADDRESS: Box 8014
Kodiak, Alaska 99615

Sincerely,

Jeannie D. Tabon

NAME: Jeannie D. Tabon
ADDRESS: Box 1012
Kodiak, AK 99615

Sincerely,

John D. Malcom

NAME: JOHN D. MALCOM
ADDRESS: P.O. Box 1922
KODIAK, ALASKA
99615

Sincerely,

David Little

NAME: David Little

ADDRESS: PO Box 659
Kodiak, AK 99615

I believe the fishing is fine as is!

Sincerely,

Chris T. Trawelson

NAME: Chris A. Trawelson

ADDRESS: PO 1731
KODIAK, AK. 99615

Sincerely,

David Dahl

NAME: DAVID DAHL

ADDRESS: PO Box 2719
KODIAK, AK 99615

sincerely,

Rick S. Quashnick

NAME: Rick S Quashnick

ADDRESS: 790 S.E. 13th
WARRENTON ORE 97146

sincerely,

Erik Jung

NAME: ERIK JUNG

ADDRESS: P.O. Box 1321
KODIAK AK 99615

sincerely,

Jack Thompson

NAME: Jack Thompson

ADDRESS: Box 1742
Kodiak AK 99615

Douglas C. Van Orden

NAME: DOUGLAS C. VAN ORDER

ADDRESS: P.O. Box 8374

KODIAK, Ak. 99615

Sincerely,

Larry Jay Fundersea

NAME: Larry Jay Fundersea

ADDRESS: Box 3835

Kodiak Alaska 99615

Michelle Van Orden

NAME: Michelle Van Orden

ADDRESS: P.O. Box 8374

KODIAK, Ak. 99615

Sincerely,

Helen Hartung

NAME: Helen Hartung

ADDRESS: Box 1731

KODIAK AK 99615

Sincerely,

Jeff Lamp

NAME: Jeff Lamp

ADDRESS: P.O. Box 950

Sincerely,

Terri Zuckerman

NAME: TERRI ZUCKERMAN

ADDRESS: PO BOX 1323

KODIAK, AK 99615

Sincerely,

Matt Shadle

NAME: MATT SHADLE

ADDRESS: P.O. 3012 KODIAK

AK 99615

SKIPPER OF THE FV JOANNA K.

Sincerely,

William E. Hewert

NAME: WILLIAM E. HEWERT
ADDRESS: Box 1711 Kodiak, AK
F. BUCCANEER

Sincerely,

Sandra K. Cornelio

NAME: Sandra K. Cornelio
ADDRESS: P.O. Box 3491
Kodiak AK 99615

Sincerely,

Brian Mullen

NAME: Brian Mullen
ADDRESS: Box 1701
Kodiak AK. 99615

Sincerely,

Jackie Mullen

NAME: JACKIE MULLEN
ADDRESS: Box 1701
Kodiak AK. 99615

Sincerely,

Becky Gunderson

NAME: Becky Gunderson
ADDRESS: P.O. Box 3935
Kodiak AK
99615

Sincerely,

James M. Bright

NAME: James Bright
ADDRESS: P.O. Box 4361
Kodiak, AK 99615

Sincerely,

John D. Wartin

NAME: John D. Wartin
ADDRESS: 6601 32nd W
Tacoma, WA 98405

Sincerely,

Doug Scott

NAME: Doug Scott
ADDRESS: Gen Delivery
Kodiak, AK

Sincerely,

Megan Taunton

NAME: Megan TAUNTON
ADDRESS: Po BX 5028
KODIAK AK

Sincerely,

Bob Faulkenberry

NAME: Bob Faulkenberry
ADDRESS: Kodiak, AK.
P.O. 8127

Sincerely,

A. Layne Wilde

NAME: A. Layne Wilde
ADDRESS: Po Box 4081
Kodiak, AK 99615

Sincerely,

Ryan Jensen

NAME: RYAN JENSEN
ADDRESS: PO. 3765.
KODIAK, AK 99615

Sincerely,

Eric Angell

NAME: Eric Angell
ADDRESS: po Box 8127
KODIAK AK.

Sincerely,

Susi Peterson

NAME: Susi Peterson
ADDRESS: P.O. Box 1129
KODIAK, AK

Sincerely,

Sheryl Tomaska

NAME: Sheryl Tomaska
ADDRESS: PO BOX 903
Kodiak, AK 99615

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P.O. BOX 103136
Anchorage, Alaska 99510

SEP 13 1991

RE: Sablefish and Halibut IFQs

Chairman Lauber,

I would like to state my adamant opposition to the proposed Individual Fishing Quota System (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska.

I believe that those who directly, and indirectly, rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures, and strict Bycatch Limitations; will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize these Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with a IFQ System which is unpredictable and may well result in problems which are impossible to rectify.

Sincerely,

Tim Steinmuller

NAME: Tim Steinmuller

ADDRESS: 4125 Birch

Juneau, AK 99801

THIS FORM LETTER SIGNED AND RETURNED BY THE FOLLOWING PEOPLE:

Sincerely,

Steven Grandoff

NAME: 2125 MT VIEW DR

ADDRESS: Kodiak, AK

Sincerely,

Lanny Clodfelter

NAME: LANNY CLODFELTER

ADDRESS: PO Box 1072

Kodiak, AK 99615

Sincerely,

DC Macdonald

NAME: DANIEL MACDONALD, President

ADDRESS: EXCELLEN FISHING, INC.
P.O. BOX 2200
KODIAK, AK 99618

Michael R. Martin

NAME: 13300 VANUS WAY

ADDRESS: ANCH, AK 99515

Sincerely,

Kenneth Francis

NAME: Kenneth Francis

ADDRESS: 2125 Mount View Drive

KODIAK, ALASKA

Philip A. Robbin

NAME: Philip A. Robbin

ADDRESS: P.O. Box 2284

Kodiak, Alaska 99615

Sincerely,

George Grandoff

NAME: GEORGE GRANDOFF

ADDRESS: Box 220

Kodiak, Alaska

Sincerely,

Gary K Wilson

NAME: GARY K WILSON

ADDRESS: Box 3668 Kodiak, AK 99615

1512 HATCH ST KODIAK AK

Sincerely,

Scott Gilliland

NAME: Scott Gilliland

ADDRESS: 668 Anderson Way

Kodiak AK 99615

ADDRESS:

Ben Thompson
NAME: Ben Thompson
ADDRESS: Box 567
KODIAK AK 99615

Sincerely,

Ryan Nelson
NAME: Ryan Nelson
ADDRESS: Box 276
KODIAK AK 99615

James F Fogle
NAME: JAMES F FOGLE
ADDRESS: Box 3209 Kodiak, AK
4156-7603

Don Kyger
NAME: DR KYER
ADDRESS: 110 Natalia Aptc

Jathric Gattler
NAME: 2125 MT VIEW DR
ADDRESS: Kodiak, AK 99604

Robert L Reed
NAME: Robert L Reed
ADDRESS: Box 1272
Kodiak AK

Danny L Ertsgaard
NAME: Danny L. Ertsgaard
ADDRESS: P.O. Box 797
Prineville, Oregon 97754

Robert J Oliveira
NAME: Robert J OLIVEIRA
ADDRESS: P.O. BOX 8277
KODIAK AK 99615

Mr. Rick Lauber, Chairman
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
P. O. Box 103136
Anchorage, Alaska 99510

AUG - 6 1991

May 22, 1991

Dear Sir:

I am opposed to the IFQ system for managing the sablefish and halibut fisheries. I believe that if such a system is established, that the small, diversified vessel will be the loser. Alaskans who live in coastal communities will lose their access to the resource. Privatizing the fishery and making instant millionaires of a few boat owners is not managing the resource, it is giving a windfall to a few. The job of the Council is to manage the fishery, not the fisherman. Problems in the fishery can be addressed with traditional management measures. It is very dangerous to completely change the management structure. Other countries who tried this are now experiencing the problems which we will face. The resource will be controlled by a few companies, quite probably foreign interests. There will be virtually no enforcement and the conservation problems resulting from over-harvesting will cause the stocks to collapse. Please don't make the mistake of thinking you are solving a problem, instead you will be creating a problem of huge proportion that you won't be able to rectify.

Sincerely,

Herman Haakanson

NAME: HERMAN HAAKANSON

ADDRESS: P.O. BOX 45 PORT Lions AK 99550

THIS FORM LETTER SIGNED AND RETURNED BY THE FOLLOWING PEOPLE:

Feodosia Haakanson

Nick D. Haakanson

NAME: Feodosia Haakanson

NAME: NICK D HAAKANSON

ADDRESS: P.O. Box 45
Port Lions, AK. 99550

ADDRESS: P.O. Box - 45 Port Lions ALASKA.

Walter Ray Hanson

NAME: WALTER R. HANSON

ADDRESS: PO. BOX 45 PORTUONS ALASKA 99550

Sue Lukin Girard

NAME: SUE LUKIN GIRARD

ADDRESS: PO. B 114 PORT LIONS AK
99550

Elizabeth J. Beck

NAME: ELIZABETH J. BECK

ADDRESS: RD 2 Box 306-Y
Howard, PA. 16841

P E T I T I O N

I would like to state my adamant opposition to the proposed **INDIVIDUAL FISHING QUOTA SYSTEM (IFQ)** for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A **TRADITIONAL MANAGEMENT TOOL PLAN** utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures and strict Bycatch Limitations, will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize the Management Tools **NOW**. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME _____

OCCUPATION _____

ADDRESS _____

IF FISHERMAN, WHAT FISHERIES _____

COPIES OF THIS PETITION WERE SIGNED AND RETURNED WITH 235 SIGNATURES, BROKEN DOWN BY AREA AS FOLLOWS:

Kodiak - 163
Anchorage - 8
Homer - 4
Juneau - 2
Cordova - 2
Sitka - 1
Other Alaska communities - 8

Washington - 20
Oregon - 8
Other States - 6

Unidentified Address - 13

The Secretary will have a reference book containing copies of the original signed petitions.

CENTRAL BERING SEA FISHERMEN'S ASSOCIATION
PO BOX 88
Anchorage, Alaska 99503
September 16, 1991

Rick Lauber, Chairman
North Pacific Fishery Management Council
PO Box 103136
Anchorage, Alaska 99510

Dear Mr. Lauber,

Subj: Comments re Draft EIS/RIR/IRFA: Management Alternatives
for the Halibut Fisheries

Central Bering Sea Fishermen's Association has long considered the halibut fishery as an important fishery in the overall community and economic development scheme for the Pribilof communities it represents. The reasons why halibut fisheries have significance for developing Pribilof communities are simple. The biology of this species lends itself well to a developing fishery. The fish come closer to shore during a time of the year when the Bering Sea climatology will tolerate safe operations for smaller vessels, operating on a day fishing basis.

The halibut fishery is relatively easy to learn, and provides opportunity and a relatively good return for small scale fishing effort. In 1982, when it became clear to Aleuts that fishing economies would have to be developed, the halibut fishery was the logical place to start. It was the perfect transition fishery for local fishermen to learn and participate before moving on other species like cod, crab and bottomfish. With the help of longliner Sig Jaeger, the local halibut fishery was launched on the Pribilofs in 1982.

The larger longline vessels that participate in this fishery operate under a different set of economics. Whereas they may have acquired their entry and fishing experience via the halibut fishery, most vessels 60 feet or over must of economic necessity participate in other fisheries such as cod, sablefish and crab. Pribilovians have always been puzzled why the creation of 4C became the continuous problem to the Council that it has since 1983. Its quota, after all, is only about one percent of the halibut TAC. The SEIS (p 5-5) clearly demonstrates that for the larger wider-ranging vessels, less than 15 percent of their overall catch is from the Bering Sea quota. Thus CBSFA efforts of the last several years to acquire more local fishing opportunity in 4C, through increased openings and opportunity for small vessels in favorable weather conditions, have generated controversy without good cause.

Despite well intentioned local efforts to work within the fishery management system and seek implementation of regulatory

regimes that assisted developing fishermen in the 4C area, Pribilof efforts to acquire a reasonable share of local species have largely been frustrated in the years since 1983, to the extent that the local share of the 4C quota has averaged 33% for the years 1984 to present. The 4C fishery management experience has not been a good one from the local perspective. Area 4C was arbitrarily drawn, had too little quota to sustain fishery development, and attempts to improve local options became stuck in the allocative twilight zone between IPHC, NPFMC and NMFS.

Discussion for halibut is now centered on a controversial conversion to IFQ management system, with its generic Bering Sea corollary-the Community Development Quota. The majority of opposition to an IFQ program will come from the small vessel fisherman, residing in coastal and island communities of Alaska, and perhaps with justification, since their abilities to grow in the fisheries will encounter new obstacles with privatization of the resource. We have some similar concerns.

Although Alternative 2.3, CDQ option 5, offers the best situation for local fishermen among those under consideration, even so, IFQ entitlements to our local pioneering fishermen will be skewed unfavorably (100,000 lbs) as a result of deprivation over the years of fishing opportunity in 4C. From our perspective, we believe that 100% of 4C quota is justified, or alternatively, 50% of 4D should be dedicated to CDQ quota.

The NPFMC has now considered a CDQ component for each fishery in which it is currently considering allocative decisions. The pattern developing is to create a separate kind of fishery for CDQ participants (Natives), that is different from the rest of the fishing public. The directed allocation sought by Pribilofian communities in April 1989 was clearly for the purpose of achieving stable economic and fishery development benefits in a runaway overcapitalized fishery. It was not a request to be socially engineered, and a CDQ program that becomes an administrative boondoggle will not assist us.

We continue to believe that the directed allocation under the Fur Seal Act is probably the best solution for the Pribilofs. Nevertheless, our intent is to make the best of whatever solution the Council provides in its collective process to determine what is best for the fishery.

Thank you for the opportunity to comment. We trust that the Council will consider the needs for sustained support of the 4C halibut fishery during the interim while new regimes are being implemented.

Sincerely,


Perzenia Pletnikoff, President

Central Bering Sea Fishermen's Association

COPIES OF THIS PETITION WERE SIGNED AND RETURNED WITH 235 SIGNATURES,
BROKEN DOWN BY AREA AS FOLLOWS:

Kodiak - 163

Anchorage - 8

Homer - 4

Juneau - 2

Cordova - 2

Sitka - 1

Other Alaska communities - 8

Washington - 20

Oregon - 8

Other States - 6

Unidentified Address - 13

The Secretary will have a reference book containing copies of the original signed petitions.

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose access if this plan is implemented. 10/3/99

Such a drastic change to the management of our fisheries is not only unnecessary, but could create a problem of huge proportion. I would urge the Council members to carefully consider this proposed plan to privatize the fishery. Please don't make the mistake of thinking that you will be solving the problems in the fishery, instead the problems that will result may be impossible to rectify. The many options available to the Council in the open access system must be utilized before such a drastic measure is considered.

Name R.W ZWAHLEN
Address 1521 LARCH ST

Telephone No. 486-6976
Occupation FISHERMAN
If Fisherman, state fisheries TRAWL
CRAB, TEND., LONGLINE

Name DAVID JENTRY
Address Box 3128
KODIAK, AK

Telephone No. 486-5205
Occupation FISHERMAN
If Fisherman, state fisheries TRAWL
LONGLINE, CRAB, TENDER

Name Ephraim S. Amodeo Jr.
Address P.O. Box 2209
Kodiak, AK. 99615

Telephone No. 486-2742
Occupation FISHERMAN
If Fisherman, state fisheries _____

Name Garry Mogg
Address PO Box 548
Kodiak AK 99615

Telephone No. 486-5205
Occupation Fisherman
If Fisherman, state fisheries _____

Name Melissa Jentry
Address P.O. Box 3128
Kodiak, AK
99615

Telephone No. 486-5243
Occupation Fisherwomen
If Fisherman, state fisheries _____

Name KRIS HANSEN
Address 60th NW AVE
BALLARD, WA
98106

Telephone No. 486-1738
Occupation FISHERMAN
If Fisherman, state fisheries _____

PETITION

SEP 19 1984

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name DAN RAMEY
Address BOX 3644
KODIAK, AK 99615

Telephone No. 206-267-2274
Occupation Fisherman
If Fisherman, state fisheries All

Name JAY PARISH
Address BOX 2057
KODIAK AK 99615

Telephone No. None
Occupation Fisherman
If Fisherman, state fisheries All

Name John m Piezak
Address cell Hemlock
KODIAK AK 99615

Telephone No. 486 5811
Occupation Fisherman
If Fisherman, state fisheries All

Name Danny K. Blair
Address 816 Thorsheim st.
Kodiak, AK 99615

Telephone No. 486-5535
Occupation Fisherman
If Fisherman, state fisheries All

Name FRANK FORMAN
Address Box 723
KODIAK, AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name SUE SCOTT
Address P.O. Box 291
KODIAK AK 99615
KODIAK

Telephone No. 486 4026
Occupation PT. Fisherman, PT. BARBER
If Fisherman, state fisheries halibut - scallops

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Allen Bone Telephone No. 486-9911
Address 714 Tuxgum Way Occupation Painter
If Fisherman, state fisheries _____

Name Barbe Walkoff Telephone No. 486-6195
Address Box 21 Occupation Comm fish/clock
Kodiak, Ak If Fisherman, state fisheries salmon,
halibut, crab

Name Patricia Matson Telephone No. 486-5523
Address Bx 77 Occupation fishermen's wife
Kodiak, Ak If Fisherman, state fisheries _____
(crab, halibut)

Name Phil Jimbrook Telephone No. 486-2523
Address Box 415 Occupation Fisherman
Kodiak, Ak If Fisherman, state fisheries Black Cod
Halibut

Name Jerry Matson Telephone No. 486-5523
Address Box 77 Occupation Fisherman
Kodiak Ak If Fisherman, state fisheries _____
486-5523 99615 Crab - Halibut - Tendir.

Name DENNIS E. FANNIN Telephone No. 486-5443
Address P.O. Box 572 Occupation Fisherman
KODIAK AK 99615 If Fisherman, state fisheries _____
Fisherman - crab - cob - halibut
486-5443 SALMON
ALL →

PETITION

SEP 12 1991

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Steven H. McElroy
Address P.O. # 990
Kodiak, AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name T. BURKE
Address BOX 3165
Kodiak
486-6029

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Brian Babbitt
Address 1816 SIMONOFF
Kodiak AK
486-4246 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Larry Stangl
Address PO Box 2393
Homer AK 99603

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Tom WARD
Address P.O. Box 4274
Kodiak, AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name BOB MALK
Address 18432 140th AVE S.E.
RENEW WA. 98058

Telephone No. (206) 271-7121
Occupation _____
If Fisherman, state fisheries _____

PETITION

I would like to state my opposition to the proposed individual fishing/ quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Peter Allan
Address Box 2160
Kodiak Ak 99615
Peter Allan

Telephone No. 907 487-2333
Occupation Fisherman
If Fisherman, state fisheries halibut crab salmon herring cod

Name ARNOLD MORAN
Address BOX 1832
KODIAK ALASKA

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Becky Sue Jackson
Address Box 1215
Kodiak, AK

Telephone No. 486 4987
Occupation MANAGER TRAILER
If Fisherman, state fisheries _____

Name DELL JACKSON
Address Box 1215
727 Jackson Ln
Kodiak, AK.

Telephone No. 486 4987
Occupation LONGSHORE MAN
If Fisherman, state fisheries _____

Name Herberta Blackford
Address 1526 E. Rezanof Dr.
Kodiak, AK. 99615

Telephone No. 486-5911
Occupation Book Keeper
If Fisherman, state fisheries _____

Name Suzanne King
Address PO. 1877
KODIAK

Telephone No. 486-6251
Occupation BOATOWNER - ~~Longshore~~
If Fisherman, state fisheries crab - salmon - Halibut

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name ZAN KOSOFF
Address P.O. BOX 8328
KODIAK AK 99615

Telephone No. ^{mess.} 486-4289
Occupation FISHERMAN
If Fisherman, state fisheries CRAB, PCOD
BCOD, HALIBUT

Name ALAN O' DONNILL
Address 721 SELKIE LN
KODIAK AK 99615

Telephone No. 486-2086
Occupation FISHERMAN
If Fisherman, state fisheries SALMON
HALIBUT

Name TROY BOWERS
Address 3605 Arctic Blvd
Anch, AK

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Shawn A. MacJannet
Address 6425 LEANORA Rd.
Homer AK. 99603

Telephone No. 235-3610
Occupation Commercial Fisherman
If Fisherman, state fisheries All

Name Roger Wladarski
Address 2211 Sentry, ANC.
Fish: all

Telephone No. _____
Occupation Fisherman
If Fisherman, state fisheries all

Name Tracy Snow
Address Box # 3842
HOMER

Telephone No. 235-3612
Occupation fisherman
If Fisherman, state fisheries _____

PETITION

RECEIVED
SEP 12 1995

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Name Bob Faulkenberry
Address Kodiak, A.K
P.O. 37.31

Telephone No. _____
Occupation Fisherman
If Fisherman, state fisheries Herring, Cod, Halibut

Name Eric Angel
Address PO Box 8127
Kodiak AK

Telephone No. _____
Occupation fisherman
If Fisherman, state fisheries _____

Name Scott Peterson
Address PO Box 1129
Kodiak, AK.

