



NPFMC comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

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## Latent charter Halibut permits

1 message

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**Frank Casey** <profishguide@hotmail.com>

Wed, Nov 29, 2017 at 1:15 PM

To: "npfmc.comments@noaa.gov" <npfmc.comments@noaa.gov>

Hi,  
My name is Frank Casey operating Alaska Wildrose Charters, my comments on over capacity of permits:  
Of the hundreds of non transferable permits, how many if any have been retired? Does anyone check to see if the permit owner is the owner of the named business? Or if the permitted person is still alive? All non transferable permits should only be used if the named permit holder is the named business owner.

Thanks Frank Casey  
Alaska Wildrose Charters  
Clam Gulch, Ak  
[907-252-4525](tel:907-252-4525)

Sent from my iPhone

**2017 Board of Directors**

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



C2 Public Comment  
2017 Members at Large  
December 2017  
Richard Yamada  
Mike Bonfils  
Terry White  
Chris White

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

To Whom it May Concern:

The following comments are concerning the draft discussion papers addressing proposed latent capacity of CHP's in 2C and 3A, the registering of unguided vessels, and the expansion of the number of permits one entity (the RQE) could possess:

As for the latent capacity paper we believe that the assumptions made as to how many possible angler trips are completely out of line with reality. There simply is absolutely no way over 52,000 trips could ever be taken in 2C and over 42,000 in 3A. We believe these assumptions were used to demonstrate a predetermined outcome...a survey should have been done of all the users as to how many trips could actually be fished in an actual season. Some operators only operate on certain days and months and others operate the full season...these differences could be due to geographic constraints, meteorological constraints, or business models/practices and none of these factors were considered in these assumptions! Therefore, we believe the methodology of this paper is flawed!

JCBOA supports that no action be taken at this time concerning latent capacity as it has not been proven to be an issue by this paper.

This paper does suggest that area's 2C and 3A could benefit from being managed separately...with different actions being taken in the different areas concerning management of the resource and JCBOA does support this separation. 2C and 3A are such vastly different areas as far as clientele, business models, and resource needs.

As for the registration of non-guided vessels JCBOA does not support taking any action at this time as a need has not been properly addressed.

As for and the expansion of the number of permits one entity (the RQE) could possess JCBOA fully supports allowing a change to the current ownership limitations for the RQE. We believe this will give the entire industry stability and allow for a slow managed growth of new businesses in the future when the resource allows.

Thank you for hearing our concerns.

Sincerely,

Capt. J. Kevin Burchfield  
President  
JCBOA

IPHC at [regproposal@iphc.int](mailto:regproposal@iphc.int)

NPFMC at [npfmc.comments@noaa.gov](mailto:npfmc.comments@noaa.gov)

To whom it may concern:

I am sending these comments in response to the discussions about the self guided sport fishing(recreational fishing) impacts and possible actions; the RQE CHP buy up, and the CHP latency potential and actions.

You have heard from me before, so what I have to say is not new. However as the issues and the myriad of scenarios become more complex and with continuous effort to regulate the next concern, it seems to me that there is a very simple fix.

Get rid of the CSP, the GAF, and anything else that connects recreational fishermen to commercial fishermen; make a separate recreational halibut fishing allocation; provide for accountability in that allocation(logbooks and punchcards); and regulate the participants of that allocation. I know this may seem to be going backwards on the road that we have all so laboriously decided to follow; however it is a better way.

Should you decide to do so; it nullifies the self guided advantage and impact on the halibut(all recreational fishermen would have the same rules); it simplifies regulatory rhetoric and paperwork; reduces enforcement confusion and costs; removes competitive issues between commercial fisherman and charter boat operators; and brings equity to all recreational users of the resource. It turns an RQE, if implemented, into a benefit to all recreational sports fishermen and it has no impact on the CHP(limited entry) requirement for charter boats but it does impact the latency issue of those permits by including all recreational fishermen in the allocation.

So again, I say, put all recreational halibut fishing into a single recreational allocation that is separate from the commercial allocation. Then use the science to regulate that allocation to be sustainable. Oh, and make the allocation equitable to the number of users.

And if we want to support the halibut resource even better, vote to implement Kent Huff's "Bycatch use in lieu of area IFQ for commercial fishermen" proposal.

Thankyou for your service on the council and thankyou for considering my comments. I welcome your feedback.

Sincerely,

James S Kearns



NPFMC comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

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## Agenda Item C2- CHP Latency and RQE

1 message

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**Matt Kopec** <matt@fishwhittier.com>

Wed, Nov 29, 2017 at 6:18 PM

Reply-To: Matt Kopec &lt;matt@fishwhittier.com&gt;

To: NPFMC Comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

Mr. Chairman and members of the Council.