Telephone No. _____
Occupation FISHERMAN
If Fisherman, state fisheries LOW-LIMIT

Name Megan Taunton
Address PO Box 4028
Kodiak AK
99615

Telephone No. 486-4856
Occupation ~~FISHERMAN~~ PT fisherwoman
If Fisherman, state fisheries CRAB, HALIBUT, TENDER, COD

Name John Wartin
Address 6601 37th W
TACOMA WA 98466

Telephone No. 206-761-0566
Occupation Fisherman
If Fisherman, state fisheries _____

Name Doug Scott
Address Gen Delivery
Kodiak, AK

Telephone No. _____
Occupation Fisherman
If Fisherman, state fisheries Black Cod, Halibut, Salmon

PETITION

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Name Tim Hon
Address 4004 N-AVE
ANACORTES WA
98221

Telephone No. (206) 293-4054
Occupation FISHERMAN
If Fisherman, state fisheries SALMON/ TRAWL/ LONGLINE/ POT

Name Randy Kuyik
Address 23319 West 3rd
Anacortes WA 98221

Telephone No. (206) 293-6005
Occupation Fisherman
If Fisherman, state fisheries Salmon/ Halibut

Name Joe Lindholm
Address 2014 12th ST
Anacortes WA
98221

Telephone No. 206 293 8469
Occupation man
If Fisherman, state fisheries Salmon, herring, Halibut

Name Nick MAVAR Jr
Address 2401 W-4th
Anacortes, Wa
98221

Telephone No. 486-3677
Occupation Fisherman
If Fisherman, state fisheries Crab Salmon, herring, Halibut, Dood

Name John Heine
Address P.O. Box 1232
Kodiak AK. 99615

Telephone No. 486-3677
Occupation Fisher man
If Fisherman, state fisheries Crab Salmon, herring, Halibut, B. Cod

Name DAVE Zielinski
Address P.O. Box 1443
KODIAK AK 99615

Telephone No. 486-5512
Occupation Fisherman
If Fisherman, state fisheries CRAB Halibut, Salmon, Herring,

PETITION

SEP 12 1991

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Name Stephen Early
 Address 6598 Glacier Hwy
#94 Juneau AK
99801

Telephone No. 780 4449
 Occupation FISHERMAN
 If Fisherman, state fisheries COD
HALIBUT

Name FRANK BRUNDAGE
 Address 2442 NW MARKET #10
SEATTLE, WA 98107

Telephone No. _____
 Occupation COM. FISHERMAN
 If Fisherman, state fisheries _____
LONGLINE - TRAWL

Name ALLEN PETERSEN
 Address 3431 W HELENA DR
PHOENIX AZ 85023

Telephone No. 602-863-2728
 Occupation FISHERMAN
 If Fisherman, state fisheries _____
Long Line

Name DARRELL NORMAN
 Address 2300 MILANI
HOUSTON TX 77076

Telephone No. (602) 689-2637
 Occupation FISHERMAN
 If Fisherman, state fisheries _____
LONG LINE

Name JASON SELITSCH
 Address BOX 1135
CORDOVA AK 99574

Telephone No. 424-7250
 Occupation FISH / CONST
 If Fisherman, state fisheries _____
LONGLINE / SEINE / CRAB

Name Don Petre
 Address 2017 NE HADWAY
PORTLAND OR 97217

Telephone No. ⁵⁰³ 285 3574
 Occupation Deck Hand
 If Fisherman, state fisheries _____
HALIBUT / Black cod

PETITION

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Name John P. Cannon
Address P.O. Box 3211
Kodiak
99615

Telephone No. 486-2364
Occupation ADF+G
If Fisherman, state fisheries 1987-88
salmon seiners around island

Name Walter Howell
Address Box 3953
Kodiak

Telephone No. 486-7120
Occupation laborer
If Fisherman, state fisheries _____

Name W. J. [Signature]
Address 890
Kodiak Alaska
99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Julian Kanilno
Address P.O. Box 814

Telephone No. 486-6078
Occupation SPORTING GOODS MANAGER
If Fisherman, state fisheries _____

Name [Signature]
Address P.O. Box 4104
Kodiak Alaska 99615

Telephone No. 7-4014
Occupation COACH MANAGER
If Fisherman, state fisheries _____

Name David Brent
Address 2408 Spruce Cape RD.

Telephone No. 487-2237
Occupation Fisherman
If Fisherman, state fisheries _____

PETITION

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Name Clifford Kay
Address 1414 Lentz
Kodiak AK

Telephone No. 486-8560
Occupation LEAD MGR.
If Fisherman, state fisheries _____

Name David Rickard
Address Box 24
KODIAK, AK 99615

Telephone No. 486-4297
Occupation BUSINESS OWNER
If Fisherman, state fisheries _____

Name TIM FURGIONE
Address 1233 Mill Bay

Telephone No. 486-3958
Occupation Electrician
If Fisherman, state fisheries _____

Name Ray Basuel
Address Beaver LK. OR.

Telephone No. 486-5985
Occupation Alaska transfer storage
If Fisherman, state fisheries _____

Name ANTONIO Basuel
Address 1519 LARCH ST

Telephone No. 486-2011
Occupation Airport Employee - CARGO
If Fisherman, state fisheries _____

Name Kriss D. Gunderson
Address P.O. Box 344
Kodiak, Alaska 99615

Telephone No. (907) 486-4302
Occupation Fisherman
If Fisherman, state fisheries Salmon, Halibut
Tanner Crab, Salmon Processing

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Susan L. Scholler
Address P.O. Box 8091
KODIAK, AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name SPENCER S. GURDNER
Address P.O. Box 8091
KODIAK, AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name James W. Wells Sr
Address P.O. Box - 8335
Kodiak AK 99615

Telephone No. 907 487 2364
Occupation Halibut Fisherman
If Fisherman, state fisheries _____
Same as Above

Name Doug Lu ARP
Address P.O. Box 2667
KODIAK AK
99615

Telephone No. 907 487 2364
Occupation Commercial Fisherman
If Fisherman, state fisheries All

Name [Signature]
Address Box 2335
Kodiak AK 99615

Telephone No. 486-5687
Occupation Fisherman-Commercial
If Fisherman, state fisheries Longline-Cod, Black Cod, Halibut, Salmon, Crab

Name Andrew Baker
Address Box 8104
KODIAK AK

Telephone No. _____
Occupation OWNER OF F/A ANNE
If Fisherman, state fisheries _____
COD BLACK COD HALIBUT

PETITION

P 18196

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name KASH R VIGOR Telephone No. 274 6059
Address 1805 W 37th #2 Occupation FISHERMAN
ANCHORAGE, AK 99518 If Fisherman, state fisheries HALIBUT
ALL ANCHORAGE ALL THE WAY!!!, CMB KP/DIT

Name Christopher Jugh Telephone No. 272-1624
Address 1330 W 25th Occupation FISHERMAN/KAMENY WORKER
ANCHORAGE AK If Fisherman, state fisheries SALMON
99518 POLLUC/MUST 13TH/FISH

Name 221550700 Telephone No. 1912 #1111
Address 5070 Luis Occupation RI KODIAK
1912 MILL Bay Road If Fisherman, state fisheries Fisherman
Kodiak AK

Name THOMAS M PRICE Telephone No. _____
Address PO BOX 66 Occupation Fisherman
Dutch HARBOR If Fisherman, state fisheries COD
BARADUT

Name Paul Swensen Telephone No. 486-4050
Address PO BOX 8096 Occupation COOK
KODIAK ALA 99615 If Fisherman, state fisheries _____

Name Richard B... Telephone No. _____
Address 501 E. B... Occupation _____
99501 AD... If Fisherman, state fisheries _____
Anchorage AK

william m

PETITION

11

I would like to state my opposition to the proposed individual fishery system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Debra Lathrop
Address Box 2796
Kodiak AK 99615

Telephone No. 907 486-5433
Occupation waitress
If Fisherman, state fisheries _____

Name George Kirk
Address Box 2796
Kodiak AK 99615

Telephone No. 486-5433
Occupation Fisherman
If Fisherman, state fisheries Salmon
Halibut, Crab

Name CHRIS GOILAS
Address Box 580
KODIAK, AK

Telephone No. 486-5269
Occupation COB FISHER
If Fisherman, state fisheries _____

Name Lee Richter
Address Box 8174
Kodiak AK
4865542

Telephone No. _____
Occupation _____
If Fisherman, state fisheries Halibut
Crab Herring Cod Salmon

Name Bob Stayte
Address 714 Tagura Way
Kodiak, AK 99615

Telephone No. 486-9911
Occupation Fisherman
If Fisherman, state fisheries _____
Salmon, Halibut

Name Conrad J Flores
Address Box 598
Kodiak AK

Telephone No. _____
Occupation Fisherman
If Fisherman, state fisheries Crab-
Halibut. Black cod.

PETITION

13 1991

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name BRUCE SCHACTLER
Address Box 2254
KODIAK, AK

Telephone No. 907-486-4686
Occupation FISHERMAN
If Fisherman, state fisheries Salmon, Crab, Herring, Halibut

Name Kim Eiring
Address 5547 36th Ave NE
Seattle, WA

Telephone No. (206) 527-9883
Occupation CPA
If Fisherman, state fisheries _____

Name Kelly Schactler
Address POB 2254
Kodiak AK 99615

Telephone No. 486-4686
Occupation fisherwoman
If Fisherman, state fisheries herring, salmon

Name Greg Petrich
Address Box 1005
Kodiak, AK 99615

Telephone No. 486-5758
Occupation State F&W Protection
If Fisherman, state fisheries _____

Name Greg Hathaway
Address Box 8153
Kodiak AK 99615

Telephone No. 486-7043
Occupation Cannery
If Fisherman, state fisheries _____

Name Mark Henry
Address P.O. Box 3716
Kodiak, AK 99615

Telephone No. ^{WR} 486-3266
Occupation Processing Plant Purch
If Fisherman, state fisheries _____

PETITION

SEP 13 1991

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Name Row Thompson
Address Box 507
KODIAK AK
99615

Telephone No. 486 2003/5366
Occupation COMM FISH
If Fisherman, state fisheries TENDER
HERRING HALIBUT BLACK COD COT

Name Scott L Powell
Address Po Box 9388
Kodiak AK

Telephone No. 486-4719
Occupation Comm Fish
If Fisherman, state fisheries Salmon
B. cod G. cod Halibut

Name Becky Huster
Address 412 Maple
P.O. Box 1029
Kodiak AK 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Bob Sheridan
Address 603 1/2 W Hamme
Bozeman, MT. 59715
or General Del, Kodiak

Telephone No. 406-586-2664
Occupation COMM, Fisherman
If Fisherman, state fisheries Halibut,
Black cod, Salmon, Herring

Name James W. Fuller
Address Box 4467
KODIAK, AK
99615

Telephone No. 486-3125
Occupation Teamster - Fisherman
If Fisherman, state fisheries _____
ALL

Name Bill Amason
Address 13331 42nd Ave.
Mukilteo WA 98225

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Danny L Ertsgaard
Address P.O. Box 297
Prineville Oregon

Telephone No. 503-447-7923
Occupation Fisherman
If Fisherman, state fisheries halibut, crab

Name DAVID L. WADSWORTH
Address 2180 NAVAHO
SALMON, OR 97306

Telephone No. 503-762-5914
Occupation Com. Fish
If Fisherman, state fisheries halibut
Crab, GUP

Name Skip Swails
Address 50 Houa Lane
Depue Bay Oregon

Telephone No. 503 765-2411
Occupation Com Fish
If Fisherman, state fisheries Halibut
Crab

Name Dan Jones
Address Rt. 7 Box 414B
Waco, Tx. 76705

Telephone No. 817-863-5663
Occupation Fishing
If Fisherman, state fisheries Crab
Salmon, sable fish, & halibut

Name R C Hartman
Address Box 1172
Kodiak

Telephone No. 486-2288
Occupation Fishing
If Fisherman, state fisheries Halibut
Salmon Herring

Name Jim Harris
Address PO Box 265
Kodiak AK
99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

PETITION

RECEIVED
SEALY
1/17/71

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name DOUG VANORDER
Address P.O. Box 8374
KODIAK, AK. 99615

Telephone No. (907) 486-8374
Occupation LABOR
If Fisherman, state fisheries _____

Name Jody Nixon
Address Box 1742
Kodiak AK.

Telephone No. 907-486-3942
Occupation Manager
If Fisherman, state fisheries _____

Name Jack Thompson
Address Box 1742
Kodiak AK. 99615

Telephone No. 907-486-3942
Occupation Mechanic
If Fisherman, state fisheries _____

Name TERRI ZUCKERMAN
Address P.O. Box 1383
KODIAK, AK

Telephone No. 907-486-5761
Occupation OFFICE MANAGER
If Fisherman, state fisheries _____

Name Betty Fredrickson
Address P.O. Box 1174
Kodiak, AK 99615

Telephone No. 486-5761
Occupation Credit Manager
If Fisherman, state fisheries _____

Name Kiwi Lewis
Address P.O. Box 974
Kodiak AK

Telephone No. 486-6949
Occupation payroll clerk
If Fisherman, state fisheries _____

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Dandra K Cornelio
Address P.O. Box 3491
Kodiak AK
99615

Telephone No. (907) 486-8491
Occupation Sales Clerk
If Fisherman, state fisheries _____

Name Tom Neglem
Address P.O. Box 4478
Kodiak, AK
99615

Telephone No. 907-486-8588
Occupation Manager
If Fisherman, state fisheries _____

Name Yessie Bell
Address Box 8014
Kodiak, Alaska
99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Maryette Cross
Address P.O. Box 971
Kodiak Alaska
99615

Telephone No. 907-486-3716
Occupation Club
If Fisherman, state fisheries _____

Name Leanne D. Jabon
Address Box 1012
Kodiak, AK 99615

Telephone No. 907-486-3155
Occupation Clerk
If Fisherman, state fisheries _____

Name Michelle Van Orden
Address P.O. Box 8374
Kodiak, Ak. 99615

Telephone No. (907) 486-8374
Occupation LABOR
If Fisherman, state fisheries _____

PETITION

I would like to state my opposition to the proposed individual ^{SEPARATING} quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name NANAN DE SOTO
Address 14035 SE 202nd St
Kent Wa 98042

Telephone No. 206-631-7033
Occupation Student/waitress
If Fisherman, state fisheries _____

Name KURT PAMER
Address PO BOX 4226
KODIAK, ALASKA 99615

Telephone No. 486 4026
Occupation Fisherman
If Fisherman, state fisheries all
dogger-halibut-scallop-kung crab etc.

Name Steve C. Murray SC Murray
Address P.O. 245
KODIAK, AK 99615

Telephone No. 986-3872
Occupation BARTENDER
If Fisherman, state fisheries _____

Name Stanford Jones
Address 606 Willow Crk Rd
Corvallis, mt 59828

Telephone No. 406-961-4682
Occupation Fisherman
If Fisherman, state fisheries halibut, Black Cod.

Name Dennis Ponder
Address 16360 Simonds Rd
Bothell Wa. 98011

Telephone No. 206 488 6261
Occupation Comm. Fisherman
If Fisherman, state fisheries crab
halibut, cod

Name Tom Gilman
Address 3964 CLIFFSIDE
KODIAK ALASKA
BOX 1464 99615

Telephone No. 486 8460
Occupation FISHERMAN
If Fisherman, state fisheries CRAB
HALIBUT

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Victor Mullen Telephone No. 486-4964
Address Box 2713 Occupation _____
Kodiak Alaska If Fisherman, state fisheries yes

Name W. Mitchell Telephone No. 486-9971
Address P.O. Box 3331 Occupation FISHERMAN
Kodiak AK If Fisherman, state fisheries YES

Name Chris Reeves Telephone No. _____
Address P.O. Box 8256 Occupation Fisherman
Kodiak AK. If Fisherman, state fisheries yes

Name PAT TAULBERT Telephone No. _____
Address Box 2558 Occupation Fisher man
KODIAK AK If Fisherman, state fisheries yes

Name Michael TAULBERT Telephone No. FISHERMAN
Address 306 Wilson Occupation _____
KODIAK AK If Fisherman, state fisheries YES

Name J Michael Melone Telephone No. _____
Address PO Box 650 Occupation _____
Kodiak If Fisherman, state fisheries _____
J Michael Melone

IFQ

P E T I T I O N

IFQ

I would like to state my adamant opposition to the proposed INDIVIDUAL FISHING QUOTA SYSTEM (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures and strict Bycatch Limitations; will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize the Management Tools NOW. The proposed IFQ plan will only exasperate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME KEVIN HUCK OCCUPATION FISHERMAN
ADDRESS BOX 3305 KODIAK AK. 99615 IF FISHERMAN, WHAT FISHERIES HALIBUT,
K Huck CRAB, SALMON, COD, HERRING

NAME Kevin Huck OCCUPATION Fisherman
ADDRESS Box 3504 Kodiak, AK. 99615 IF FISHERMAN, WHAT FISHERIES Salmon,
Halibut, Crab

NAME Shawn K. Andrew OCCUPATION Fisherman
ADDRESS P.O. Box 2374 IF FISHERMAN, WHAT FISHERIES Salmon
Kodiak AK. 99615 Crab, Halibut Bottom fish

NAME Kenneth Martinson OCCUPATION Fisherman
ADDRESS 409 NE. Chambers St. IF FISHERMAN, WHAT FISHERIES Cod,
Newport, Oregon 97265 Halibut, Crab

NAME Linda Dickman OCCUPATION _____
ADDRESS P.O. Box 714 IF FISHERMAN, WHAT FISHERIES _____
KODIAK AK. 99615

NAME John Gole OCCUPATION FISHERMAN
ADDRESS Box 3809 IF FISHERMAN, WHAT FISHERIES _____
KODIAK, AK EVERYTHING

P E T I T I O N

I would like to state my adamant opposition to the proposed INDIVIDUAL FISHING QUOTA SYSTEM (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

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NAME Fredric Komiske
ADDRESS Box 66
Port Lions, AK

OCCUPATION LODGE OWNER
IF FISHERMAN, WHAT FISHERIES _____

NAME K.C. Aukerman
ADDRESS P.O. Box 714
Kodiak, AK 99615

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES _____
Crab, Halibut, Black Cod, Salmon

NAME Pat Till
ADDRESS P.O. Box 4025
Kodiak, AK 99615

OCCUPATION Artist
IF FISHERMAN, WHAT FISHERIES _____

NAME Steve Blawie
ADDRESS Box 2046
Homer, AK 99603

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES _____
Salmon, Herring, Halibut, Cod, Crab

NAME John L. Reed
ADDRESS Box 1272
Kodiak, AK 99615

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES _____
Crab, Halibut, Cod etc

NAME CHRISAN Fox
ADDRESS 141 EAST 3RD,
ANC AK 99501

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

PETITION

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Name ERIC JUNG
Address P.O. Box 1321
KODIAK, AK 99615

Telephone No. 486-2737
Occupation FISHERMAN
If Fisherman, state fisheries CRAB,
HALIBUT, COD

Name JOHN MALEDIM
Address P.O. Box 1922
KODIAK, Alaska
99615

Telephone No. 486-8216
Occupation COMM. FISHERMAN
If Fisherman, state fisheries CRAB
HALIBUT, COD

Name BILL ALWERT
Address Box 1711
KODIAK, AK 99615

Telephone No. 486-5511
Occupation COMM. FISH
If Fisherman, state fisheries CRAB
HALIBUT, COD, TENDER

Name JEAN C. ALWERT
Address Box 1711
KODIAK, AK 99615

Telephone No. 486-5511
Occupation OWNER
If Fisherman, state fisheries CRAB
Halibut, Cod, Tending

Name MATT SHADLER
Address P.O. 3012
KODIAK, AK 99615

Telephone No. _____
Occupation SKIPPER SOANNAK.
If Fisherman, state fisheries _____

Name RYAN JENSEN
Address P.O. - 3765
KODIAK, AK 99615

Telephone No. 486-4963
Occupation FISHERMAN
If Fisherman, state fisheries _____
HALIBUT, COD

PETITION

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Name NELSON HARRUNG Telephone No. _____
Address BOX 5731 Occupation _____
KODIAK AK 99615 If Fisherman, state fisheries _____

Name Chris Jackson Telephone No. _____
Address PO 1731 Occupation _____
KODIAK AK, 99615 If Fisherman, state fisheries _____

Name Jerry Samp Telephone No. _____
Address P.O. 950 Occupation _____
If Fisherman, state fisheries _____

Name Lance Nelson Telephone No. 486-2305
Address 1627 MILLBAY Occupation AUTOBODY REPAIR
KODIAK AK 99615 If Fisherman, state fisheries _____
(PO BOX 3972)

Name Stacie Peterson Telephone No. _____
Address STACIE PETERSON Occupation _____
BOX 1221 If Fisherman, state fisheries _____
KODIAK AK 99615

Name Layne Wilde Telephone No. _____
Address PO BOX 4081 Occupation _____
KODIAK AK 99615 If Fisherman, state fisheries _____

P E T I T I O N

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NAME Helen E. Hall
ADDRESS Box 3
Kodiak ak 99615

OCCUPATION Wife -
IF FISHERMAN, WHAT FISHERIES _____

NAME Aaron O. Lopez
ADDRESS 1217 Fair St.
Kodiak, ak. 99615

OCCUPATION Teacher - boat owner
IF FISHERMAN, WHAT FISHERIES Halibut
Bottom fish, crab

NAME DAN MOEN
ADDRESS 2639 TURNER LN

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME DAVID KUBIAK
ADDRESS PO Box 2084
KODIAK AK

OCCUPATION FISHERMAN
IF FISHERMAN, WHAT FISHERIES SALMON HALIBUT

NAME Jan Kubiak
ADDRESS Box 2084
Kodiak

OCCUPATION Teacher
IF FISHERMAN, WHAT FISHERIES _____

NAME Brian Boudreau
ADDRESS Rt 1, Box 93
Astoria Dr 97103

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES Halibut, Blackcod, Crab

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

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Name Terry Ray Kumbuan Telephone No. 486-5918
Address Box 3935 Occupation Fisherman
Kodiak Alaska If Fisherman, state fisheries CRAB
99615 Halibut, Salmon

Name Bekky Gundersen Telephone No. 486-5118
Address P.O. Box 3935 Occupation Fisherman wife
Kodiak AK If Fisherman, state fisheries _____
99615

Name Sherry L. Tomacko Telephone No. 486-3579
Address P.O. Box 903 Occupation Boat-cook
Kodiak AK 99615 If Fisherman, state fisheries _____
99615 Dragger, Longline

Name Brian Lee Mullen Telephone No. 486-4494
Address Box 1701 Occupation Fisherman
Kodiak AK If Fisherman, state fisheries CRAB
99615 Longline Blackcod, Halibut, graycod
tenders Alton.

Name Lucia Mullen Telephone No. 486-4494
Address Box 1701 Occupation Fisherman wife
Kodiak AK If Fisherman, state fisheries _____
99615

Name Stan E. Lee Telephone No. 486-2542
Address P.O. Box 1092 Occupation FISHERMAN
Kodiak AK 99615 If Fisherman, state fisheries _____
99615 CRAB & TENDER

PETITION

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Name <u>Raymond J Campbell</u>	Telephone No. <u>486-5452</u>
Address <u>P.O. Box 2020</u>	Occupation <u>Fisher man</u>
<u>Kodiak AK 99615</u>	If Fisherman, state fisheries <u>Halibut,</u>
	<u>Crab, Black Cod, Salmon, Urchin</u>
Name <u>John Pohjola</u>	Telephone No. <u>248-3123</u>
Address <u>2910 Breezewood #1</u>	Occupation <u>Fisherman</u>
<u>Anch. Ak 99715</u>	If Fisherman, state fisheries <u>Salmon</u>
	<u>Halibut</u>
Name <u>Kevin Fox</u>	Telephone No. <u>486-8129</u>
Address <u>P.O. Box 663</u>	Occupation <u>Fisherman</u>
<u>Kodiak Ak 99615</u>	If Fisherman, state fisheries <u>Halibut</u>
	<u>Salmon, Krab</u>
Name <u>Gary D. Cobbin Sr</u>	Telephone No. <u>486-3922</u>
Address <u>Box 1634</u>	Occupation <u>FISHERMAN</u>
<u>Kodiak Ak 99615</u>	If Fisherman, state fisheries
	<u>HALIBUT, G. COD, CRAB</u>
Name <u>Matt Case</u>	Telephone No. _____
Address <u>Box 2593</u>	Occupation <u>Fisherman</u>
<u>Kodiak Ak 99615</u>	If Fisherman, state fisheries _____
	<u>AK</u>
Name <u>Steve McGhee</u>	Telephone No. <u>207 464-6542</u>
Address <u>1152 Huntington</u>	Occupation <u>Fisherman</u>
<u>Crescent City Ca.</u>	If Fisherman, state fisheries <u>Dray,</u>
<u>95531</u>	<u>Shrimp, Crab, Halibut</u>

PETITION

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Name Rick S. Quastnick
Address 790 SE 13th
WARRENTON OR
97146 R1011

Telephone No. 503-861-1301
Occupation Fisherman
If Fisherman, state fisheries Gillnet,
Halibut

Name Lady BLAIR
Address 825 Island Blvd
FOX ISLAND, WASH.
98335

Telephone No. 206-549-2664
Occupation Commercial Fisherman
If Fisherman, state fisheries Salmon
Kodiak AK, Halibut crab bottom

Name Jordan M. May
Address HCOS 8438-Z
Palmer, Alaska. 99645

Telephone No. -
Occupation Fisherman
If Fisherman, state fisheries Crab, Salmon,
Halibut, Cod

Name Bob Estubajal
Address 591 NE Loop DR
Lincoln City OR 97368

Telephone No. -
Occupation FISHERMAN
If Fisherman, state fisheries -

Name Neil Taunton
Address P.O. Box 4024
Kodiak, AK. 99615

Telephone No. 486-4856
Occupation FISHERMAN F/UTANAC
If Fisherman, state fisheries -
CRAB, HALIBUT, COD, TENDER

Name Phil Taunton
Address P.O. Box 594
Lincoln City, OR.
97367

Telephone No. (503) 994-4828
Occupation Comm. Fisherman
If Fisherman, state fisheries Crab
Salmon, Halibut -

PETITION

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Name William C. Ruelle
Address 2667 Bryant Cr
Anchorage AK
99507

Telephone No. 349-9370

Occupation Fisherman

If Fisherman, state fisheries Longline, Nurse Seine, Crab

Name John H. Blids
Address Box 585 Douglas
AK, 99824

Telephone No. 338-5661

Occupation _____

If Fisherman, state fisheries LONGLINE GILNET GOAD TO BECRAB

Name Curtis Aube
Address 2667 Bryant Cr
Anch, AK
99507

Telephone No. 349-9370

Occupation Fisherman

If Fisherman, state fisheries Longline
Seine, Crab

Name Jay Or Jensen
Address 6871 23 Bldg
Kodiak AK

Telephone No. Same as Below

Occupation _____

If Fisherman, state fisheries _____

Name Jeff Anderson
Address PO Box 550
South Bend WA 98586

Telephone No. 875 6980

Occupation Fisherman

If Fisherman, state fisheries Just
about everything

Name Bill Hamington
Address 17230 Andeenoff Dr
Juneau AK
99801

Telephone No. 789-9353

Occupation CAPT F/U Columbia

If Fisherman, state fisheries Long-
line, scallop, Gillnet Tender

PETITION

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Name OSMAN PERSON
Address 1718 McIROSE
SEATTLE WA 98122
#308

Telephone No. 622 322 3056
Occupation _____
If Fisherman, state fisheries # Fisherman
~~KODIAK KING SALMON~~

Name LUKE G PLANCICH JR
Address 23605 WASHON, HI-WAY 541
WASHON WA. 98070

Telephone No. (206) 463-9821
Occupation FISHERMAN
If Fisherman, state fisheries ACL

Name John W. Ineson
Address P.O. Box 3184
KODIAK ALA 99615

Telephone No. 907-486-2877
Occupation FISHERMAN, OWNER F/V CLARK
If Fisherman, state fisheries 2 COD
HALIBUT, SABLE FISH - ETC.

Name Mike Jones
Address P.O. Box 8294
KODIAK AK 99615
Phon 907-486-5655

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name Mike Boman
Address Box 8308
KODIAK AK.

Telephone No. _____
Occupation Fisherman T SUESS
If Fisherman, state fisheries CRABBER

Name Wade U
Address Bx 767
Kodiak, ak
99615

Telephone No. _____
Occupation Fisherman
If Fisherman, state fisheries CRABBING

PETITION

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Name FRED M. TIEDEMAN Telephone No. _____
Address P.O. BOX 421 Occupation _____
CORODOVA AK If Fisherman, state fisheries _____
98574 PH# 424-7609

Name RORY KELLO Telephone No. 4632792
Address P.O. BOX 251 Occupation Commercial Fisherman
WASHINGTON WASH. If Fisherman, state fisheries _____
98090 Salmon Seiner + Longliner

Name KEVIN L MALLORY Telephone No. _____
Address PO BOX 56 Occupation _____
KODIAK AK 99615 If Fisherman, state fisheries _____
F/U MAXELL

Name Brett Snel Telephone No. _____
Address 219 Lowerm. K bar Occupation _____
KODIAK, AK If Fisherman, state fisheries _____

Name DWAYN MOLLAN Telephone No. _____
Address Box 4284 Soldotna AK Occupation _____
99669 If Fisherman, state fisheries _____

Name DAVE FRENZWOOD Telephone No. _____
Address 615 THORNSHAW Occupation _____
KODIAK AK 99615 If Fisherman, state fisheries _____

PETITION

I would like to state my opposition to the proposed individual fishing quota system (IFQ) for the sablefish and halibut fisheries in Alaska. I believe that Alaskans who live in coastal communities will gradually lose their access to the resource. All fishermen who harvest these waters will eventually lose if this plan is implemented.

Such a drastic change to the management of our fisheries is not only unnecessary, but could create a problem of huge proportion. I would urge the Council members to carefully consider this proposed plan to privatize the fishery. Please don't make the mistake of thinking that you will be solving the problems in the fishery, instead the problems that will result may be impossible to rectify. The many options available to the Council in the open access system must be utilized before such a drastic measure is considered.

Name Andrew P. Block Telephone No. 486-2579
Address P.O. Box 3376 Occupation Fisherman
If Fisherman, state fisheries All

Name Shel J. Hegli Telephone No. 486-2579
Address Bar 8216 Occupation _____
If Fisherman, state fisheries _____

Name Marya Nault Telephone No. 486-4918
Address Box 922 Occupation commercial fishing
Kodiak, Alaska 99615 If Fisherman, state fisheries _____
halibut, salmon, crab

Name Barbara Anthony Telephone No. 486-6463
Address 210 Hillcrest Occupation teacher
Kodiak, AK. 99615 If Fisherman, state fisheries _____

Name James D. Cuthbert Telephone No. 486-3654
Address 1712 Bezouss Occupation fisherman
Kodiak, AK 99615 If Fisherman, state fisheries crab
halibut, bottom fish

Name Chris Jamies Telephone No. 486-3400
Address 1516 Zentner Occupation college teacher
Kodiak, Ala If Fisherman, state fisheries _____

PETITION

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Name Kathy Cluser
Address 1218 Selief #7
Kodiak, AK 99615

Telephone No. 486-3978
Occupation Police Dispatch
If Fisherman, state fisheries N/A

Name Mike Eads
Address 2012 Mill Bay Rd
Kodiak, AK 99615

Telephone No. 486-56115
Occupation Rental Agent
If Fisherman, state fisheries _____

Name Jim Bjorn
Address Box 2923
Kodiak AK
99615

Telephone No. 486-~~493~~ 8385
Occupation Fisherman
If Fisherman, state fisheries HALIBUT ~~CLAMP~~ CLAMP

Name Don Mordy
Address 2414 Mill Bay Rd
KODIAK ALASKA

Telephone No. 486-7176
Occupation LOOKER
If Fisherman, state fisheries BOUSKIL

Name Jimmy D. Money
Address Cushman River Inn
Kodiak Alaska

Telephone No. 486-7176
Occupation Foreman Operator
If Fisherman, state fisheries _____

Name Steve Brady
Address BX 4075
KODIAK

Telephone No. 486-8238
Occupation _____
If Fisherman, state fisheries SALMON

P E T I T I O N

1985

I would like to state my adamant opposition to the proposed INDIVIDUAL FISHING QUOTA SYSTEM (IFQ) for the management of the Sablefish and Halibut fisheries in Alaska. I believe that those who rely on these resources will be devastated by the loss of their ability to participate in these fisheries.

The constantly fluctuating conditions within the fishing industry necessitate the availability of diverse fishing opportunities to survive. A TRADITIONAL MANAGEMENT TOOL PLAN utilizing, but not limited to, previously proposed items such as Trip Limits, Area Registrations, Allocations and Seasons, Gear Limits, Time and Area Closures and strict Bycatch Limitations; will ensure that the maximum number of participants benefit from the harvest of these resources.

I urge the Council to utilize the Management Tools NOW. The proposed IFQ plan will only exaseprate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME Tusha Garland
ADDRESS 2125 MT VIEW DR.
Kodiak, AK 99615

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME Steven Ivanoff
ADDRESS 2125 MT VIEW DR
KODIAK, AK. 99615

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES Salmon,
Cod, Halibut, Crab

NAME Lenny Clodfelter
ADDRESS ~~3103~~ 90 Bx 1072
Kodiak 99615

OCCUPATION Barman
IF FISHERMAN, WHAT FISHERIES _____

NAME Robert Reed
ADDRESS 1016 Piker Vista
Kodiak, AK 99615

Chris Billing
OCCUPATION Seal and Fur
IF FISHERMAN, WHAT FISHERIES _____

NAME Greg Gorch
ADDRESS Rt 3 Box 15
Raymond, W.I. 98577

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME Sally K. Wilson
ADDRESS Box 3168 Kodiak AK.
99615

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES Halibut
COD. CRAB.

PETITION

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Name Valerie Ellis
Address P.O. Box 1092
Kodiak AK 99615

Telephone No. 486-2042
Occupation Boat Cook
If Fisherman, state fisheries Crabber-Tender

Name Gary Knagin
Address Rx 1422
Kodiak Ak 99615

Telephone No. 486-5891
Occupation Fisherman
If Fisherman, state fisheries Salmon Crab Halibut

Name Frank J. Akena
Address P.O. Box 2863
Kodiak Ak 99615

Telephone No. 907-486-2286
Occupation Fisherman
If Fisherman, state fisheries ALL FISHES

Name Jim R. Reinhart
Address P.O. Box 4361
Kodiak, AK 99615

Telephone No. 486-3579
Occupation Fisherman
If Fisherman, state fisheries longline, dragging

Name Katherine M. Swett
Address Box 3815
KODIAK, AK 99615

Telephone No. 486-4200
Occupation Commercial fishwoman
If Fisherman, state fisheries Commercial Diver for Sea Urchins, Dungeness fish and halibut

Name Ronell Swett
Address Box 3815
Kodiak AK 99615

Telephone No. 486-4200
Occupation got hurt crab fishing
If Fisherman, state fisheries used to Crab, halibut, and Diver for Sea Urchins

PETITION

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Name Mark Bowman
Address 1808 West 1st
Aberdeen, WA 98520

Telephone No. 206-533-5930
Occupation Fisherman
If Fisherman, state fisheries Sablefish Halibut Crab

Name Michael P. Donald
Address 1602nd 2nd Dondoff St.
Sitka, AK 9975

Telephone No. 747 3056
Occupation Fisherman
If Fisherman, state fisheries Black Cod Halibut

Name Robert J. Pehr
Address 2682nd 196th Ave S
KONT, WA

Telephone No. 206 631 5455
Occupation FISHERMAN
If Fisherman, state fisheries COD, HALIBUT

Name CHRIS SALKHOVEN
Address 2867 P.O.
KODIAK, AK. 99615

Telephone No. _____
Occupation _____
If Fisherman, state fisheries _____

Name ANNJE SPETH
Address P.O. BOX 4274
KODIAK

Telephone No. 6 3511
Occupation _____
If Fisherman, state fisheries _____

Name MARK E. MURPHY
Address BOX 1711
KODIAK

Telephone No. 907 487-2728
Occupation Commercial Fisherman
If Fisherman, state fisheries COO
ALL CRAB, BLACK, Black Cod, Black BASS
ECTOPUS

PETITION

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Name Charles A Lewis Sr. Telephone No. 486-6949
Address PO Box 1663 Occupation Fisherman
Kodiak, AK 99615 If Fisherman, state fisheries Halibut, Salmon

Name Doreen Ogan Telephone No. 486-8224
Address P.O. BOX 2909 Occupation FISHERMAN
KODIAK AK 99615 If Fisherman, state fisheries HALIBUT / SALMON / HERRING

Name Suzanne H. Katarrik Telephone No. 486-8266
Address PO Box 3731 Occupation NURSE
Kodiak, AK 99615 If Fisherman, state fisheries _____

Name [Signature] Telephone No. _____
Address PO Box 8010 Occupation fisherman
Kodiak, A.K. If Fisherman, state fisheries Salmon, Cod, Halibut

Name Fred Barla Telephone No. 486-6455
Address PO 8010 Occupation Fisherman
KODIAK AK If Fisherman, state fisheries SALMON COD HALIBUT

Name STUART OLSON Telephone No. _____
Address RT 2 Box 100 Occupation _____
Wild Rose Wis. If Fisherman, state fisheries _____
54884

P E T I T I O N

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I urge the Council to utilize the Management Tools NOW. The proposed IFQ plan will only exaseprate the financial stress within the industry. Please do not jeopardize our financial future with an IFQ system which is unpredictable and may well result in problems which are impossible to rectify.

NAME GARY EDWARDS
ADDRESS PO Box 8101
KODIAK, AK 99615
F/V BIG VALLEY

OCCUPATION OWNER/OPERATOR
IF FISHERMAN, WHAT FISHERIES HALIBUT/
BL. COD/CRAB

NAME DAVID O'BROCK
ADDRESS General Delivery

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES Halibut,
Crab, Salmon

NAME Karin Lynn
ADDRESS PO Box 5593
Chinik AK 99615

OCCUPATION Fisherman
IF FISHERMAN, WHAT FISHERIES HALIBUT
cod

NAME PATRICIA FLYNN
ADDRESS Box 5593
CHINIAK, AK 99615

OCCUPATION Fisherman's Wife
IF FISHERMAN, WHAT FISHERIES _____

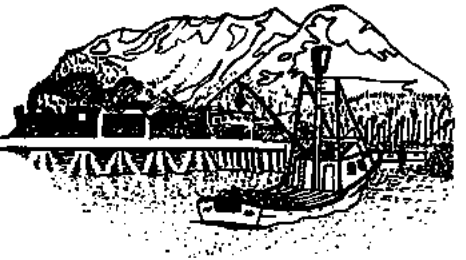
NAME _____
ADDRESS _____

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

NAME _____
ADDRESS _____

OCCUPATION _____
IF FISHERMAN, WHAT FISHERIES _____

CITY OF CORDOVA



September 19, 1991

Rick Lauber, Chairman
North Pacific Fisheries Management Council
P.O. Box 103136
Anchorage, Ak 99510

Dear Mr. Lauber:

The Cordova City Council has considered the proposals for Individual Fisheries Quotas (IFQs) for sablefish and halibut and asked me to write you regarding their concerns in this regard. As you may be aware, in 1991, Cordova and all of Prince William Sound has suffered serious adverse economic and social consequences of dependence on a fishery concentrated on salmon.

Some fishermen here have been attempting to diversify their fishing efforts in the last couple of years in order to mitigate their personal peaks and valleys in income and employment. Some of these people will stand to benefit from the institution of IFQs, while others do not yet have enough time and effort into the sablefish fishery to qualify for an IFQ. Implementation of IFQs at this time could stymie these efforts to diversify. That would be detrimental to the individuals and the community as a whole.

There is concern here that the quota assigned to Cordova fishermen would not be large enough to justify their making an investment in gear and vessel modifications that might be necessary in order to participate in the fishery.

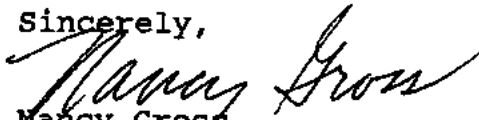
Another concern is that if the quotas are too small, it will not be economically feasible for Cordova processors to make adjustments in their plants to allow for processing of these fish. That, too, would be detrimental to Cordova.

The provision of Community Sablefish Quotas to Bering Sea and Aleutian communities is laudable. Many of those communities have not seen the benefits from the intense fishing activity in the waters off their shores. Perhaps you would consider extending that concept to the Gulf of Alaska communities which are also suffering a "social economic crisis".

Rick Lauber
September 19, 1991
Page 2

We hope that the council will be able to take these concerns into account in making their recommendation to the Secretary of Commerce regarding the implementation of IFQs for sable fish and halibut in the Gulf of Alaska.

Sincerely,


Nancy Gross
City Manager

Laura
Cooper

SYNOPSIS OF TESTIMONY ON IFQs FOR BLACKCOD AND HALIBUT
from the North Pacific Fisheries Protection Association
at the NPFMC Meeting, Anchorage, AK, September 24, 1991

We object to the implementation of the proposed IFQ system for the Blackcod and Halibut fisheries on the grounds that:

- (1) The issue of conservation of the resource has been ignored-- all of the discussion has been about economic allocation of the resource. Highgrading is going to be a problem; the by-catch issue still has not been addressed.
- (2) The American taxpayer is going to have to pay for this give-away since no other provisions have been made for administration and enforcement costs. We still do not know what the costs are. It does not seem reasonable that the Council is unwilling to face up to the costs of this program. The National Taxpayers' Union is currently investigating this.
- (3) The economic implications of this plan are staggering-- crew members and hired skippers comprise 85% of the work force, yet they are not provided for--70 out 80 Alaskan coastal communities may lose their status as delivery ports for these fisheries, yet no mention of the effects of this on those communities has been made.
- (4) 90% of the testimony in June opposed IFQs. The people who will lose from the implementation of IFQs are in the vast majority; only a few self-serving people will win at the expense of everyone else.

We propose that the Council, instead, recommend the following:

- (1) Another more equitable and conservation oriented alternative: Our proposal, Mr. Soileau's proposal, or direct staff to create one.
- (2) That industry cover the costs of whatever plan is implemented.
- (3) That Mr. Mitchell's amendment to provide for crewmembers becomes part of the preferred alternative before IFQs are voted on.
- (4) That since there are still so many unanswered questions with the preferred alternative, the Council include a sunset clause to take effect no later than 5 years from the date of implementation of the program.

The current IFQ proposal is bad public policy. What you vote for is going to set a national precedent for all fisheries. YOU HAVE AN OPPORTUNITY TO MAKE GOOD PUBLIC POLICY BY VOTING AGAINST THIS PROPOSAL AND FOR A MORE EQUITABLE AND FAR-SIGHTED PLAN.



THE NORTH PACIFIC FISHERIES PROTECTION ASSOCIATION

6610 Fremont Avenue North Seattle, WA 98103 (206) 781-0336

SECTION 5. CREWMEMBER POOL

1. There shall be established for a term of 12 years from the date of implementation of this rule a Crewmembers' Pool of QSs (The Pool).

2. The pool shall be funded by:

(a) initial allocation of 10% of the QS for the Gulf of Alaska and such additional QS as is determined to be necessary and appropriate by the manager of the pool. Such initial QS shall not be less than an amount equal to 10% of the Gulf of Alaska TAC for the fishery. ~~plus~~

(b) 10% of all transfers of QSs during the term of the pool.

3. Crewmembers (defined as individuals who have been licensed as crew in a given fishery) shall, upon application, receive a portion of said pool QSs for his or her use or transfer upon demonstrating qualification and priority eligibility for such share and the payment of a nominal transfer fee.

4. Qualification and priority eligibility of a crewmember to receive such pool share QSs shall be primarily determined by the total length of time said crewmember has been licensed and participating in the applicable fishery.

5. To the extent that other qualifications for access to or priority eligibility for said shares are established by law, rule or regulation, no such additional qualifications shall be weighted for more than 25 % of the overall qualification and priority eligibility for such crewmember pool QSs.

6. In no instance shall any individual crewmember be qualified to receive more than 1/2 of 1% of the crewmember QS pool in any one year.

(The limitation contained in paragraph 6 could be combined with or be replaced by similar provisions such as those set out below.)

"In no instance shall any individual draw more than a total of one-half of one percent of the QS pool in any year nor shall any individual draw any amount from the QS pool for more than 4 years.

-OR-

"In no instance shall any individual crew member who has become a vessel owner in the applicable fishery be eligible to draw from the crewmember pool after one full year after the date the individual has entered the fishery as a vessel owner."

-OR-

Some other, similar, provision could be designed by staff to ensure the opportunity for crew members to participate, to the greatest possible extent, in the IFQ program on the same terms and conditions as the boat owners, while also ensuring, to the greatest extent practicable, that the maximum number of qualified crew members have access to such opportunity and that the Crewmembers QS Pool is not monopolized by a very limited number of crewmembers.

Introduced by: Mayor Selby
Requested by: SWAMC
Drafted by: SWAMC
Introduced: 09/19/91
Adopted: 09/19/91

**KODIAK ISLAND BOROUGH
RESOLUTION NO. 91-46**

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO
ANALYZE AND IMPLEMENT TRADITIONAL MANAGEMENT METHODS PRIOR TO
ANY FURTHER DISCUSSION OF AN INDIVIDUAL FISHERY QUOTA SYSTEM**

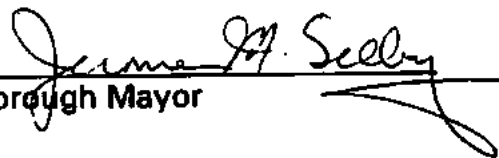
- WHEREAS,** a number of traditional management proposals have been submitted to the North Pacific Management Council which would potentially eliminate the problems which an Individual Fishery Quota (IFQ) would address; and
- WHEREAS,** the staff of the North Pacific Fishery Management Council nor the Council have reviewed these management proposals; and
- WHEREAS,** there is no urgency for Individual Fishery Quotas to be implemented without adequately using the administrative process to review all proposals prior to selection and implementation of one management proposal; and
- WHEREAS,** the Council's role and responsibility is to analyze all proposals on a given issue before implementing major changes to a fishery; and
- WHEREAS,** analysis and implementation of traditional management proposals to address the problem have not even been reviewed prior to the proposed implementation of an IFQ system; and
- WHEREAS,** an IFQ system is going to take years to implement and, meanwhile, the fisheries need extensive traditional management changes to short-term improved management;

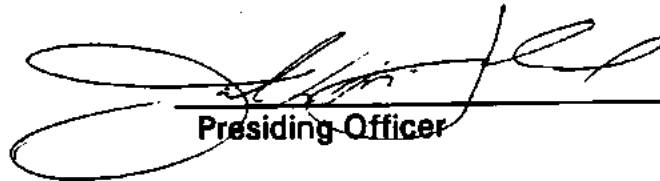
NOW, THEREFORE, BE IT RESOLVED THAT THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH:

Urges the North Pacific Fishery Management Council to analyze and implement traditional management methods prior to any further discussion of an Individual Fishery Quota System.

PASSED AND APPROVED THIS 19th DAY OF SEPTEMBER, 1991.