I own and operate Whittier Marine Charters and Whittier Boat Rental and I've followed and participated in this process since 1998. I was issued one CHP when the program was initiated and I've purchased two at fair market value since.

As management efforts have again failed in area 3A, I am once again deeply concerned for the future of my business. The current latency problem is not unlike the open access problem we had prior to the moratorium. The CSP simply does not allow nearly a sufficient allocation for a viable 3A fleet at low levels of halibut abundance for all permit holders. It would seem that this is an obvious flaw with the program and one that should have been paramount during the program's inception. Operators like myself who survived the moratorium accepted the CHP and CSP plans bitterly because of the large reduction of our allocation, but we believed that we would have stability after the pains were over.

Stability has not come. I've lost a number of long time customers since charter regulations became more restrictive and I believe that additional measures will significantly change what the 3A fleet and coastal communities look like. Customer demand exists. Without an increase in allocation and/or an effort to control the use of latent permits, this problem will persist at some level. Currently, it looks like 3A is on a fast track to a one fish reverse slot. While this seemingly has worked in area 2C, dynamics are different there and 3A charter customers largely won't tolerate such a severely restricted limit.

While talented managers have worked hard to keep the fleet within its allocation, the past few seasons have shown that no one can really predict how each variable will react when trying to micro tune measures. 2017 estimates indicate that the 3A fleet harvested roughly 30,000 fewer fish than did in 2014 (information via Scott Meyer ADFG). It would seem that things could be well under control. Unfortunately, because of an unforeseeable increase in the average fish size, we are still over our allocation. The current management strategy is akin to trying to drive tacks with a shotgun.

As you know, this is a complex problem and it requires delicate action. While it's clear that latency in the current program must be dealt with, I urge you to not punish those who have recently purchased CHPs. Although permits continue to come into use, effort has remained fairly flat over several years. I don't see evidence that it will spike. Perhaps a temporary freeze in use during this time of low abundance would be enough to solve the immediate problem. Such an action would also eliminate the complicated and contentious problem of attempting to tier and/or eliminate CHPs and it would permit future growth if conditions change in the future.

At this point, the RQE is the best hope that we have for a stable future, but as always, the details of the plan will determine it's success. If a small increase in allocation is a notion that is completely off of the table, please allow the RQE to move forward in its most timely and robust form.

Thank you for your time and consideration.

Matt Kopec  
Whittier Marine Charters



NPFMC comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

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## Latent Capacity of CHP's Charter Halibut Management

1 message

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**David Pinquoch** <agtc.david@gmail.com>

Wed, Nov 29, 2017 at 9:34 PM

To: NPFMC comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

Council,

Three comments regarding latent capacity of charter halibut permits.

1. The number of sport fish user days has been on the decline for almost a decade. The number of Alaska fishing licenses sold is also on the decline even though the number of visitors to Alaska is on the increase. Knowing these trends why is there so much emphasis on latent capacity?  
Has this been considered and disregarded? If the number of charter boats fishing increased by 20% next year, statistical data certainly suggests the increase in harvest would be minimal.
2. In parts of the discussion paper it states permit registration is to compile information on permits such as if they are being used, which ports and how many days. Would it not be a lot cheaper and easier for everyone if that information was extrapolated from the saltwater charters logbooks?
3. Regarding the possibility of tiered usage based on historical use. I would simply ask that if this system were to be implemented, that historical usage be based on usage since inception of the CHP. Using recent historical use, specifically since size restrictions have been placed on harvests, will unfairly reduce some permit holders. Specifically, I have 2 charter boats, one does day trips and the other multiday trips. Since the size restrictions have been put in place multiday trips have declined by more than 50%. It is going to take some time to recover and adapt to these changes. Almost all of my repeat clients quit returning. Clients develop a price to performance comfort level. They are now being asked to pay the same price for half the fish. New clients will come along with less expectations, but it takes time to develop that. With almost 30 years of chartering, it seems extremely unfair to use catch data from a small fraction of time that is less than half of my average because of recent regulation changes. At a minimum, all years since the inception of the CHP's should be used. Better yet, picking the 5 best years doesn't seem unfair.