KODIAK ISLAND BOROUGH


Borough Mayor


Presiding Officer

ATTEST:


Borough Clerk

PREPARED AT THE REQUEST OF THE
ALASKAN RESPONSIBLE RESOURCE MANAGEMENT GROUP
FOR SUBMISSION TO THE
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

by

Dr. Anthony Davis, Department of Sociology and Anthropology
Dalhousie University, Halifax, Nova Scotia

and

Dr. Daniel MacInnes, Department of Sociology and Anthropology
St. Francis Xavier University, Antigonish, Nova Scotia.

20 September 1991

First of all we are pleased to provide this submission to the North Pacific Fishery Management Council. Our experience leads us to believe that there is a lot to be said in favor of such a management structure as that invested in the U.S. system of management councils.

We would have enjoyed appearing before you in person but are not able to do so because the timing conflicts with the start of our academic year and we are already over-extended in our commitments. In particular, we regret losing the opportunity to meet with the persons who have asked us to appear before the Council. Our conversation with Lynn Walton and Skip Bolton of the Alaskan Responsible Resource Management group have impressed us. Their unstinting effort to provide a conservationist view to the Council, their success in raising funds to bring in persons representing their point of view and their commendable organizational efforts demonstrate the effectiveness of the open hearings as a vehicle for decision making.

Title: Observations Concerning Quota Shares (Qs) and Individual Fishery Quotas (IFQs).

Without question commercial fisheries throughout the globe are trapped in ecological and economic crises. Since the late 1940s, growth in fishing capacity worldwide has far exceeded the availability and the biological tolerances of most economically valued ocean resources. Certainly, the 1977 Law of the Sea agreements on 200 mile Economic Management Zones (EMZs) were followed by unconscionable expansions in the capacity and technological sophistication of some nations' fishing effort, nations such as Canada, Norway and the United States. These expansions

have been evident throughout entire fishing fleets, from the owner-operator coastal zone small boat to the corporately owned, industrial vessels. Consequently, numerous stocks can no longer sustain, in either ecological or economic terms, existing fishing capacity and fishing practices.

Of course, excessive capacity has been recognised as a key problem in the fisheries for over two decades. The so-called common property quality of access to and use of oceans has been argued most frequently as the root cause of the problem. That is, since individual fishers and fishing firms do not directly own and/or control ocean resources, they are unable to plan their fishing capacity, effort and practices in a sensible manner, a manner that reflects available resources, markets and costs. Instead, they are pushed by the needs to compete in a common property setting towards always acquiring the latest technology and larger capacity. To do otherwise would be to locate oneself at a competitive disadvantage. Expansions in capacity translate into increased fishing effort and rapacious fishing practices as fishers strive to maximise both the quantity and quality of landings. From this point of view fishers will always be motivated to expand and fish in a rapacious manner as is indicated by the common property qualities of wild ocean resources and environments. As a result capacity exceeds the economic ability of resources to sustain it, especially since resources soon become over-exploited in such circumstances.

Notably, various levels of government have participated in this by encouraging expansion through the provision of so-called development incentives such as tax breaks, low-interest loans, subsidies and technical assistance. Nonetheless, the current situation is one in which many, if not most, fishers and/or firms possess fishing capacity that is increasingly unable to pay its way, let alone realise incomes/profits sufficient to support continued participation in the fisheries.

Treating all fishers and fishing practices as one and the same and assuming that all fishers will behave in the same way as a result of the common property factors, national governments such as those of Canada, Norway, Iceland and the United States have adopted a more or less similar approach to managing the fisheries, particularly in the areas of allocating access to and participation in the fisheries. Indeed, regulation through allocation has been a central piece in fisheries management systems over the last thirty years or so. This is seen in the numerous limited entry licensing and quota schemes initiated by various fisheries managers. In part, regulation through allocation control on access to and participation in various fisheries is believed to limit fishing effort as well as to provide fishers with a vested interest in self-regulating capacity and practices. After all, possession of an allocation, for example a license and/or quota share, guarantees access and rights of participation, thereby containing some of the negative consequences of free for all competition in an open access, common property setting.

Notably, allocation management creates conditions of *de facto* private property. This is especially the case when allocation management systems move to measures such as individual transferable quotas or individual fishery quotas that are transferable (through sale or inheritance). That is, assured access and participation as well as individual possession of a specified portion of an allowable catch, the individual quota, establishes conditions as similar to individualised private property as is possible. Individualised private property is held to be essential to economic sensibility and success in so far as it would allow each fisher to control and plan factors such as investment and production in relation to market supply and demand dynamics.

While the predominant approach to fisheries management over the last thirty years or so, the allocating approach to regulation has not proven successful in preventing economic and stock crises. The design and implementation of individual transferable quotas (ITQs) is the end game move in this approach to fisheries management. Before assessing the particulars of the proposed plan, it is essential that the appropriateness of this approach be questioned.

1/ Not all fishing effort and fishers behave in a similar fashion. Many fishers, especially those working owner-operated enterprises within small boat, coastal zone fisheries simply fish as the means of making their living. Participants in livelihood fisheries frequently work out of harbours situated in communities peopled by kin, friends and familiars. This social quality provides the context within which fishers learn their trade and develop their fishing practices. Indeed, fishing as a livelihood activity within this sort of setting takes on much greater meaning, becoming a way of life and living for fishers, their families and their communities. Commonly, livelihood fisheries employ selective harvesting gears such as hook and line. They also tend towards small to medium scales in capacity and effort. Finally, they ordinarily work within occupationally and social community referenced rules of conduct that, in effect, regulate fishing practices and express conservationist results. Is this the sort of fishery which will cause over-exploitation and economic crises? Is this the sort of fishery that will require allocation regulation?

2/ In contrast with the livelihood fisheries, most commercial fisheries are characterised by a predominant industrial capacity sector that features large vessels mainly employing non-selective, mass harvesting technologies. This sector is driven by the accumulation motive. That is, it does whatever it can to extract as much wealth as possible from resource landings. Its scale characteristics as well as fishing practices largely underwrite resource over-exploitation and environmental/ ecological jeopardy. Indeed, this is the fisheries sector which conforms in its behaviour to the expectations of fisheries managers holding the common property point of view. While allocation management regulation is one approach to containing the damage done as well as damage potentials of this sector, perhaps it is more appropriate to ask ourselves whether this sort of environmentally and ecologically hazardous/destructive fishing practice is tolerable.

In our judgement, drawing and developing the distinction between livelihood and accumulation fishing is central to the design and implementation of fisheries management systems that will have any promise of addressing successfully the serious economic and ecological problems currently facing those dependent upon the fisheries for their living.

As the most developed expression of allocation management and regulation, ITQs are akin to the venus flytrap. The nectar smells sweet and is attractive; but, drinking it carries a big price. Here we outline several of the most troubling features of the ITQ strategy.

a/ As with all quotas, ITQs will motivate fishers to high-grade. That is, they will strive to sell only the best quality of catches permissible within their quotas and by-catch allowances. Consequently, undesirable species, sizes of fish and the like will be discarded, albeit destroyed. Environmentally such practices are intolerable.

b/ Quota systems usually do not specify the technologies acceptable to fishing. Consequently, mass, non-selective harvesting, with its destructive stock and ecological effects, continues to be employed.

c/ ITQs will entrench what are within free and democratic societies socially undesirable and unacceptable conditions. That is, ITQs, allocated to vessel owners simply because they happened to be participants when the programme was implemented, give a tremendous advantage to owners and their families, especially when compared to the situation of present-day crew and their families. Simply given a fixed portion of available catches, such advantaged recipients of government largess are positioned to further benefit by selling their quota, something they did not pay for in the first place, at going market prices. In addition, children of original recipients are positioned to inherit, rather than earn, access to quota. While crew can purchase quota, its affordability for them considering the capital costs of boats and gear and the likely inflationary impact of scarcity upon quota prices is doubtful. Thus, ITQs will establish, in all likelihood, effective barriers blocking access to participation as owners-captains for the vast majority of crew and their children. In effect, this will create an underclass to advantaged captains and their offspring within fishing communities, resulting in the socio-economic divisions that ordinarily accompany such developments.

d/ ITQ levels are being determined from averaging of recent catches, throughout a time when catch levels have been low while capital costs and overhead have been high. In all likelihood, many boat owners will not receive sufficient quota from the outset to enable them to make any reasonable level of earnings from fishing. As a result, quota will be sold as fishing enterprises go out of business, thereby concentrating available quota in the hands of fewer and fewer boat owners. Such a development and its implications for the inevitable concentration of resource landings

in a select few ports will challenge, if not terminate, the economic basis of and the quality of life within many coastal communities. **THE APPLICABILITY OF THE CATCH VOLUME PART NEEDS TO BE DETERMINED,** We are not certain what implications there might be for the various sectors of the fleet, what numbers might be forced out of the fishery, etc..

e/ Caps on the amount of quota any one vessel owner can hold, at first glance, appear like a reasonable attempt to control for the above outcomes. At 1%, the proposed cap would leave a minimum of 100 boats. How does this compare with existing fleet size? A small fleet, even with 100 vessels tremendous level of concentration in terms of sites where resources would be landing will occur, in effect shutting many smaller communities out of their present situation as fishing ports and locations of fish processing and fish processing employment. How long would the 1% cap remain in place given the costs of buying and operating expanded fishing capacity.

Fisheries management policies are also socio-economic development policies. The shape and character of fisheries management policies directly reflect the path for future community and regional socio-economic development preferred by planners and the like. This dimension of ITQs and other allocation regulation management strategies must not be lost in discussions about the internal workings of any particular proposal. Will the quality of life within the owner-operator fishery and its communities be positively enhanced by such a development? This is a key point of determination in considering the meaning of management plans and the like.

In summary, we can identify the following as major problems:

- 1) Higrading increases upon implementation of the quota system such as what happened in New Zealand.
- 2) By-catch problems create major accountancy problems for individuals and for the system as a whole because by-catches are not consistent from one ground to another from season to season, and from one type of gear to another.
- 3) Ownership caps do not work in the interest of maintaining the number of fishers associated with particular communities on sustaining specific plants. They are easily circumvented by larger players who have a vested interest in consolidating the catching and processing of fish in a limited number of places.

BACKGROUND Dr. Dan MacInnes, Department of Sociology and Anthropology, St. Francis Xavier University has been researching fishing communities since 1968, mainly communities in Eastern Nova Scotia, in 1978 he completed his Ph.D dissertation on fishery co-ops, in 1986-87, he did a

year's study of the ITQ system introduced to New Zealand in October of 1986.

Dr. Davis, Economic Anthropologist, graduate of the University of Toronto, completed his dissertation on small boat fisheries in Western Nova Scotia, worked on fisheries with Svein Jentoft in Northern Norway, and has just returned from there. Our west coast experience is rather limited, we are however familiar with the literature but the intent of this submission is to reflect on our experience elsewhere.

**NOTE: Dr. Daniel MacInnes invites questions and comments
Concerning his submission. Council members are
encouraged to call him at 1-902-867-3930.**

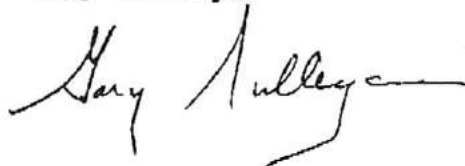
*(Provided to Council last
Sept. 24, 1991 April)*

Dear: Richard B. Lauber, Chairman

Sorry, I won't be able to make the meetings due to the weather. I would like very earnestly my already submitted open letter to journals thorough-out Alaska, as my testimony to the meetings.

Thank you,

Gary Mulligan

A handwritten signature in cursive script that reads "Gary Mulligan". The signature is written in dark ink and is positioned below the typed name.

Gary Mulligan
P.O. Box 8722
Port Alexander, Alaska
99836

February 20, 1991

Mr. Ron Heagy
NPFMC
P.O. Box 103136
Anchorage, Alaska 99501

Dear Mr. Heagy:

This letter is an effort to secure a modification of existing IFQ proposals to allow for the continued health of Alaska's coastal communities. Such would also provide access to the halibut fishery, at an entry level, for generations to come.

We must insure that this important source of income is not lost to future generations forever. The most damaging aspect of IFQs at present is that within a short period of time a slight fraction of the present fleet will own the halibut resource. To access the fishery then will be beyond the reach of all but the very rich. We have seen this happen in other fisheries and hopefully have taken note.

Many years of evolution have created Alaska's coastal communities as they are today. The fluctuating nature of the various fisheries upon which its residents depend have required diversification. IFQs, as proposed for the halibut and black cod longline fisheries, are a real threat to the long-term health of these towns and villages, because access will be severely limited - access to diversify, to survive.

The Alaska halibut resource has been utilized since before the turn of the century. We now propose to take a scant few years of that history as a basis for future use and set into motion a process whereby this history and tradition is sold to the highest bidder. Such will promote the transition of the economic opportunity of halibut fishing away from the very people upon whose doorstep the fishery takes place. The present IFQ proposals will accomplish just that. Big money rather than spirit, desire, and ambition will determine access.

I am crusading for access. Access insures survival of Alaska's coastal communities. Access also insures the viability of other fisheries which depend on contributions from halibut and black cod. In this respect it goes beyond Alaska and benefits all.

With one modification of present IFQ proposals, we can avoid the selling off of the Alaska halibut resource. For surely, with the present IFQ proposals, pounds of halibut will be "valuable as gold." But, only those with money to burn will be able to afford the price.

Mr. Ron Heagy

Page 2

The modification I seek will allow for the elimination of both overcrowding on the grounds and at the processors. Fish taken throughout the year in a timely manner will give rise to a better product and higher prices, with greater safety to the fisherman. It will insure that varying levels of past participation will be maintained. It will allow all users to sell his or her quota, thus allowing access into and upgrade within the fleet.

This modification is simple and can be easily incorporated into an IFQ proposal. It is this: attach a permit to the number of pounds of each personal IFQ. One permit only would be allowed per person. That permit would allow "x" number of pounds, based on the owner's past participation. It would be fully transferable. Thus, to upgrade would require simply the purchase of a permit with a greater allowable catch. Permits would be valued according to their associated poundage from 1000 pounds up. Participation and access at all levels would thus be assured. With each permit being distinct and non-combining with other permits, big business is held at bay. And that is the bottom line of the IFQ controversy; how to control the influence of big money in the shaping of the future of this fishery. Implementation of a system of IFQ permits will eliminate this major concern. It is good for Alaska and all those who desire to participate in this fishery from now on.

Sincerely,

Gary Mulligan

cc: Clem Tillion
ATA
UFA

ricity of its register of quota-holders, so lenders are reluctant to accept borrowers' quotas as security; the registration system does not provide for registrable interests against quota rights, nor protection of collateral in the event that quota is forfeited as a result of an offence by its holder; and the prohibition against foreign holders means that quota is meagre security for foreign-owned banks. These impediments significantly lower the value of quota rights, impair the financial security of quota-holders, and aggravate tendencies toward concentration of holdings in large enterprises. Obstacles to raising funds also make it difficult to take on management responsibilities. Just as agricultural improvements often depend on farmers' ability to mortgage land, the ability of quota-holders to invest in resource development and enhancement depends on their access to capital.

Development of the property rights approach to fisheries management calls for a legal register of property rights and interests, like that for registering interests in land and the recently-introduced system of registering radio frequencies. Both of these other models provide for registering mortgages, and are well accepted by financial institutions. Modest administrative changes would provide corresponding arrangements for quota rights.

Charges for Fishing Rights

Among the most contentious issues of fisheries policy are the Crown charges for fishing rights. There are many complicated aspects to this question, including those of fairness, financial incentives, cost recovery, and the resource owner's financial interest, all of which give rise to endless debate within the fishing community. The whole issue has been aggravated by the financial arrangements under the Ministry's 1989 "Accord" with the fishing industry, when the denomination of quotas was changed from specific quantities of fish

to percentages of the available catch. In compensation, the Government undertook to return to the industry roughly \$20 million annually in rentals to be collected during the ensuing five years.

"Above all else the industry wants simplicity, predictability and certainty from the rental setting process."

NZ Fishing Industry Board

Rental arrangements have not been administered as originally intended, and they have had unintended impacts on the management of fisheries. The Ministry had hoped to collect all the net value — the so-called "resource rent" — thereby keeping the market value of quota low, and so being able to effect necessary reductions in allowable catches by purchasing back quota at tolerable cost. In the event, resource rentals were substantially capitalised in quota values. Thus, when it became apparent that significant reductions in catches of orange roughy were needed, the cost was unmanageable: quotas were converted to percentages, and quota-holders were promised compensation in the form of reimbursement of rental revenues. These arrangements, and litigation over them, continues to strain relations between the Government and the fishing industry.

In retrospect, the financial outcome for the Crown has fallen far short of expectations. Between 1986 and 1989 the Ministry's cost of operations was roughly matched by revenues from rentals and sales of quota. Since then, with the reimbursement of rentals, revenues have fallen well short of costs. Far from generating a return to the Crown, the fisheries produce a substantial net loss to the Treasury, expected to amount to some \$200 million over the five years of the "Accord".

Clearly, a more considered and durable revenue policy is needed for the long term. But before the arrangements are manipulated further, some fundamental questions should be addressed. The first question is the government's financial objective in revenue raising. Given all the usual taxes levied on goods and services and on business and personal incomes, what special public charges, if any, should be applied to those who hold fishing rights?

The two main justifications for levying charges are to recover the public cost of managing the resources, and to provide a financial return to the public owner. I have found widespread support, in principle, for the first of these: that is, a policy of recovering, from the resource users, revenues at least sufficient to cover the public cost of fisheries management.

Support for cost recovery usually carries with it certain caveats, however. One, of special concern to commercial fishers, is that users must contribute equitably, and the burden must not be borne by one sector to the exclusion of another. Broadening the quota system to include recreational fisheries, as suggested above, would facilitate such even treatment.

Another condition is that, if users are to pay management costs, they must have the opportunity to take over management functions which they believe they could carry out more efficiently than government. Users' management associations of the kind I propose in Chapter 5 would provide a suitable vehicle for assuming such responsibilities. I believe, as do some commercial, Maori and recreational groups, that there is considerable scope for those who hold fishing rights to take over management functions in this way, as long as the Government retains ultimate responsibility for quality control and compliance.

The question of charges in addition to the cost of management, as a return to the public owners of the resources, is much more contentious. It raises

fundamental questions about ownership, the interpretation of the Treaty of Waitangi, the responsibilities of government, and consistency with policy in other sectors. These are issues of a fundamental legal and political nature, on which I can offer only a couple of observations.

First, experience in New Zealand and elsewhere demonstrates convincingly that it is impractical to try to assess and capture the entire resource rent by means of an annual charge. The concept of economic rent is so elusive, hard to quantify, and so volatile in the face of changing markets and resource conditions that it does not provide a feasible basis for assessments.

Second, resource rents have, for the most part, already been capitalised in the market value of quota. More than 80 percent of quota rights have changed hands at prices that incorporate these resource values, so they cannot now be captured without expropriating quota-holders' investments. The only feasible way to capture all economic rents is by tendering the rights when they are first allocated, but the opportunity to do that has been lost except for fisheries still outside the quota system.

Third, notwithstanding legal niceties, the quota management system has effectively transferred property interests in fisheries from the Crown to quota-holders, thus weakening the Crown's claim for a return to the owner.

All this leads me to suggest that, if it is decided that a charge in addition to the cost of management is appropriate, it should not attempt to capture the full economic rent; it should take the form of a simple supplement that does not depend on recurrent calculations of revenues, net returns or other economic variables; and it should be kept stable over time.

Once the Government's revenue objective is decided, a separate issue is the way in which the burden is to be distributed and assessed. The range

of possibilities for raising the revenue is almost infinite, including royalties on the catch, rental charges on quota rights and special taxes. Whichever device is adopted, it must be distributed among species or fisheries in some fashion. Hitherto, the bulk of fisheries revenues has been raised from initial sales of quota and annual rentals on quota holdings. Rentals have been calculated and assessed on each species with reference to several somewhat inconsistent statutory criteria including quota prices, likely net returns and cost differences between domestic and foreign vessels. Moreover, so many adjustments and limitations have been applied to the rates that they are not now systematically related to either management costs or resource values.

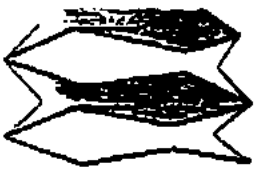
Any system of levies that depends on the prices of fish or the profitability of fishing enterprises is fraught with difficulty. The landed value of fish and fish products (especially when they are directly exported), and the allocation of costs and revenues associated with integrated operations, are difficult to determine reliably. Such assessments give rise to costly surveillance and endless dispute. Moreover, differences in the landed price of fish are not reliable guides to the relative value of fishing rights.

In my opinion the guiding principle in distributing the burden of governmental charges should be cost recovery: that is, the required revenue should be raised through charges on holders of fishing rights, distributed among them in a way which corresponds, as closely as possible, to the costs they impose on the Treasury. This is the principle which is most widely acceptable, and it also focuses desirable incentives for economy in resource management and administration.

The Ministry can attribute most of its costs of research, management and enforcement to particular fisheries, so a breakdown of total costs by fisheries is the first step in cost allocation. Some costs cannot be easily attributed to particular fish-

eries, of course, but they can be assigned in proportion to those that can. The Government can then levy a charge on each quota-holder in a fishery according to his share of the total quota, which is the closest approximation of his share of management costs.

Where a fishery has an effective association of quota-holders of the kind described in the following chapter, the total cost attributed to the fishery might simply be levied on the association, allowing it to distribute the burden among its members as it sees fit. This would likely lead to further application of the user-pay principle, since some costs (for example, the cost of official observers for transshipments at sea) can be assigned to specific enterprises.



THE INSTITUTIONAL FRAMEWORK

The most complicated and subtle part of policy development, and at the same time the most critical to the outcome, is the design of the institutional structures intended to give effect to the policy. Quota rights are new instruments of policy, but they work within a framework of other structures such as legislation and fisheries management plans which collectively determine how fisheries are managed and used, and how well objectives are achieved.

New Zealand's quota management system has been superimposed, to a large extent, on regulatory mechanisms that were designed for managing fisheries under the former, highly regulatory, system. Under the new management system, some of these mechanisms are no longer necessary, and others are not well suited to needs. To accommodate future development of the system within a new legislative framework, some streamlining of the regulatory structure is desirable. In this chapter, I review the present mixture of old and new mechanisms, and suggest how they might be rationalized to complement the new property rights approach to fisheries management.

Existing Policy Instruments: An Awkward Combination

New Zealand's fisheries policy is embodied in formal rules set out in legislation and regulations, in the permits and rights issued to those who fish, and in procedures for planning, administration and enforcement. The present institutional machinery is the accumulated responses of government to problems and needs as they arose over more than a century.

The Government's main fisheries legislation is the 1983 *Fisheries Act*, which replaced and incorporated much of an act of the same name passed in 1908. Some aspects of fisheries policy are dealt with in other statutes, such as the 1971 *Marine*

Fishing Act, the 1989 *Maori Fisheries Act*, and the 1977 *Territorial Sea and Exclusive Economic Zone Act*. These statutes, and their supplementary regulations, constitute the fisheries law, and are the most traditional instruments of fisheries management.

For more than eighty years all commercial fishers have been required to obtain *fishing permits*. These annual permits are issued for specific fisheries by the Director-General of Fisheries, who may attach conditions to them to regulate fishing.

In 1977, a provision was made for designating problematical fisheries as *controlled fisheries*, which are assigned to a special management authority with strong powers to regulate fishing, including closing it altogether. Where fishing is allowed, commercial fishers require special *controlled fishery licences* in addition to fishing permits.

When the quota management system was introduced in 1986 it required commercial fishers to hold, as well as a permit, a *quota* (or an individual transferable quota, or ITQ), which authorises them to take specific portions of the total allowable catch in any fishery included in that system.

Before the quota system was adopted, the 1983 *Fisheries Act* had made the Ministry responsible for defining fishery management areas and preparing a *fisheries management plan* for each. The planning process was meant to provide a channel for public consultation, and the plans were intended to provide the Ministry with authority to manage all aspects of fishing. Certain geographical designations, in addition to fishery management areas, are authorised under other statutes for special purposes, two of which are important here. *Marine reserves* are provided for in the *Marine Reserves Act* and administered by the Department of Conservation for the protection of special marine areas in their natural state. The *Maori Fisheries Act* provides for *raupapa*, which are defined coastal areas enclosing fisheries for the use of local communities.

This panoply of regulatory instruments, and especially the way in which they inter-relate, demands review... If we begin with quota management as the centrepiece of the management system, and seek a policy framework that will give it more scope, some of the present mechanisms appear redundant and others inappropriate.

An urgent issue is the ambiguity about the legal precedence among all these arrangements. For example, it appears that regulations override conditions on permits, but it is unclear whether they override the provisions of controlled fishery licences and fishery management plans. When quota rights were introduced their status relative to these other mechanisms was left unclear, though courts have ruled that regulations and plans must not interfere unduly with these rights. How they all apply to marine reserves, marine farms, and taiapure is uncertain. Obviously, this confusion needs to be sorted out.

A more fundamental issue is the awkward mixture of regulatory and property interests in this framework. Some mechanisms, such as fishing permits and management plans, were introduced when fisheries management was based entirely on governmental planning and regulation. Today, they encumber, and sometimes conflict with, quota management.

Deficiencies and Redundancies

The traditional regulatory approach to fisheries management is epitomized by fisheries management planning, which is entirely out of tune with the new reliance on property rights and self-regulation of fishing. Fisheries management plans envisage the Ministry as the official "hands-on" manager of everything to do with fishing. It therefore needs wide and detailed authority to attend to its broad responsibilities (in the words of the *Fisheries Act*) "...to conserve, enhance, protect, allocate and manage the fishery resources..." through fixing

harvest limits, allocating catches and controlling fishing operations.

In the context of the new policy approach these plans are inappropriate, as a management device, in several important respects:

- They are over-ridden by quota rights. Plans can impose controls such as gear restrictions on quota-holders, but the legal status of the property rights in quota means that plans cannot infringe upon them. The *Maori Fisheries Act* has further narrowed the scope of management plans, and their status in controlled fisheries is unclear. In short, the legal scope for planning control has shrunk, and the status of plans in relation to other mechanisms is ambiguous.
- The primary purpose of the management plans, when they were introduced in 1983, was to prevent depletion of fish stocks. This role has been usurped, in large part, by the allocation of catch quotas.
- The planning process is an unsatisfactory channel for the needed public input into decision-making. Establishing environmental ground-rules for fishing calls for broad and meaningful consultation with public interest groups concerned with such diverse issues as sea-birds and mammals, other interdependent stocks of fish, the health of reefs and seabed habitats. The present management planning process provides for public consultation, but it gives participants the false impression that their efforts will result in enforceable rules and outcomes for which the Ministry can be held accountable.
- Management plans are too inflexible for effective resource management. In the first place, their production is an excruciatingly slow process: after eight years and much effort on the part of the Ministry and private interest groups, no plans have yet been ap-

proved. Second, their specifications can be rapidly overtaken by developments in technology, resource conditions, markets and public demands. Third, they obstruct new initiatives, responses to local opportunities, and experimentation.

The planning and regulation approach to fisheries management is fundamentally at odds with a system based on property rights and economic incentives. The former presupposes day-to-day regulatory control of fishing operations, while the latter establishes a framework to enable fishers to efficiently manage their own affairs. In 1983, when fisheries management plans were introduced, the planning and regulatory approach to fisheries management was the only approach considered; since then, the adoption of a property rights system suggests that the responsibility for managing fishing and related activities should be carved off and assigned to users what is needed in addition is a carefully structured consultative process for establishing the ground-rules within which the resource users are permitted to pursue their interests.

For these reasons I find the present provisions for fisheries management plans anachronistic and inappropriate, and I conclude that they should be abolished in favour of a more suitable process (which I describe below) for establishing the parameters within which those with rights to fish may manage and use resources.

Fishing permits, also, serve no obvious purpose in the new framework. They have traditionally been used to apply various rules and restrictions about fishing methods, fishing areas and so on. But courts have insisted that all the permits issued for a fishery must be generally the same, and so general rules are now usually set out in regulations instead. As fisheries policy has evolved from a largely regulatory approach to one based on property rights, with rights to fish embodied in quota holdings, permits seem to have lost their function.

Specifying Conservation Standards: The Role of Government

I therefore suggest that consideration be given to simply abolishing permits in the new legal framework for fisheries management. The necessity of controlled fisheries licenses is also questionable.

The new approach to fisheries management involves separating the responsibility for managing from the responsibility for protecting broader public interests in the conservation of resources. The former can be assigned, for the most part, to those who hold the rights to fish; the latter is the responsibility of government.

The Government's essential role is to identify the public interests that are affected by fishing, and to protect them by setting out enforceable ground-rules within which those who have rights to fish can organise themselves and exercise their rights. This is consistent with the accepted role of the Government in planning land and water resource use in New Zealand, and is reflected in the new Resource Management Law Reform Bill as well.

"Our interests in the management of fisheries reflect a broader concern for the marine environment."

*Gordon Ell, President
 Royal Forest and Bird Protection Society of NZ Inc*

Broader public interests in a fishery can best be protected by specifying the standards of management that those who use the resources are obliged to achieve. These standards, which I refer to as *conservation prescriptions*, should deal strictly with conservation objectives and related environmental concerns, and how performance will be measured and enforced.

Conservation prescriptions should be:

- Specific to particular fisheries (or complex of fisheries), recognising their special environmental circumstances and problems.
- Based on clearly defined objectives and measurable standards of performance, with appropriate provisions for information gathering, monitoring, quality controls and auditing.
- Enforceable against those who fish, with appropriate financial and other penalties.
- Adaptable, providing for specific needs such as gradual expansion of stocks or staged reduction of by-catches, and incorporating defined responses to unforeseen contingencies.
- Durable over time, so that those with fishing rights can plan and conduct their operations within a stable set of rules.

The conservation prescriptions for a fishery should thus set out the constraints within which the resources can be harvested and developed. In contrast to the present fisheries management plans, they should not be concerned with managing fishing and allocating catches, but rather with long-term conservation objectives and the standards of performance to be achieved. They should leave decisions about harvesting and stock management as much as possible to those who hold the fishing rights.

The process of designing conservation prescriptions affords an opportunity to bring to bear the full range of environmental impacts and interests at stake. Effective consultation can improve communication and understanding between public interest groups and planners, increase the information available, and improve public acceptance of the results.

However, the benefits of consultation can be realised only if the process is perceived to have a

meaningful influence on the results. This calls for a systematic consultation process, to accommodate public participation, and to channel the views and advice of interest groups into the decision-making. Contributions should be sought from both private groups and public bodies such as the Department of Conservation and local government whenever their interests may be affected, as suggested in the Ministry for the Environment's procedures for assessing environmental impacts.

Responsibility for preparing conservation prescriptions and organizing public participation can be assigned to the Ministry, or to a quango appointed for this purpose. Its task will be partly technical, so it will need access to technical information and professional advice, which should be accessible to other interested groups as well. But its decisions will also involve subjective assessments and compromises between commercial and non-commercial values. Because the balancing of conflicting interests inevitably involves value judgments, and because the standards of performance must have legal status, the Minister should ultimately be responsible for resolving any outstanding issues, and for officially approving the final conservation prescriptions.

The complexity of conservation prescriptions is likely to vary widely. For an entirely commercial fishery like the orange roughy fishery, which presents relatively few special environmental problems and where the number of quota-holders is small and they have similar interests, the rules can be simple, specifying mainly the minimum stock size or productivity that must be maintained, and how it will be monitored. Prescriptions for other fisheries will have to deal with such diverse matters as the protection of birds and mammals, impacts on other fish species and on ocean habitats and ecosystems, in addition to conservation objectives for the stock. However, these are not novel issues in fisheries regulation.

For established fisheries, initial prescriptions might draw upon existing arrangements, but new fisheries should require at least temporary prescriptions for the exploratory phase before fishing begins. A standard reference document or manual, setting out scientific standards and techniques for testing and measuring biological relationships, would expedite the preparation of these conservation prescriptions:

Managing Fisheries: The Role of Resource Users

Within the limits of official conservation prescriptions, those who hold the rights to fish should be encouraged to manage resources and their fishing operations, taking account of all the costs and benefits of their actions. This will involve making collective decisions about fishing patterns and fishing rules, projects of enhancement, exploratory fishing and research, financing these activities, and administering their arrangements with the Government, among other things.

To enable quota-holders to engage in this kind of collective action in an orderly fashion, they should have legal authority to organise themselves. This can be provided by a simple legislative provision authorizing the quota-holders in a fishery to form an association, and (within the constraints of the conservation prescriptions) to make rules, undertake projects and levy assessments on themselves, subject to endorsement by, say, two-thirds vote based on quota holdings. This arrangement is needed to ensure that mutually beneficial programmes and projects can be undertaken with assurance of the co-operation and compliance of all participants in the fishery. It is consistent, in principle, with the provisions of the 1990 *Commodity Levies Act*.

The quota-holders in a fishery would then be expected to form such an association, or co-operative, to govern their activities and to manage their

mutual interests. They would retain control of their association much like shareholders in an enterprise. The participating members of each association would include recreational as well as commercial fishing interests to the extent that they hold quota in the fishery.

"It is my view that it is timely to begin considering ways in which the users can plan to take on the mantle of managing the resource upon which they are dependent and over which they have stewardship."

Peter Tallop, President

NZ Fishing Industry Association

Fisheries associations would thus become the vehicle for management by the users. They would be in a position to design fishing regimes for the benefit of their members, alleviate resource management problems such as local depletion, and comply with conservation prescriptions about by-catches and related matters. They might find it advantageous to adopt more stringent conservation targets than those provided for in their conservation prescriptions, to build up stocks and hence their harvests, to reduce their fishing costs or to produce more valuable products.

The Government, or other body holding quota on behalf of recreationalists, could participate in the affairs of associations along with other quota-holders. Some protection for minority interests may be needed in some cases. This could be provided by raising the percentage approval required for collective decisions, by appeal arrangements, or by veto rights for certain quota-holders or for government-held quota (along the lines of the so-called "Kiwi share" in some former state enterprises).

The fishing regimes designed by fisheries associations for their members would provide an important vehicle for taking account of the differing requirements of recreational and commercial fishermen and for resolving conflicts between them. Agreement on arrangements such as excluding commercial activity in certain inshore areas of special recreational value, or live release of game fish caught incidentally in commercial operations, would go a long way to alleviate some of the present friction between these groups.

Exploration, Research and Enhancement

With these arrangements in place, those who hold the rights to the resource will be well placed to assume management responsibilities. In addition to organizing fishing, they will be able to sponsor research to establish the yield capacity of fish stocks, find new stocks, organise surveillance systems, and undertake enhancement for their mutual advantage, taking account of all the costs and benefits involved.

Until recently, private fishing interests have had little incentive to voluntarily invest in fisheries research, exploration and enhancement. However, the quota management system encourages such initiatives by clearly identifying those who will reap the benefits, and the change to percentage quotas has given the quota-holders all the potential, as well as the present, yield of a fishery.

Holders of commercial quota have already begun to show interest in these activities. In both the southern scallop fishery and the Chatham Islands paua fishery, the quota-holders have begun organizing enhancement projects at their own cost; orange roughy quota-holders are beginning to organize expensive exploration ventures; and current discussions may lead to management responsibilities being assumed by quota-holders in lobster and squid fisheries. If the general direction of

policy development is to shift more management responsibilities onto those who hold the rights to the fish, such efforts should be encouraged.

The proposed fishery associations will stimulate this shift of management responsibilities to resource users by empowering them to act collectively. They will be able to sponsor projects on behalf of all quota-holders, or contract with a subgroup of them, or with outside parties, as they see fit. Meanwhile, the Government will be able to attend to its responsibilities in environmental protection by setting the constraints on private management and use through conservation prescriptions.

Fisheries Board

My suggestions in this chapter imply an institutional structure built on individual fisheries. This is because fisheries are the basic management units: each has its own resource base, its special conservation problems, its distinct group of quota-holders, and its unique opportunities for development. However, some mechanism, which I refer to here as a fisheries board, is needed to bring all New Zealand's fisheries interests together, to attend to matters of common concern.

The Government, as well as private fishing interests, would benefit from a representative body which could:

- Assist fisheries associations with expertise and support services in contributing to the preparation of conservation specifications, and help them in their dealings with the Government generally.
- Provide management services to fisheries associations, including the organization of fishing, research and exploration programmes, monitoring of fishing operations and data processing.

- Give advice to the Ministry about standard practices and quality controls, monitoring systems and other issues of policy administration, and provide a channel of continuing communication between the Ministry and fishing interests.
- Operate a quota exchange.
- (Possibly) assume responsibility for organizing and administering the needed quota registry, and catch-against-quota monitoring system.

Commercial fishing interests are now represented primarily by four nation-wide bodies: Maori, recreational fishing and environmental interests are each represented by several also. None claims the balanced representation of all fisheries interests needed for a fisheries board of this kind except possibly the Fisheries Council, which at present is confined to the role of providing advice to the Minister. While there will always be a place for special interest groups, the fisheries board would provide the forum for dealing with their common interests.

I suspect that such a fisheries board would become the primary resource centre for fisheries associations, providing the economies of scale and professional strength to efficiently organise management and development programmes. In the long-term, if experience is auspicious, it might be assigned increasing responsibilities for fisheries monitoring, data collection and enforcement.

A case can be made for confining the responsibilities of this proposed board to its operational and service delivery roles, leaving out the advisory function, so that it can organize and conduct its affairs in a consistently businesslike style. Thus some commentators advocate retaining the present Fisheries Council to provide a separate forum for fostering communication among interest groups, serving as a sounding board for the Minister, and

channelling advice to the government. The logic of separating these functions is persuasive. I am also attracted by the suggestion that the Fisheries Council might be organised on a regional basis (like the present "Fishmaats") to enable them to deal with particular fisheries and assist with their conservation prescriptions. But I am reluctant to propose such arrangements before further exploration of the full range of responsibilities and the organizations to which they can be assigned. It is difficult to avoid the conclusion that there are already too many separate bodies representing each of the major fishing interest groups, which weakens their effectiveness.

Governmental Responsibilities

To complete this discussion of institutional structures and responsibilities, I should comment further on the role of the public service in the scheme of things envisaged in the preceding pages.

"Sustained high quality fishing depends on fishery resources being maintained through scientific management and research."

NZ Recreational Fishing Council

We can assume that fisheries will continue to be of sufficient economic and political importance in New Zealand to call for a Minister responsible for fisheries. The Minister will need continuing support from a competent body of public servants. While my suggestions in this report imply assigning some of the present functions of the Ministry to resource users and others, it is important to recognise a range of responsibilities that must remain with government.

These responsibilities include

- Providing the government with continuing, expert policy advice, and analysis of advice received from others.
- Ensuring continuity and consistency in public administration over time, and continuing communication with resource users and interest groups.
- Determining standards of scientific and administrative performance, and how they will be measured and assessed.
- Ensuring that products meet quality standards sufficient to protect public health, and are honestly labelled and represented.
- Conducting audits of commercial practices and environmental protection measures, to ensure that standards are maintained, objectives achieved, and, generally, that the public interest is protected.
- Maintaining a strong enforcement capability.

While government must accept responsibility for these activities, they need not all be carried out within the same ministry, or indeed within government itself.

The governmental role in enforcement is particularly important to the integrity of the quota management system. Some rule-making and policing can undoubtedly be undertaken by holders of quota rights; just as private organisers of commodity and stock exchanges make and enforce rules about market trading and reporting, so the proposed fisheries board could be expected to regulate quota trading. But the government must accept responsibility for ensuring that the arrangements work fairly, efficiently, and in the public interest. This will require a capability to conduct audits of the system to ensure that appropriate rules and standards are in place, and random audits of operations to ensure compliance.

Other dimensions of enforcement include protecting national interests within New Zealand's vast 200-mile fishing zone, ensuring compliance with conservation specifications, and policing for criminal activity such as black marketing of fish. In these matters, private interests can help through co-operation and supplying information, but the ultimate enforcement capability must be provided by government. The government must also retain direct responsibility for special statutory powers needed to ensure compliance with management systems.

Research presents distinct organisational issues. I have suggested that fisheries associations will require scientific expertise, which they are likely to want to contract from private or governmental agencies. Government will also have a continuing need for research capability, though it need not all be maintained internally. I foresee an increasing need for research results that are considerable, and the Government is likely to find it advantageous to encourage competition for research contracts among governmental, private and university research organisations.

Currently, the organisation of governmental research of all kinds is being reviewed, and fisheries research must ultimately fit within national research policy. But it is important to ensure that, somewhere in New Zealand, a substantial centre of fisheries research is maintained, with the scientific expertise needed to respond to the unique natural resource management problems of this region. Moreover, in contemplating possibilities for conducting fisheries research outside government, it is crucial to ensure that the core body of accumulating fisheries data and research findings is kept in a central library and in a form that is continuously available to governmental researchers, those who undertake governmental research, and others concerned with fisheries management.

FISHERIES LAW

Many of my suggestions in the preceding pages would require changes in legislation. Since the recently appointed task force has been assigned responsibility for designing new fisheries legislation I will not attempt to deal with it here, except to make a couple of general observations.

One is that the present fisheries legislation is fragmented; for example, marine reserves, marine quotas rights and aquaculture are each dealt with under separate statutes. The separation of the last two is increasingly inappropriate as the distinction between fishing and fish farming becomes blurred with developing technology. Fisheries policy would be more consistent and coherent if all fisheries-related matters were pulled together in a comprehensive statute.

A second observation is that the present legislative provisions for exclusive geographical rights seem inadequate. Apart from the marine farming licenses issued for physical structures in the sea, the only arrangement of this kind is the capture intended to protect traditional fishing resources and sacred sites, and to ensure food for marine use. Though no capture have yet been approved, several applications are being prepared. They are expected to be managed by committees appointed by the Minister. However, these committees will not be able to claim exclusive rights to the resource.

Experience in other countries has shown that many fisheries, particularly those involving shell-fish and sedentary species, can be best managed under leases or freeholdings which provide exclusive rights over defined areas. In the same way that such arrangements enable efficient agriculture, they can promote fish farming. Such area-based rights are also consistent with the property rights approach to resource management. Provision for leases or other forms of rights over specified areas

should therefore be considered in designing new legislation.

A third observation is that the complete dependence on criminal law is out of tune with the shift in policy toward property rights, and the law needs to be redesigned to support the new approach. As a legal basis for regulating property and contractual arrangements, criminal law demands standards of proof that are too onerous. It provides penalties which are not sufficiently discriminating, and it is preoccupied with defining illegal behaviour without adequate attention to procedures for resolving conflicts.

Criminal law remains appropriate for crimes such as poaching and theft, for which severe penalties, including jail, are suitable. But problems that arise among holders of fishing rights call for administrative law, with its emphasis on processes for dealing with disputes and offences against identifiable commercial interests are better controlled under commercial law with its more appropriate financial deterrents and punishments that strike the cruder. Thus, to bring the regulatory and enforcement system into harmony with the new management system, a better balance between criminal, administrative, and commercial law is needed.



CONCLUSION

The quota management experiment has succeeded in demonstrating a new and better approach to fisheries management, based on property rights and self-regulation. The task, now, is to build on the successful experiment; expand the quota system, improve it, and harmonize the other machinery of fisheries policy with it.

At present, the partial adoption of the quota system has left an awkward combination of the old and new management approaches. The traditional regulatory approach depends on quite different governmental powers, institutional arrangements and enforcement systems than those needed for quota management. Maintaining both approaches within the same policy framework is costly, confusing and often conflicting. In the interests of coherence, administrative efficiency and consistent treatment of competing interests, the quota management system should be extended to embrace the fisheries, and fishing groups, that it now excludes.

The quota management system has created legal property and substantial financial interests in rights to fish resources. But quota rights have been designed experimentally, and modified in response to unforeseen exigencies. Today, in the light of experience, and with clear policy objectives, there is much room for improvement in the terms and conditions of these key instruments of the quota system. Making them more secure, flexible and valuable property rights will encourage their holders to take on more responsibilities, and to prudently manage and develop the fisheries.

The quota management system has left much of the other regulatory machinery obsolete or deficient. In a fundamental way, the respective roles of government and those who hold the rights to resources need to be redefined, and policy instruments redesigned accordingly. There is now wide support for shifting management responsibilities onto resource users, and a readiness among quota-

holders to take on more responsibility. The quota system itself provides an effective vehicle for broadening the role of resource users. The critical task is therefore to design a framework for protecting the broader public interest in the environment and in resource conservation, within which those who hold rights to the fish can organise their fishing and resource management.

My tour of fisheries policy in this report has ignored many issues and problems, some of them pressing and important. This has been deliberate, in view of the forthcoming intensive review of the task force on fisheries legislation and my own limitations as an external observer. It has also been influenced by my strong impression that what is most needed at this juncture is a step back from the detail and the on-going aggravations to gain a broad perspective on the policy framework, its objectives, the mechanisms for achieving them, and the coherence of the whole system. In this context, opportunities for developing the new approach to fisheries management over the long-term become clearer.

"The return of our property rights in fish is one thing. Developing the skill to maintain and hold them for our makopuna is the next great challenge."

*Tipene O'Regan, Chairman
Maori Fisheries Commission*

I have already explained my hesitancy to address the question of Maori claims on fish resources, though this is a matter that permeates almost all aspects of fisheries policy. As far as I can tell, my suggested changes in fisheries policy would not necessarily interfere with Maori interests, and may

even provide means of making them more secure. But the implications of alternative policy arrangements for Maori entitlements calls for separate study and thorough consultation.

At the outset of this report I noted that fishing nations around the world have begun to realize that traditional methods of managing fisheries are inadequate to either conserve natural resources or to protect the interests of those who use them. New Zealand has become the leader in developing a new approach. By maintaining the momentum of innovation, and building on the successful experiment in quota management, New Zealanders can continue to lead, and at the same time realize more fully the range of potential benefits of their natural resources.

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HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
<p>Sec.1. DEFINITIONS. Definitions for terms used herein shall be the same as those contained in the Magnuson Fishery Conservation and Management Act, except as follows:</p>	<p>Sec.1 DEFINITIONS. Definitions for terms used herein shall be the same as those contained in the Magnuson Fishery Conservation and Management Act, except as follows:</p>
<p>(A) "Person" means any individual who is a citizen of the United States or any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any state) which meets the requirements set forth in 46 CFR Part 67.03, as applicable. This definition is subject to other restrictions and conditions as set forth in Sec.(2)(C) and (D).</p>	<p>(A) "Person" means any individual who is a citizen of the United States or any corporation, partnership, association, or other entity (whether or not organize or existing under the laws of any state) which meets the requirements set forth in 46 CFR Part 67.03, as applicable. This definition is subject to other restrictions and conditions as set forth in Sec.(2)(c).</p>
<p>(B) An "individual" shall be defined as a natural person who is not a corporation, partnership, association, or other entity.</p>	<p>(B) An "individual" shall be defined as a natural person who is not a corporation, partnership, association, or other entity.</p>
<p>(C) "Quota share" (QS) means a percentage of the fixed gear Total Allowable Catch (TAC) for each management area which is based on historical, qualifying landings.</p>	<p>(C) "Quota share" means a percentage of the fixed gear Total Allowable Catch (TAC) for each management area which is based on historical, qualifying landings.</p>
<p>(D) "Individual fishery quota" (IFQ) means the annual poundage of fish derived by applying the quota share percentage to the annual TAC for each management area.</p>	<p>(D) "Individual fishery quota" (IFQ) means the annual poundage of fish derived by applying the quota share percentage to the annual fixed gear TAC for each management area.</p>
<p>(E) "Fixed gear" means hook and line fishery (which includes longlines, jigging, handlines, trolling, etc.).</p>	<p>(E) "Fixed gear" means hook and line gear (which includes longlines, jigging, handlines etc.) and pot gear.</p>
<p>(F) "Catcher boat" or "catcher vessel" means any vessel which delivers catch or landing in an unfrozen state.</p>	<p>(F) "Catcher boat" or "catcher vessel" means any vessel which delivers catch or landing in an unfrozen state.</p>
<p>(G) "Freezer longliner" means any vessel engaged in fishing in the fixed gear fishery which utilizes freezer capacity and delivers some or all of its groundfish product in a frozen state.</p>	<p>(G) "Freezer longliner" means any vessel engaged in fishing in the fixed gear fishery which utilizes freezer capacity and delivers some or all of its groundfish product in a frozen state.</p>
<p>(H) "Bonafide fixed gear crewmember." Any person that has acquired commercial fish harvesting time at sea (i.e. fish harvesting crew), that is equal to 15 months of any commercial fish harvesting activity, to include at least 4 months fixed gear fish harvesting, will be considered a bonafide fixed gear crewmember. Any individual who receives an initial allocation of QS will be considered a bonafide crew member.</p>	<p>(H) Bona fide fixed gear crew member. Any individual that has acquired fishing time at sea, time being equal to port to port, that is equal to 15 months from any commercial fishing activity for species managed by the North Pacific Fishery Management Council, International Pacific Halibut Commission, or State of Alaska, and including salmon, herring and crab, with at least 5 months longline fishing will be considered a bona fide fixed gear crew member.</p>

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Sec.2. FIXED GEAR QUOTA SHARE AND INDIVIDUAL FISHERY QUOTA SYSTEM FOR HALIBUT.	Sec. 2. FIXED GEAR QUOTA SHARE (QS) AND INDIVIDUAL FISHERY QUOTA (IFQ) SYSTEM FOR SABLEFISH.
(A) AREA. Quota shares and Individual Fishery Quotas (IFQs) shall be made available for each of the management areas identified for the Bering Sea and the Gulf of Alaska.	(A) AREA. Quota shares and Individual Fishery Quotas (IFQs) shall be made available for each of the management areas identified for the Bering Sea and the Gulf of Alaska.
(B) INITIAL QUOTA SHARE ASSIGNMENT. Quota Shares and Individual Fisheries Quotas shall be assigned to qualified persons on the following basis:	(B) INITIAL QUOTA SHARE ASSIGNMENT. Quota Shares and Individual Fisheries Quotas shall be assigned to qualified persons on the following basis:
(1) Initial assignments of Quota Shares shall be made to;	(1) Initial assignments of Quota Shares shall be made to;
(i) a qualified person who is a vessel owner who meets the requirements in this section; or	(i) a qualified person who is a vessel owner who meets the requirements in this section; or
(ii) a qualified person who meets the requirements of this section engaged in a lease or other "bare-boat charter" arrangement in order to participate in the fishery. (For instances identified under this section, the qualified person shall receive full credit for deliveries made while conducting the fishery under such a lease or arrangement.)	(ii) a qualified person who meets the requirements of this section engaged in a lease or other "bare-boat charter" arrangement in order to participate in the fishery. (For instances identified under this section, the qualified person shall receive full credit for deliveries made while conducting the fishery under such a lease or arrangement.)
(2) Initial quota share assignments will be made only to persons who meet all other requirements of this section and who have landed halibut in either 1988, 1989, or 1990.	(2) Initial quota share assignments will be made only to persons who meet all other requirements of this section and who have landed sablefish in either 1988, 1989, or 1990.
(3) Initial assignments of quota shares shall be assigned for each management area to qualified persons based on recorded landings, as documented through fish tickets or other documentation for fixed gear landings, for the period 1984 through 1990. For each management area, each person will select five (5) years out of seven (7) on which to base that person's quota share.	(3) Initial assignments of quota shares shall be assigned to qualified persons based on recorded landings, as documented through fish tickets or other documentation [for fixed gear landings], for the period 1985 through 1990. For each management area, each person will select five (5) years out of six (6) on which to base that person's quota share.
(4) The sum of the catch in each person's five (5) selected years for each area shall be divided by the total qualifying poundage of all halibut harvested for the qualifying period in those selected areas. The resultant percentage shall be that person's quota share for that area.	(4) The sum of the catch in each person's five (5) selected years for each area shall be divided by the total qualifying poundage of all sablefish harvested for the qualifying period in those selected areas. The resultant percentage shall be that person's quota share for that area.

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
(C) VESSEL CATEGORIES. Quota shares and IFQs shall be assigned by vessel category as follows:	(C) VESSEL CATEGORIES. Quota shares and IFQs shall be assigned by vessel category as follows:
(1) Freezer Longliner Shares:	
(i) All landings made during the qualifying period by freezer longliners shall be calculated for one category of quota shares.	(1) All landings made during the qualifying period by freezer longliners shall be calculated for one category of quota shares.
(ii) Any person owning freezer longliner quota shares may sell or lease those quota shares to any other qualified person for use in the freezer longliner category.	(2) Any person owning freezer longliner quota shares may sell or lease those quota shares to any other qualified person.
(iii) Fish caught with freezer longliner IFQs may be delivered frozen or unfrozen. (viii)	(3) Fish caught with freezer longliner IFQs may be delivered frozen or unfrozen.
(2) Catcher Boat Shares:	
(i) All landings made during the qualifying period by catcher boats shall be calculated for a separate category of quota shares. There shall be two categories for catcher boats;	(4) All landings made during the qualifying period by catcher boats shall be calculated for a separate category of quota shares. There shall be two categories for catcher boats:
(a) vessels less than 60 feet in length overall;	(i) vessels less than 60 feet in length overall.
(b) vessels 60 feet and greater in length overall.	(ii) vessels 60 feet and over in length overall.
(ii) For initial allocation of catcher boat Quota Shares:	
(a) if a QS recipient owned or leased two or more vessels, of differing category sizes, simultaneously during the qualifying period which landed halibut, then the QS allocation shall be for each vessel category and may not be combined into a single category.	(iv) if a quota share recipient owned or leased two or more vessels simultaneously during the qualifying period which landed sablefish, then their allocations will be for each of those vessel classes.
(b) if a Q.S. recipient bought or sold vessels in succession during the qualifying period, and to the extent the QS recipient operations were in one vessel category during one year and the next vessel owned was in another vessel category, the QS will be combined and applied to the last vessel category of ownership as of 9/25/91.	(iii) those owners of record, which have bought or sold vessels and to the extent that the vessels operations were in the 60 foot and less one year and the next vessel owned was in the 60 plus category or the freezer longliner category, the ownership of record would be able to count all quota caught as if it were harvested by the last vessel owned.

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(iii) Any person owning catcher boat quota shares may sell those quota shares only to an individual meeting the provisions outlined under Sec. 2(C)(3). Ten percent of an individual's catcher boat quota shares may be leased during the first three years following implementation. (paraphrased)	2(C) (6) Any person owning catcher boat quota shares may sell those quota shares only to an individual who is qualified under (C)(5). Catcher boat quota shares may not be leased. (i.e., annual IFQs cannot be sold)
(iv) Fish caught with catcher boat quota shares may not be frozen aboard the vessel utilizing those quota shares.	2(C) (7) Fish caught with catcher boat quota shares may not be frozen aboard the vessel utilizing those quota shares.
(3) General Provisions For Catcher Boats Following Initial Allocation:	2.(C) (5) Following initial allocation [for catcher boats]:
(i) In order to purchase or lease QS, the purchaser must be an individual who is a U.S. citizen and be a bonafide fixed gear crewmember.	(i) In order to purchase catcher boat quota share: must be an individual who is a U.S. citizen and either own a fixed gear vessel or be a bona-fide fixed gear crewman.
(ii) In order to use catcher boat IFQs the user must: 1) own or lease the QS, 2) be a U.S. citizen, 3) be a bonafide crewmember, 4) be aboard the vessel during fishing operations, and 5) sign the fish ticket upon landing except as noted in (iii), below.	(ii) In order to use catcher boat IFQs: own the QS, be a U.S. citizen, either own the vessel (upon which the IFQs will be used) or be a bona fide crew member, be aboard the vessel during fishing operations, and sign the fish ticket upon landing.
(iii) Persons, as defined below, who receive initial QS may utilize a hired skipper to fish their quota providing the person owns the vessel upon which the QS will be used. These recipients may purchase up to the area allowed total share. There shall be no leasing of such QS other than provided for in section (C)(2)(iii). In the area east of 140 degrees in the Gulf of Alaska, this section shall apply only to that amount of quota shares initially issued to corporations and partnerships that initially received them. (Additional shares purchased by these corporations or partnerships in this area will not apply. Grandparent right is only for that initial allocation.) This provision will cease upon the sale or transfer of QS or upon any change in the identity of the corporation or partnership as defined below:	Those persons who received initial allocations will be allowed to purchase additional QS/TTQs and must own the vessel upon which the QS are utilized or be a bona fide crew member who is aboard the vessel during fishing operations, and sign the fish ticket upon landing. In the event of sale or transfer of the QS the new owner must comply with 2(c)(5)(iii). (iii) If any person which receives an initial allocation sells or transfers control of the original assignment of QS/IFQs the new owner must comply with Section 2(c)(5).

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(a) corporation: any corporation that has no change in membership except that caused by the death of a corporate member providing the death did not result in any new corporate members,	
(b) partnership: any partnership that has no change in membership,	
(c) individual: any individual.	
(iv) Quota shares, or IFQs arising from those quota shares, for any vessel category or any management area may not be transferred to any other vessel category or any other management area or between the catcher boat and the freezer boat categories.	2(C)(8) Quota shares or IFQs arising from those quota shares for either vessel category or any management area may not be transferred to the other vessel category or any other management area.
(v) The Secretary may, by regulation, designate exceptions to Sec.2(C)(3)(ii) to be employed in case of personal injury or extreme personal emergency which allow the transfer of catcher boat QS/IFQs for limited periods of time.	2(C) (5) (iv) The Secretary may, by regulation, designate exceptions to sections (i) and (ii) to be employed in case of personal injury or extreme personal emergency which allow the transfer of catcher boat QS/IFQs for limited periods of time.
(D) LIMITATIONS ON OWNERSHIP AND USE OF QUOTA SHARES. Each qualified person or individual:	(D) LIMITATIONS ON OWNERSHIP AND USE OF QUOTA SHARES. Each qualified person [or individual]:
(1) May own, hold or otherwise control, individually or collectively, but may not exceed, one-half percent (0.5%) of the total quota shares or IFQ arising from those QS for either the Gulf of Alaska or Bering Sea/Aleutian Islands, not to exceed one-half percent (0.5%) of the combined total for the Gulf of Alaska and Bering Sea/Aleutian Islands; except that in area 2C holdings shall not exceed 1 percent of that management area.	(1) May own, hold or otherwise control,individually or collectively, but may not exceed, one percent (1%) of the combined total for the Gulf of Alaska/Bering Sea Aleutian Islands except that east of 140 degrees west in the Gulf of Alaska (East Yakutat/S.E. Outside) holdings shall not exceed 1% for that management area.
(2) Any person who receives an initial assignment of quota shares in excess of the limits set forth in paragraph (D)(1) of this section shall:	(2) Any person who receives an initial assignment of quota shares in excess of the limits set forth in paragraph (d)(1) shall:
(i) be prohibited from purchasing, leasing, holding or otherwise controlling additional quota shares until that person's quota share falls below the limits set forth in (D)(1) above, at which time each such person shall be subject to the limitations of paragraph (D)(1) above; and	(i) be prohibited from purchasing, leasing, holding or otherwise controlling additional quota shares until that person's quota share falls below the limits set forth in (d)(1) above, at which time each such person shall be subject to the limitations of paragraph (d)(1) above; and

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<p>(ii) be prohibited from selling, trading, leasing or otherwise transferring any interest, in whole or in part, of an initial assignment of quota share to any other person in excess of the limitations set forth in (D)(1) above.</p> <p>(3) For IFQ accounting purposes:</p> <p>(i) sale of catcher vessel caught halibut to other than a legally registered buyer is illegal, except that direct sale to dockside customers is allowed provided proper documentation of such sales is provided to NMFS;</p> <p>(ii) frozen product may only be offloaded at sites designated by NMFS for monitoring purposes;</p> <p>(iii) QS owners wishing to transport their catch outside of the jurisdiction of the NPFMC must first check in their catch at a NMFS specified site and have the load sealed.</p>	<p>(ii) be prohibited from selling, trading, leasing or otherwise transferring any interest, in whole or in part, of an initial assignment of quota share to any other person in excess of the limitations set forth in (d)(1) above.</p> <p>(3) For IFQ accounting purposes,</p> <p>sale of catcher vessel caught sablefish to other than a legally registered buyer is illegal.</p> <p>Frozen product can only be offloaded at sites which NMFS can monitor.</p>
<p>(E) INDIVIDUAL FISHERIES QUOTAS. Individual fisheries quotas are determined for each calendar year for each person by applying that person's quota share percentage to the annual fixed gear Total Allowable Catch for each management area. Persons must control IFQs for the amount to be caught before a trip begins.</p>	<p>(E) INDIVIDUAL FISHERIES QUOTAS. Individual fisheries quotas are determined for each calendar year for each person by applying that person's quota share percentage to the annual Total Allowable Catch for each management area. Persons must control IFQs for the amount to be caught before a trip begins.</p>
<p>(F) VESSEL AND GEAR RESTRICTIONS.</p>	<p>(F) VESSEL AND GEAR RESTRICTIONS.</p>
<p>(1) No more than one-half percent (0.5%) of the combined Gulf of Alaska and Bering Sea/Aleutian Island quota may be taken on any one vessel except where persons received initial allocation more than 0.5% overall ownership level (1% in area 2C) may continue to fish their QS.</p>	<p>(1) No more than one percent (1%) of the combined Gulf of Alaska/Bering Sea Aleutian Island quota may be taken on any one vessel, and no more than 1% of the Southeast Outside/East Yakutat quota may be landed by the same vessel except where persons received initial allocation greater than 1%, that quota may continue to be taken on the same vessel.</p>
<p>(2) Quota shares and IFQs arising from those quota shares may not be applied to trawl-caught halibut or to halibut harvested utilizing pots in the Gulf of Alaska or Bering Sea/Aleutian Islands, except under an applicable bycatch program approved by the Secretary.</p>	<p>(2) Quota shares and IFQs arising from those quota shares may not be applied to trawl-caught sablefish from any management area or to sablefish harvested utilizing pots in the Gulf of Alaska.</p>

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
(G) ADMINISTRATION AND ENFORCEMENT.	(G) ADMINISTRATION.
<p>(1) All sales, transfers, or leases of quota shares or IFQ arising from those quota shares must occur in a manner approved by the Secretary. All quota share and IFQ assignments and transfers will be administered by NMFS based on regulations established by the Secretary. The Secretary, in promulgating such regulations, shall hold at least one public hearing in each state represented on the Council and in at least one community in each of the management areas governed by the Council.</p>	<p>All sales, transfers, or leases of quota shares or IFQ arising from those quota shares must occur in a manner approved by the Secretary. All quota share and IFQ assignments and transfers will be administered by NMFS based on regulations established by the Secretary. The Secretary, in promulgating such regulations, shall hold at least one public hearing in each state represented on the Council and in at least one community in each of the management areas governed by the Council.</p>
<p>(2) The Secretary will promulgate regulations to establish a monitoring and enforcement regime to assure compliance with this program. Persons holding QS found to be in violation of these sections or in violation of under-reporting catch will be subject to appropriate penalties as designated by the Secretary, including forfeiture of their Quota Shares.</p>	
<p>(H) DURATION. QS are a harvest privilege, and are good for an indefinite period of time. However, they constitute a use privilege which may be modified or revoked by the Council and the Secretary at any time without compensation.</p>	<p>(H) DURATION. IFQ harvest privileges are good for an indefinite period of time, except that these privileges may be subject to periodic change, including revocation, in accordance with regulations promulgated by the Secretary.</p>
<p>(I) DISCARD OF HALIBUT. Discard of legal sized halibut is prohibited by catcher vessels on which halibut IFQs are harvested, and by those fishing under the CDQ program. Vessels at this time in the freezer longliner category are exempt.</p>	<p>(I) DISCARD OF SABLEFISH. Discard of sablefish is prohibited by persons holding QS and those fishing under the community development quota programs.</p>
<p>(J) Any person catching halibut with commercial fixed gear, with the exception of vessels in the freezer longliner category, must own or otherwise control IFQs. (The intent of this section is to prohibited a directed open access fishery for halibut. Some owners in the freezer longliners may control IFQs and would not be prohibited from using those IFQs. Other freezer longliner owners who do not control IFQs would not be prohibited from catching halibut, but must discard pursuant to Section 2(I) above.)</p>	

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
Sec.3. COMMUNITY DEVELOPMENT QUOTAS.	Sec. 3. COMMUNITY DEVELOPMENT QUOTAS (CDQs).
<p>(A) In the Bering Sea/Aleutian Islands, halibut community development quotas shall be apportioned as follows:</p> <p><i>* Only Policy & Procedures</i></p>	<p>No more than 20% of the annual fixed gear Total Allowable Catch for each management area in the Bering Sea/Aleutian Islands (BSAI) area shall be made available in that management area for a western Alaska sablefish community quota program.</p>
<p>(1) For IPHC management area 4E, 100% of the halibut quota shall be made available only to residents of coastal communities physically located in or proximate to each management subarea. Trip limits of less than 6,000 pounds will be enforced.</p>	
<p>(2) For IPHC management area 4C, 50% of the halibut quota, exclusive of issued QS, shall be made available for a community fisheries development program for residents of communities physically located in or proximate to the management area. CDQ for this area is subject to Sec 3. (B) below.</p>	
<p>(3) For IPHC management area 4B, 20% of the halibut quota, exclusive of issued QS, shall be made available to residents of disadvantaged western Alaska coastal communities physically located in or proximate to the management area. CDQ for this area is not subject to the fourth quarter release provision in Sec.3.(B)(2) below.</p>	
<p>(4) For IPHC management area 4D, 30% of the halibut quota shall be made available to residents of disadvantaged western Alaska coastal communities located in IPHC area 4E for a community fisheries development (CDQ) program.</p>	

HALIBUT FIXED GEAR MANAGEMENT PLAN

(5) The purpose of the halibut community quota program is to provide the opportunity for disadvantaged western Alaska communities to enter the BSAI area halibut fishery and thereby assist in the development of a self-sustaining fisheries economy. The halibut community quota program for area 4D shall be implemented through the draft guidelines attached. In implementing this program, community development plans shall provide a harvesting preference for residents of the community over any harvesting arrangement with persons who reside outside of the community.

(6) Those persons that would otherwise have received a full complement of QS in areas 4B, C, D, & E, but would receive less due to the provisions of CDQs, would be permitted to add that portion of the QS they lost in the Bering Sea to their QS in the Gulf of Alaska. The portion added, would be allocated proportionately to the areas in the GOA in which he had accrued initial QS.

SABLEFISH LONGLINE MANAGEMENT PLAN

The purpose of the program is to provide the opportunity for disadvantaged western Alaska communities to enter the BSAI area sablefish fishery and thereby assist in the development of a self-sustaining fisheries economy. The program is also intended to complement and work in conjunction with the western Alaska community quota program adopted by the Council for BSAI pollock. The western Alaska sablefish community quota program shall be implemented through the draft regulations attached. In implementing this program, community development plans shall provide a harvesting preference for residents of the community over any harvesting arrangements with persons who reside outside of the community. Attached are guidelines under which the CDQ program will be implemented.

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
(B) GUIDELINES FOR IMPLEMENTING THE WESTERN ALASKA COMMUNITY HALIBUT QUOTA	GUIDELINES FOR IMPLEMENTING THE WESTERN ALASKA COMMUNITY SABLEFISH QUOTA
<p>(1) PURPOSE AND SCOPE. In order to provide fishermen who reside in western Alaska communities a fair and reasonable opportunity to participate in the Bering Sea/Aleutian Islands halibut fishery, to expand their participation in salmon, herring, and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the western Alaska halibut community quota is established. Residents of western Alaska communities are predominantly Alaska Natives who have traditionally depended upon the marine resources of the Bering Sea for their economic and cultural well-being. The western Alaska halibut community quota is a joint program of the Secretary and the Governor of the State of Alaska. Through the creation and implementation of community development plans, western Alaska communities will be able to diversify their local economies, provide community residents with new opportunities to obtain stable, long-term employment, and participate in the Bering Sea/Aleutian Islands halibut fishery which has been foreclosed to them because of the high capital investment needed to enter the fishery.</p>	<p>Sec. 1. PURPOSE AND SCOPE. In order to provide fishermen who reside in western Alaskan communities a fair and reasonable opportunity to participate in the Bering Sea/Aleutian Islands sablefish fishery, to expand their participation in salmon, herring, and other nearshore fisheries, and to help alleviate the growing social economic crisis within these communities, the western Alaska sablefish community quota is established. Residents of western Alaska communities are predominantly Alaska Natives who have traditionally depended upon the marine resources of the Bering Sea for their economic and cultural well-being. The western Alaska sablefish community quota is a joint program of the Secretary and the Governor of the State of Alaska. Through the creation and implementation of community development plans, western Alaska communities will be able to diversify their local economies, provide community residents with new opportunities to obtain stable, long-term employment, and participate in the Bering Sea/Aleutian Islands sablefish fishery which has been foreclosed to them because of the high capital investment needed to enter the fishery.</p>
<p>(2) WESTERN ALASKA HALIBUT COMMUNITY QUOTA. The NMFS Regional Director shall hold the recommended percent of the annual Total Allowable Catch of halibut for each management area in the Bering Sea/Aleutian Islands Area for the western Alaska halibut community quota. These amounts shall be released to eligible Alaska communities who submit a plan, approved by the Governor of Alaska, for its wise and appropriate use.</p>	<p>Sec. 2. WESTERN ALASKA SABLEFISH COMMUNITY QUOTA</p> <p>(A) The NMFS Regional Director shall hold 20 percent of the annual Total Allowable Catch of sablefish for each management area in the Bering Sea/Aleutian Islands Area for the western Alaska sablefish community quota. These amounts shall be released to eligible Alaska communities who submit a plan, approved by the Governor of Alaska, for its wise and appropriate use. Any of the TAC not released by the end of the third quarter shall be made available for harvest to any individual or vessel providing the person does not own, hold, or otherwise control unused IFQ for that fishing year.</p>

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
	(B) Not more than 12 percent of the total western Alaska sablefish community quota may be designated for a single community, except that if portions of the total quota are not designated by the end of the second quarter, communities may apply for any portion of the remaining quota for the remainder of that year only.
(3) ELIGIBLE WESTERN ALASKA COMMUNITIES. The Governor of Alaska is authorized to recommend to the Secretary that a community within western Alaska which meets all of the following criteria be a community eligible for the western Alaska community quota program (hereinafter "the Program"):	Sec. 3. ELIGIBLE WESTERN ALASKA COMMUNITIES (C) The Governor of Alaska is authorized to recommend to the Secretary that a community within western Alaska which meets all of the following criteria be a community eligible for the western Alaska community quota program (hereinafter "the Program"):
(i) be located on or proximate to the Bering Sea coast from the Bering Strait to the westernmost of the Aleutian Islands or a community located on an island within the Bering Sea, that the Secretary of the Interior has certified pursuant to section 11(b)(2) or (3) of Pub. L. No. 92-203 as Native villages are defined in section 3(c) of Pub. L. No. 92-203;	(1) be located on or proximate to the Bering Sea coast from the Bering Strait to the westernmost of the Aleutian Islands or a community located on an island within the Bering Sea, that the Secretary of the Interior has certified pursuant to section 11(b)(2) or (3) of Pub. L. No. 92-203 as Native villages are defined in section 3(c) of Pub. L. No. 92-203;
(ii) be unlikely to be able to attract and develop economic activity other than commercial fishing that would provide a substantial source of employment;	(2) be unlikely to be able to attract and develop economic activity other than commercial fishing that would provide a substantial source of employment;
(iii) its residents have traditionally engaged in and depended upon fishing in the waters of the Bering Sea coast;	(3) its residents have traditionally engaged in and depended upon fishing in the waters of the Bering Sea coast;
(iv) has not previously developed harvesting or processing capability sufficient to support substantial participation in the commercial groundfish fisheries of the Bering Sea/Aleutian Islands because of a lack of sufficient funds for investing in harvesting or processing equipment; and	(4) has not previously developed harvesting or processing capability sufficient to support substantial participation in the commercial groundfish fisheries of the Bering Sea/Aleutian Islands because of a lack of sufficient funds for investing in harvesting or processing equipment; and
(v) has developed a community development plan approved by the Governor, after consultation with the North Pacific Fishery Management Council.	(5) has developed a community development plan approved by the Governor, after consultation with the North Pacific Fishery Management Council.
	(C) Any number of eligible communities may apply under a single development plan. In cases where more than one community applies in a joint application, each community is entitled to its full portion of the quota.

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
<p>(4) COMMUNITY DEVELOPMENT PLANS. Within 60 days of the effective date of these regulations, the Governor shall submit to the Secretary, after review by the North Pacific Fishery Management Council, initial criteria which the community must, at a minimum, include in a community development plan to be eligible to participate in the program. The criteria shall include provisions concerning the following:</p>	<p>Sec. 4. COMMUNITY DEVELOPMENT PLANS (A) Within 60 days of the effective date of these regulations, the Governor shall submit to the Secretary, after review by the North Pacific Fishery Management Council, criteria which the community must, at a minimum, include in a community development plan to be eligible to participate in the program. The criteria shall include provisions concerning the following:</p>
<p>(i) amount of quota requested;</p>	<p>(1) amount of quota requested;</p>
<p>(ii) length of time community is requesting to receive a share of the quota;</p>	<p>(2) length of time community is requesting to receive a share of the quota;</p>
<p>(iii) benefits that will accrue to the community from approval of their plan and release of quota, including how the plan will assist in diversifying the community's economy and provide opportunities for training and employment;</p>	<p>(3) benefits that will accrue to the community from approval of their plan and release of quota, including how the plan will assist in diversifying the community's economy and provide opportunities for training and employment;</p>
<p>(iv) how individual resident harvesters will be provided an opportunity to participate in the fishery;</p>	
<p>(v) how the benefits will be shared within the community;</p>	<p>(4) how the benefits will be shared within the community;</p>
<p>(vi) business plan which will provide adequate information to complete a financial feasibility assessment;</p>	<p>(5) business plan which will provide adequate information to complete a financial feasibility assessment;</p>
<p>(vii) business arrangements which are entered into between a community and residents who reside outside of the community, provided that residents of a community shall receive a preference for a portion of the harvesting quota over any arrangements for harvesting with persons who reside outside of the community; and</p>	<p>(6) business arrangements which are entered into between a community and residents who reside outside of the community, provided that residents of a community shall receive a preference for a portion of the harvesting quota over any arrangements for harvesting with persons who reside outside of the community; and</p>
<p>(viii) within 30 days of receipt of the criteria from the Governor, the Secretary will approve, disapprove, or return the criteria to the Governor with recommendations for changes necessary to comply with the provisions of this Act, or other applicable law.</p>	<p>(7) Within 30 days of receipt of the criteria from the Governor, the Secretary will approve, disapprove, or return the criteria to the Governor with recommendations for changes necessary to comply with the provisions of this Act, or other applicable law.</p>

HALIBUT FIXED GEAR MANAGEMENT PLAN	SABLEFISH LONGLINE MANAGEMENT PLAN
(5) APPROVAL OF PLANS	Sec. 5. APPROVAL OF PLANS
<p>(i) Within 45 days of receipt of an application for a community, the Governor shall review the community's eligibility for the program and the community development plan, and at least 14 days prior to the next NPFMC meeting, forward the application to the North Pacific Fishery Management Council for its review and recommendations. The Governor of Alaska may hold a public hearing and submit a synopsis of that hearing to the Council in lieu of a hearing by the Council itself. The application shall be subject to a public hearing before the Council, or a committee of the Council. If the Council does not review the plan at its next regularly scheduled meeting, the Governor shall then submit the application to the Secretary for designation of a portion of the quota. The Governor shall submit the application to the Secretary within 14 days of Council action or within 14 days of the date of the adjournment of the Council meeting without any action taken on the application, unless the application is withdrawn by the applying community.</p>	<p>(A) Within 45 days of receipt of an application for a community, the Governor shall review the community's eligibility for the program and the community development plan and forward the application to the North Pacific Fishery Management Council for its review and recommendations. The application shall be subject to a public hearing before the Council. If the Council does not review the plan at its next regularly scheduled meeting, the Governor shall then submit the application to the Secretary for designation of a portion of the quota. The Governor shall submit the application to the Secretary within 14 days of Council action or within 14 days of the date of the adjournment of the Council meeting without any action taken on the application, unless the application is withdrawn by the applying community.</p>
<p>(ii) Within 30 days of the receipt of an application approved by the Governor, the Secretary will designate a portion of the quota to the community, if the community development plan satisfies the criteria developed by the Governor and approved by the Secretary, or return the application to the Governor with reasons for denial.</p>	<p>(B) Within 30 days of the receipt of an application approved by the Governor, the Secretary will designate a portion of the quota to the community, if the community development plan satisfies the criteria developed by the Governor and approved by the Secretary, or return the application to the Governor with his reasons for denial.</p>
<p>Sec.4. AD HOC WORKING GROUPS. Two ad hoc working groups shall be established. One by the Council composed of but not limited to representatives from fixed gear vessel owners, crewmembers and processors, who would likely be affected by the Council's action on IFQs. The second group will be established by the Alaska Regional Director, NMFS, composed of administration, data management, enforcement, and legal professionals. The groups will develop a detailed implementation plan covering all aspects of the carrying out the Council's preferred alternative for a fixed gear IFQ management program (for sablefish and halibut). All states represented on the Council shall be given an opportunity to provide technical input to the groups.</p>	<p>Sec.4. AD HOC WORKING GROUPS. Two ad hoc working groups shall be established. One by the Council composed of representatives from longline vessel owners, crew members and processors, who would likely be affected by the Council's action on IFQs. The second group will be established by the Alaska Regional Director, NMFS, composed of administration, data management, enforcement, and legal professionals. The groups will develop a detailed implementation plan covering all aspects of carrying out the Council's preferred alternative for a longline (fixed gear) IFQ management program (for sablefish and halibut). All states represented on the Council shall be given an opportunity to provide technical input to the groups.</p>

Table 2.4.5

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the Exclusive Economic Zone.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	244	457	668	709	639	652	1081
Alaska	168	330	487	546	479	493	832
Other States	76	126	181	163	160	159	249
Alaska %	69%	72%	73%	77%	75%	76%	77%
% CB < 60	67%	73%	77%	79%	77%	78%	80%
% CB ≥ 60	30%	25%	21%	18%	19%	19%	17%
% Freezers	2%	2%	2%	3%	4%	3%	3%
CB < 60	164	333	513	558	493	510	865
Alaska	125	262	398	462	405	413	709
Other States	39	70	115	96	88	97	156
% Alaska	76%	79%	78%	83%	82%	81%	82%
CB ≥ 60	74	113	141	131	122	121	181
Alaska	42	65	86	80	67	74	115
Other States	32	48	55	51	55	47	66
% Alaska	57%	58%	61%	61%	55%	61%	64%
Freezers	6	11	14	20	24	21	35
Alaska	1	3	3	4	7	6	8
Other States	5	8	11	16	17	15	27
% Alaska	17%	27%	21%	20%	29%	29%	23%

Table 2.4.5.1

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the Aleutian Islands.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	10	38	58	67	62	46	135
Alaska	4	20	18	25	20	15	56
Other States	6	18	40	42	42	31	79
Alaska %	40%	53%	31%	37%	32%	33%	41%
% CB < 60	10%	29%	31%	31%	21%	28%	35%
% CB ≥ 60	60%	55%	47%	48%	45%	52%	46%
% Freezers	30%	16%	22%	21%	34%	20%	19%
CB < 60	1	11	18	21	13	13	47
Alaska	1	7	6	11	6	6	23
Other States	0	4	12	10	7	7	24
% Alaska	100%	64%	33%	52%	46%	46%	49%
CB ≥ 60	6	21	27	32	28	24	62
Alaska	3	12	10	12	7	8	26
Other States	3	9	17	20	21	16	36
% Alaska	50%	57%	37%	38%	25%	33%	42%
Freezers	3	6	13	14	21	9	26
Alaska	0	1	2	2	7	1	7
Other States	3	5	11	12	14	8	19
% Alaska	0%	17%	15%	14%	33%	11%	27%

Table 2.4.5.2

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the Bering Sea.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	48	36	76	53	30	64	153
Alaska	27	16	40	30	15	23	80
Other States	21	20	36	23	15	41	73
Alaska %	56%	44%	53%	57%	50%	36%	52%
% CB < 60	35%	11%	36%	45%	20%	34%	42%
% CB ≥ 60	58%	75%	50%	26%	20%	39%	40%
% Freezers	6%	14%	14%	28%	60%	27%	18%
CB < 60	17	4	27	24	6	22	64
Alaska	12	3	16	20	5	11	42
Other States	5	1	11	4	1	11	22
% Alaska	71%	75%	59%	83%	83%	50%	66%
CB ≥ 60	28	27	38	14	6	25	61
Alaska	14	12	21	7	5	9	31
Other States	14	15	17	7	1	16	30
% Alaska	50%	44%	55%	50%	83%	36%	51%
Freezers	3	5	11	15	18	17	28
Alaska	1	1	3	3	5	3	7
Other States	2	4	8	12	13	14	21
% Alaska	33%	20%	27%	20%	28%	18%	25%

Table 2.4.5.3

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the Central Gulf area.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	112	225	322	356	310	377	617
Alaska	64	144	214	261	201	258	445
Other States	48	80	108	95	109	119	172
Alaska %	57%	64%	66%	73%	65%	68%	72%
% CB < 60	49%	56%	64%	67%	61%	67%	69%
% CB ≥ 60	47%	40%	34%	31%	34%	28%	28%
% Freezers	4%	4%	2%	3%	5%	5%	4%
CB < 60	55	127	206	238	189	254	424
Alaska	32	85	146	188	136	186	328
Other States	23	41	60	50	53	68	96
% Alaska	58%	67%	71%	79%	72%	73%	77%
CB ≥ 60	53	90	111	109	104	105	170
Alaska	31	56	66	69	57	66	109
Other States	22	34	45	40	47	39	61
% Alaska	58%	62%	59%	63%	55%	63%	64%
Freezers	4	8	5	9	17	18	23
Alaska	1	3	2	4	8	6	8
Other States	3	5	3	5	9	12	15
% Alaska	25%	38%	40%	44%	47%	33%	35%

Table 2.4.5.4

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for East Yakutat and Southeast Outside.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	120	242	347	387	388	329	630
Alaska	93	186	275	317	319	273	488
Other States	27	56	72	70	69	56	142
Alaska %	78%	77%	79%	82%	82%	83%	77%
% CB < 60	79%	90%	91%	91%	93%	95%	89%
% CB ≥ 60	18%	10%	9%	8%	7%	5%	10%
% Freezers	3%	0%	0%	0%	0%	0%	1%
CB < 60	95	217	316	354	361	311	563
Alaska	80	171	254	295	302	262	455
Other States	15	46	62	59	59	49	108
% Alaska	84%	79%	80%	83%	84%	84%	81%
CB ≥ 60	22	25	30	32	26	17	61
Alaska	13	15	21	21	16	11	30
Other States	9	10	9	11	10	6	31
% Alaska	59%	60%	70%	66%	62%	65%	49%
Freezers	3	0	1	1	1	1	6
Alaska	0	0	0	1	1	0	3
Other States	3	0	1	0	0	1	3
% Alaska	0%	100%	0%	100%	100%	0%	50%

Table 2.4.5.5

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the Western Gulf area.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	60	68	76	91	98	43	184
Alaska	38	36	43	42	46	17	98
Other States	22	32	33	49	52	26	86
Alaska %	63%	53%	57%	46%	47%	40%	53%
% CB < 60	52%	49%	57%	43%	36%	30%	48%
% CB ≥ 60	42%	44%	32%	40%	45%	47%	38%
% Freezers	7%	7%	12%	18%	19%	23%	14%
CB < 60	31	33	43	39	35	13	89
Alaska	21	23	32	28	24	9	59
Other States	10	10	11	11	11	4	30
% Alaska	68%	70%	74%	72%	69%	69%	66%
CB ≥ 60	25	30	24	36	44	20	69
Alaska	16	12	9	12	15	7	33
Other States	9	18	15	24	29	13	36
% Alaska	64%	40%	38%	33%	34%	35%	48%
Freezers	4	5	9	16	19	10	26
Alaska	1	1	2	2	7	1	6
Other States	3	4	7	14	12	9	20
% Alaska	25%	20%	22%	13%	37%	10%	23%

Table 2.4.5.6

Regional distribution of vessels owners from 1985-90 for vessel classes in the preferred IFQ alternative for the West Yakutat.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	80	133	221	162	187	154	402
Alaska	42	77	134	98	116	82	273
Other States	38	56	87	64	71	72	129
Alaska %	53%	58%	61%	60%	62%	53%	68%
% CB < 60	70%	67%	68%	61%	65%	68%	71%
% CB ≥ 60	29%	32%	31%	38%	31%	28%	27%
% Freezers	1%	1%	0%	1%	4%	5%	2%
CB < 60	56	89	151	99	121	104	285
Alaska	33	55	99	66	85	61	206
Other States	23	34	52	33	36	43	79
% Alaska	59%	62%	66%	67%	70%	59%	72%
CB ≥ 60	23	43	69	61	58	43	108
Alaska	9	21	35	31	26	18	63
Other States	14	22	34	30	32	25	45
% Alaska	39%	49%	51%	51%	45%	42%	58%
Freezers	1	1	1	2	8	7	9
Alaska	0	1	0	1	5	3	4
Other States	1	0	1	1	3	4	5
% Alaska	0%	100%	0%	50%	63%	43%	44%

Table 2.5.5

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the Exclusive Economic Zone.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	12924	19254	26990	28816	27284	25220	23231
Alaska	5548	9248	13839	14506	13287	12532	11380
Other States	7376	9970	13152	14310	13997	12688	11851
Alaska %	43%	48%	51%	50%	49%	50%	49%
% CB < 60	34%	41%	46%	44%	45%	57%	47%
% CB ≥ 60	39%	42%	41%	40%	39%	29%	37%
% Freezers	27%	17%	13%	16%	17%	14%	16%
CB < 60	4367	7872	12505	12709	12143	14285	11004
Alaska	2590	4979	8088	8397	8086	8459	6687
Other States	1777	2857	4417	4311	4057	5825	4317
% Alaska	59%	63%	65%	66%	67%	59%	61%
CB ≥ 60	5104	8128	10947	11569	10578	7298	8508
Alaska	2423	3630	4990	5183	3983	2931	3797
Other States	2681	4499	5956	6386	6595	4367	4712
% Alaska	47%	45%	46%	45%	38%	40%	45%
Freezers	3453	3253	3539	4538	4563	3638	3719
Alaska	*	639	760	926	1218	1142	896
Other States	*	2614	2779	3612	3345	2496	2822
% Alaska	*	20%	21%	20%	27%	31%	24%

* Numbers may not be released because of confidentiality restrictions.

Table 2.5.5.1

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the Aleutian Islands.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	1295	2281	3345	3121	2355	1831	2395
Alaska	47	439	953	1078	651	578	626
Other States	1248	1842	2392	2043	1704	1253	1769
Alaska %	4%	19%	28%	35%	28%	32%	26%
% CB < 60	0%	11%	21%	18%	7%	16%	15%
% CB ≥ 60	8%	33%	41%	38%	27%	32%	33%
% Freezers	92%	57%	38%	44%	66%	53%	52%
CB < 60	#	242	698	547	166	286	362
Alaska	#	72	183	263	88	67	109
Other States	#	171	515	284	78	219	253
% Alaska	#	30%	26%	48%	53%	23%	30%
CB ≥ 60	104	746	1377	1191	638	579	780
Alaska	47	308	558	534	108	151	260
Other States	57	439	819	657	530	428	520
% Alaska	45%	41%	41%	45%	17%	26%	33%
Freezers	1190	1292	1270	1383	1550	965	1253
Alaska	0	*	*	*	455	*	257
Other States	1190	*	*	*	1095	*	996
% Alaska	0%	*	*	*	29%	*	21%

* Numbers may not be released because of confidentiality restrictions.

To retain confidentiality, numbers were added to the catcher boats ≥ 60' category.

Table 2.5.5.2

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the Bering Sea.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	2013	1416	2102	1085	561	1133	1521
Alaska	990	669	1056	283	153	423	628
Other States	1024	747	1046	801	408	711	893
Alaska %	49%	47%	50%	26%	27%	37%	41%
% CB < 60	23%	6%	26%	20%	1%	27%	21%
% CB ≥ 60	53%	63%	48%	18%	14%	34%	43%
% Freezers	23%	31%	26%	62%	84%	40%	35%
CB < 60	469	89	540	215	6	301	326
Alaska	340	*	327	141	*	95	180
Other States	130	*	213	75	*	206	146
% Alaska	72%	*	61%	66%	*	32%	55%
CB ≥ 60	1072	888	1018	191	81	384	658
Alaska	376	374	526	36	*	119	254
Other States	697	514	492	155	*	265	404
% Alaska	35%	42%	52%	19%	*	31%	39%
Freezers	471	439	544	678	474	448	536
Alaska	*	*	203	107	98	208	194
Other States	*	*	341	572	376	240	343
% Alaska	*	*	37%	16%	21%	46%	36%

* Numbers may not be released because of confidentiality restrictions.

Table 2.5.5.3

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the Central Gulf area.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	3346	6160	8693	10569	9927	10729	8449
Alaska	1323	2974	4397	5674	4602	4928	4038
Other States	2024	3150	4296	4895	5324	5801	4411
Alaska %	40%	48%	51%	54%	46%	46%	48%
% CB < 60	29%	36%	44%	43%	45%	59%	47%
% CB ≥ 60	44%	49%	52%	48%	44%	28%	41%
% Freezers	27%	15%	4%	9%	11%	12%	11%
CB < 60	974	2242	3785	4562	4482	6339	4011
Alaska	378	1164	2019	2736	2651	3295	2137
Other States	596	1042	1767	1826	1831	3044	1874
% Alaska	39%	52%	53%	60%	59%	52%	53%
CB ≥ 60	1457	3005	4517	5026	4386	3055	3477
Alaska	743	1544	2094	2630	1681	1271	1638
Other States	714	1461	2423	2396	2706	1783	1839
% Alaska	51%	51%	46%	52%	38%	42%	47%
Freezers	915	913	391	981	1059	1335	962
Alaska	*	266	*	308	271	362	264
Other States	*	647	*	673	788	973	698
% Alaska	*	29%	*	31%	26%	27%	27%

* Numbers may not be released because of confidentiality restrictions.

Table 2.5.5.4

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for East Yakutat and Southeast Outside.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	1978	3765	5587	6265	5463	6116	4690
Alaska	1410	2714	4762	4847	4398	4828	3757
Other States	568	1051	825	1417	1066	1288	933
Alaska %	71%	72%	85%	77%	81%	79%	80%
% CB < 60	60%	78%	85%	84%	86%	91%	82%
% CB ≥ 60	30%	22%	15%	16%	14%	9%	17%
% Freezers	9%	0%	0%	0%	0%	0%	1%
CB < 60	1193	2948	4725	5236	4697	5545	3860
Alaska	1000	2202	4019	4117	3814	4427	3145
Other States	193	746	706	1119	883	1118	716
% Alaska	84%	75%	85%	79%	81%	80%	81%
CB ≥ 60	599	817	862	1029	766	571	787
Alaska	410	512	743	731	584	400	573
Other States	189	305	119	298	182	170	214
% Alaska	68%	63%	86%	71%	76%	70%	73%
Freezers	186	#	#	#	#	#	42
Alaska	0	#	#	#	#	#	39
Other States	186	#	#	#	#	#	3
% Alaska	0%	#	#	#	#	#	93%

To retain confidentiality, numbers were added to the catcher boats ≥ 60' category.

Table 2.5.5.5

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the Western Gulf area.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	2016	2245	3172	2964	3812	1516	2335
Alaska	950	891	908	645	1150	391	707
Other States	1066	1354	2265	2320	2662	1125	1627
Alaska %	47%	40%	29%	22%	30%	26%	30%
% CB < 60	26%	35%	25%	15%	18%	17%	25%
% CB ≥ 60	42%	39%	37%	43%	51%	45%	41%
% Freezers	32%	25%	38%	43%	31%	39%	34%
CB < 60	525	792	805	430	697	251	593
Alaska	286	501	481	283	286	58	247
Other States	239	292	324	147	411	192	346
% Alaska	54%	63%	60%	66%	41%	23%	42%
CB ≥ 60	842	885	1169	1274	1946	679	946
Alaska	605	349	366	310	678	232	389
Other States	237	536	803	963	1268	447	557
% Alaska	72%	39%	31%	24%	35%	34%	41%
Freezers	649	568	1198	1260	1169	587	795
Alaska	*	*	*	*	186	*	71
Other States	*	*	*	*	983	*	724
% Alaska	*	*	*	*	16%	*	9%

* Numbers may not be released because of confidentiality restrictions.

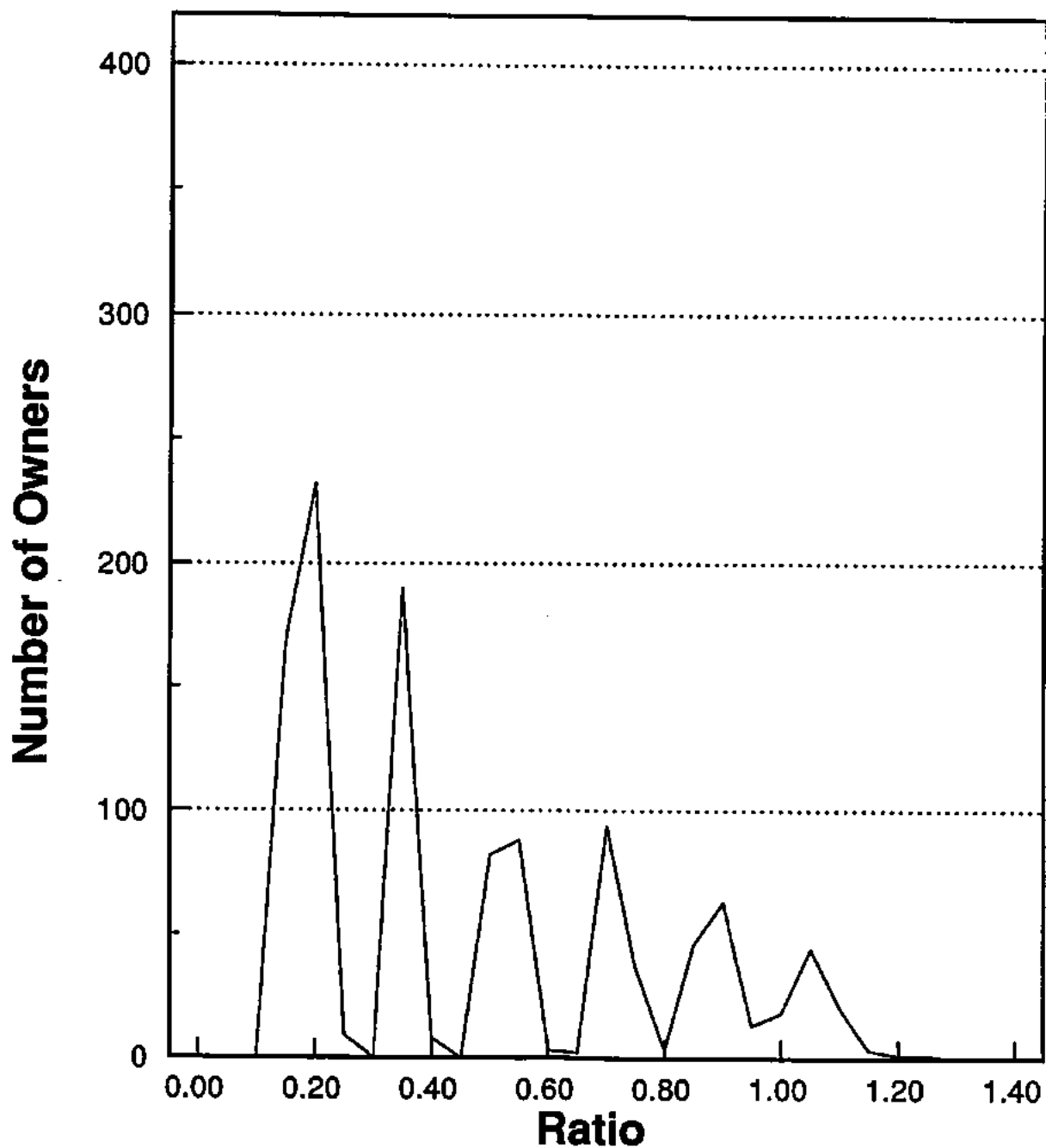
Table 2.5.5.6

Regional distribution of catch from 1985-90 and IFQs for vessel classes in the preferred IFQ alternative for the West Yakutat.

Year	1985	1986	1987	1988	1989	1990	IFQ
All	2274	3314	3932	4767	5158	3890	3842
Alaska	827	1504	1731	1948	2333	1384	1624
Other States	1447	1810	2201	2819	2826	2506	2218
Alaska %	36%	45%	44%	41%	45%	36%	42%
% CB < 60	53%	50%	49%	43%	44%	48%	48%
% CB ≥ 60	47%	50%	51%	57%	51%	47%	48%
% Freezers	0%	0%	0%	0%	5%	5%	3%
CB < 60	1198	1653	1934	2072	2288	1867	1852
Alaska	578	940	1030	960	1312	718	870
Other States	620	713	904	1112	976	1148	982
% Alaska	48%	57%	53%	46%	57%	38%	47%
CB ≥ 60	1076	1660	1998	2696	2628	1815	1860
Alaska	249	563	701	988	881	597	682
Other States	827	1097	1297	1708	1746	1219	1178
% Alaska	23%	34%	35%	37%	34%	33%	37%
Freezers	#	#	#	#	243	208	130
Alaska	#	#	#	#	140	70	71
Other States	#	#	#	#	103	138	58
% Alaska	#	#	#	#	58%	34%	55%

To retain confidentiality, numbers were added to the catcher boats ≥ 60' category.

Ratio of IFQ Pounds to Average Landings For The Preferred Alternative

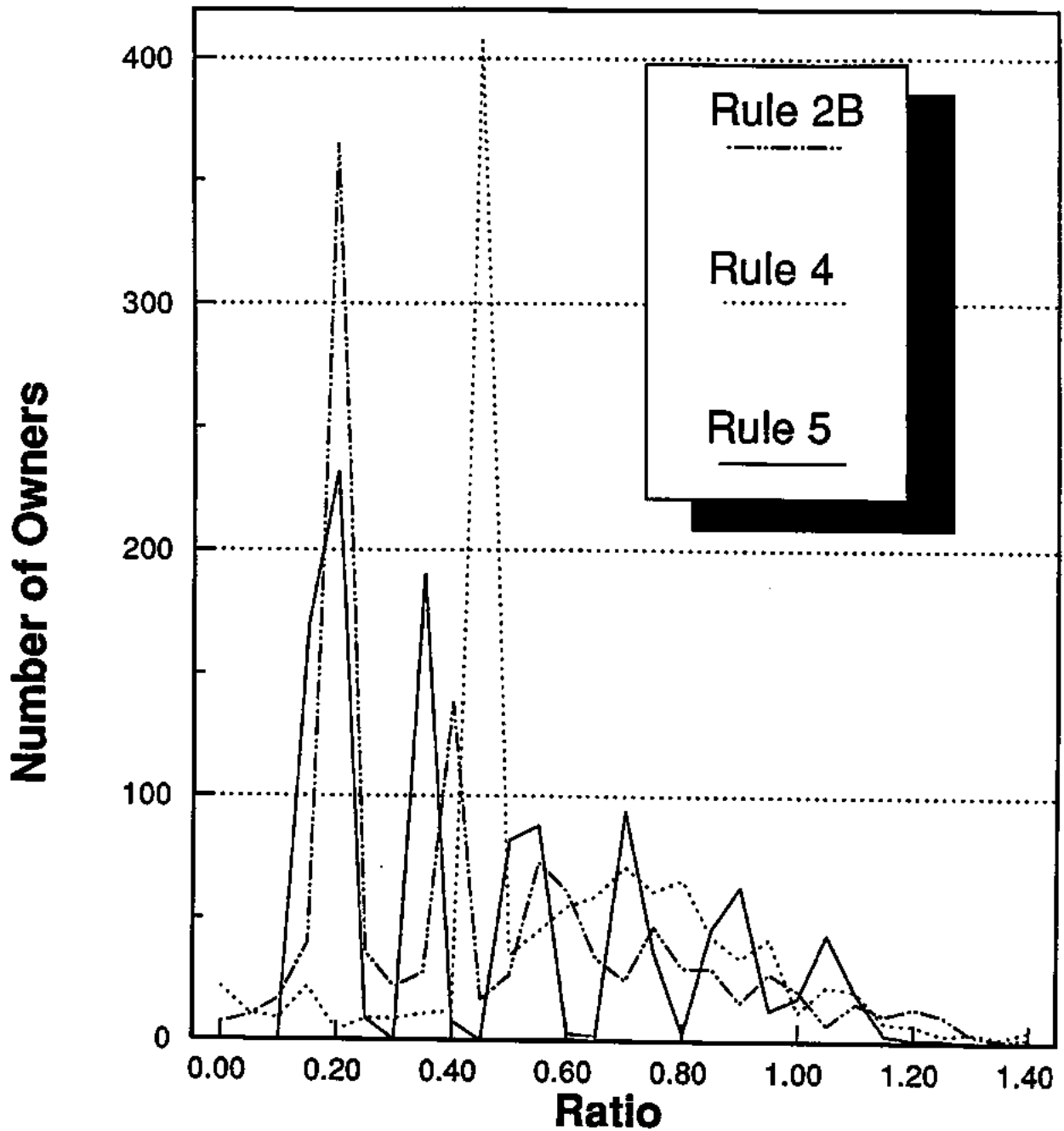


Rule 5: (Preferred Alternative) Must have made landings in 1988-1990; use best 5 of 6 years (85-90).

Notes: Ratios of less than 1 indicate owner will receive a smaller amount of IFQ lbs. than his average landings over the years in which he participated.

With few exceptions the individuals that fished only one year are included in the first cluster. Those who fished two years are in the second cluster, etc.

Ratio of IFQ Pounds to Average Landings



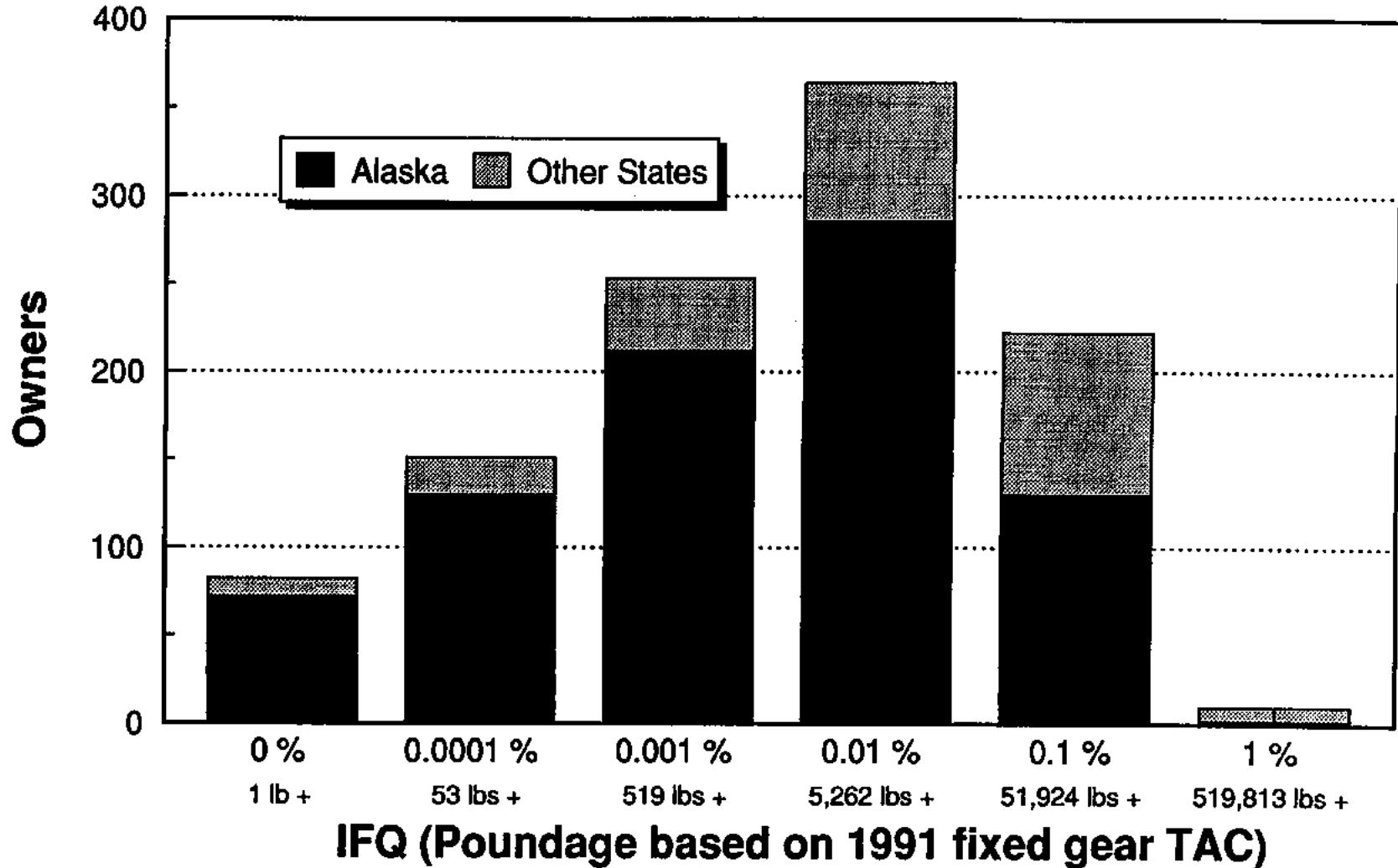
- Notes:**
- Rule 2B: Must have made landings in 1987-89; use best 5 of 6 years (84-89).
 - Rule 4: Must have made landings in 1988-90; use best year.
 - Rule 5: (Preferred Alternative) Must have made landings in 1988-1900; use best 5 of 6 years (85-90).

Ratios of less than 1 indicate owner will receive a smaller amount of IFQ lbs. than his average landings over the years in which he participated.

With few exceptions the individuals that fished only one year are included in the first cluster. Those who fished two years are in the second cluster, etc.

Number of Owners Receiving Different Percentages of Total IFQs

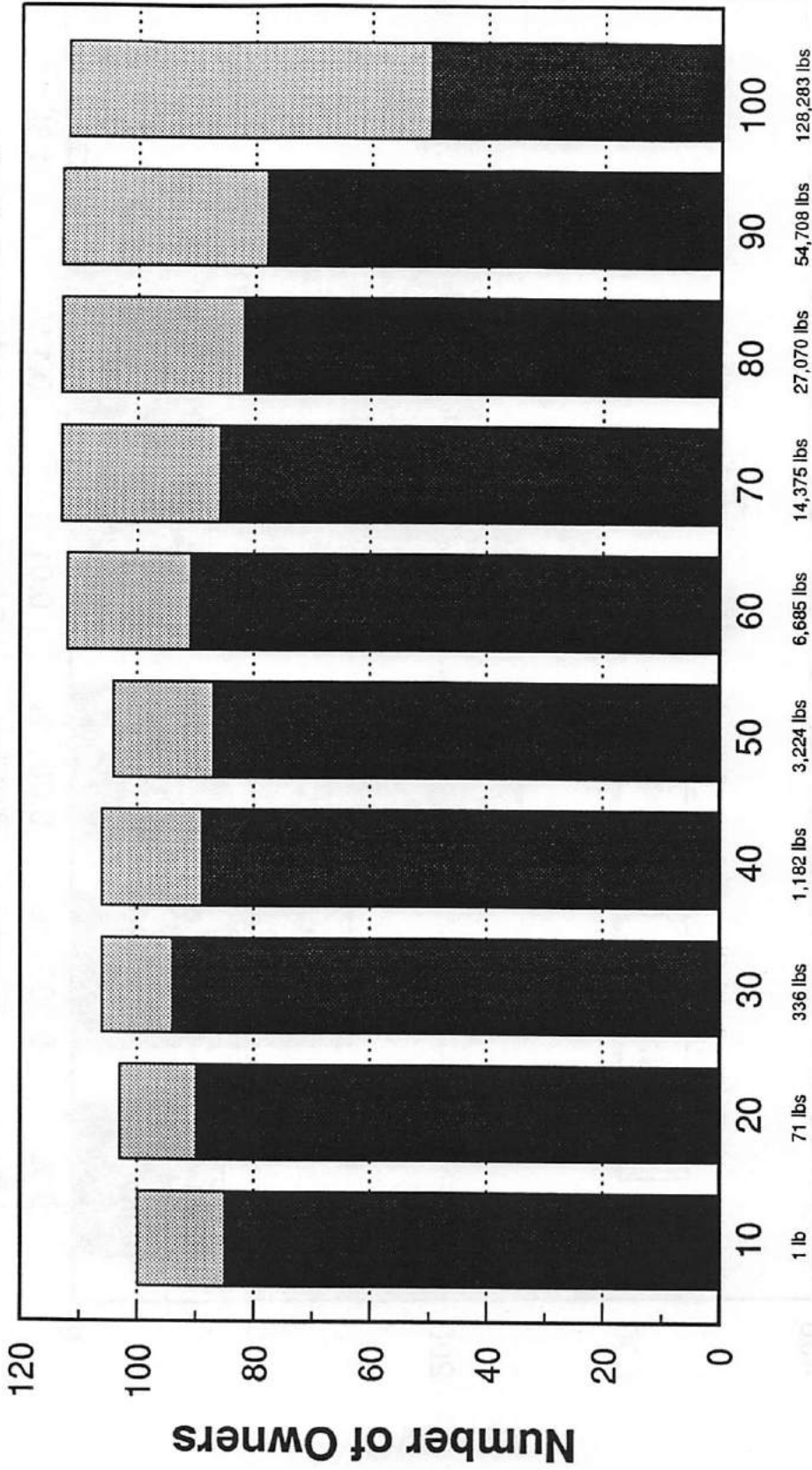
Under the Preferred Alternative, Summed for the EEZ



Note: Poundage values represent minimums for each group.

Regional Distribution of Percentile Owners for the Preferred Alternative

Rule 5 - Must have made landings in 1988-90; use best 5 of 6 years (85-90).



Percentile (Poundage based on 1991 fixed gear TAC)



Note: Poundage values represent minimums for each group.

APPENDIX V

Calculating Quota Share Under The Preferred IFQ Alternative.

This Appendix is provided to allow potential Quota Share (QS) recipients to estimate the amount of QS they would receive under the Council's preferred alternative. This would allocate QS to all vessel owners or qualified vessel lease holders who made legal landings of sablefish between 1988 and 1990. The allocation will be based on the owner's best 5 of 6 years landings for each management area from 1985 to 1990.

The table below lists the total qualification pounds (metric tons), in round weight equivalents, for each management area and for each of four potential qualifying rules. QS will be management area specific. QS are a percentage of the fixed gear TAC for each area. The corresponding poundage (the annual IFQ) is obtained by multiplying the QS percentage by the fixed gear TAC for a given management area. The following information is expressed in metric tons; each metric ton equals 2,205 pounds. An example will follow.

TABLE 1. Qualifying tons (mt round weight) by FMP area for the preferred alternative.

East Yakutat/Southeast	27,170
West Yakutat	21,791
Central Gulf	45,774
Western Gulf	14,198
Aleutians	12,700
Bering Sea	6,687

The above table incorporates fish ticket and weekly processor report landings from NMFS records and includes all fixed gear landings which accrue under the preferred alternative. A person's QS percentage for an area is based on that person's total qualifying tons, as a percentage of the total qualifying tons (all QS recipients) for that area. If the QS system goes into effect, actual total qualifying tons may vary from the numbers shown above depending on the actual application and appeals process. The examples shown below are based on the assumption that all qualified recipients would claim their QS and there would be no appeals.

Example 1:

Owner 'A' had the following landings of sablefish, by year, for the Central Gulf management area:

<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>
25 mt	17 mt	26 mt	20 mt	30 mt	10 mt	18 mt

Under the preferred alternative, his QS would be the total of his best 5 of 6 years, 1985-1990, divided by the total qualifying pounds for the Central Gulf from Table 1 above: 111 mt (dropping 1989) divided by 45,774 or 0.24% of the Central Gulf fixed gear TAC. The annual poundage of this QS would vary from year to year based on the TAC. As an example, this 0.24% QS would equate to 20.5 mt based on the 1991 fixed gear TAC (8,460 mt) for that area. This would be 45,235 pounds (24.5 mt x 2,205).

Example 2:

The same owner 'A' had the following landings for the Western Gulf management area:

<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>
18 mt	22 mt	19 mt	16 mt	0 mt	0 mt	0 mt

Under the preferred alternative which requires participation in one of the years 1988-1990, Owner 'A' would qualify for QS in the Western Gulf even though no landings were made in this area from 1988-1990. The qualification rule requires that landings of sablefish must have been made in any area during the qualifying period; QS would then be calculated separately for each area. Owner 'A', in this case had landings of sablefish in 1988-1990 from the Central Gulf so he qualifies for QS in any area. In this example, his qualifying poundage (in mt) would be the best 5 of 6 years from 1985-1990, or 57 mt, divided by 14,198 mt (from Table 1). His QS percentage under this rule would then be .4% of the fixed gear TAC for the Western Gulf. If Owner 'A' had no participation in any area off Alaska during 1988-1990, he would not have qualified for QS under the preferred alternative.

All of the above examples use metric tons which can then be converted to poundage based on the TAC for a given year. Conversely, if a potential QS recipient knows what his landings were in pounds (round weight), he can convert to metric tons by dividing the poundage by 2,205, and estimate his potential QS using the metric ton totals from Table 1.