David Pinquoch  
Alaska Good Time Charters LLC  
PO Box 623  
Whittier, AK 99693



**Rum Runner Charters**

P.O. Box 210954  
Auke Bay, AK 99821  
907-789-5482

[www.rumrunnercharters.net](http://www.rumrunnercharters.net)



North Pacific Fishery Management Council

605 W 4thAve, Suite 306

Anchorage, AK 99501

11/29/2017

Ref: Latent Capacity CHPs Paper

To Whom It May Concern:

My Name is Chris Conder, I run and own Rum Runner Charters in Juneau, Alaska. We have just finished our 25<sup>th</sup> season. I also hold degrees in both Biology and Teaching. During the off season I work with the Juneau School District specializing in teaching High School mathematics to hard to reach students. One of the subjects I cover is manipulation of statistics: how people and groups will manipulate numbers to back up points or claims. We saw this used to extremes in our last election by all sides. I have seen it used throughout my career in biology by companies trying to prove they were not harming the environment and by their opponents trying to prove the opposite. It is bad science. It does a disservice to all parties concerned by not allowing for realistic data on which to make decisions.

The paper on latent capacity makes an unrealistic assumption of maximum usage of all permits, all season long, it is the equivalent of saying all the hotels at SeaTac will be booked to maximum capacity all summer. I am sorry, but it is bad science. It looks at an impossible worst case scenario and builds the paper from there for a conclusion that was, I suspect, predetermined. This unfortunately invalidates the rest of the study.

As I said in a previous letter, this mentality is beginning pushed more by greed (by a few) than need.

Sincerely,

Capt. Chris Conder

Rum Runner Charters



# Southeast Alaska Fishermen's Alliance

9369 North Douglas Highway

Juneau, AK 99801

Phone: 907-586-6652

Email: [seafa@gci.net](mailto:seafa@gci.net)

Fax: 907-523-1168

Website: <http://www.seafa.org>

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November 30, 2017

North Pacific Fishery Management Council

Dan Hull, Chair

605 W 4<sup>th</sup> Ave, Suite 306

Anchorage, AK 99501

Sent via email: [npfmc.comments@noaa.gov](mailto:npfmc.comments@noaa.gov)

RE: C-2 Charter Halibut Permits: Latent Capacity; RQE Ownership Caps

Agenda item C-2 has two discussion papers addressing two aspects of charter halibut latency. Southeast Alaska Fishermen's Alliance (SEAFA). **We support moving forward with the development of a Need and Purpose Statement, and then combining options that consider halibut charter trip limits, angler days, and purchase of charter halibut permits by an RQE entity within one analysis.** It would then be possible for the Council to choose one option over another or a combination of RQE purchase of permits and trip limits or angler days.

Charter Halibut trip limits and angler days were both considered during the Charter Halibut stakeholder committee of 2007 when the concept of halibut charter permits was developed. At that time the committee felt that limiting the fishery was the first important step in the process. It was known that excess latent capacity was being built into the program and would need to be addressed.

Reducing latent capacity helps reduce one of the unknown factors when trying to determine/estimate charter management measures. This is important as the Catch Share Plan (CSP) was developed with **the intent to manage the charter sector to remain below annual allocations** and at a minimum to ensure that over time any overages would be equal to or exceeded by underages. The CSP has been in effect for the last four years and in Area 3A the management measures exceeded their allocation in each year. This action's objective would be to help control the variability of effort in order to help stabilize management measures and to help better estimate effective management efforts to be at or slightly below the annual CSP allocation.

We would like to comment on section 3.4.2 Monitoring and Enforcement Challenges of the CHP Latency Discussion Paper. First, it might be difficult but would be possible to check on the water through the CHP logbook if an individual was below the assigned number of trips or angler days tied to that permit. The second issue raised by NOAA Office of Law Enforcement (OLE) was that “annual limits on CHP trips would create an incentive for businesses not to submit logbook data or to falsify trip reports”. This incentive exists today and can occur to try and stay within the CSP annual allocation.

Thank you for your consideration of moving this issue forward.

Sincerely,

A handwritten signature in black ink that reads "Kathy Hansen" followed by a long horizontal line extending to the right.

Kathy Hansen  
Executive Director



November 30, 2017

Chairman Dan Hull  
North Pacific Fishery Management Council  
605 West 4th, Suite 306  
Anchorage, AK 99501  
[Npfmc.comments@noaa.gov](mailto:Npfmc.comments@noaa.gov)  
RE: C2, CHP Latency/RQE

Dear Chairman Hull,

The Southeast Alaska Guides Organization (SEAGO) is a non-profit dedicated to the sustainability of the guided sport fishing industry in Southeast Alaska. We work to promote the tradition of sport fishing in Southeast Alaska through reasonable regulations that ensure the long-term sustainability of our members' businesses and fish resources. SEAGO appreciates the opportunity to comment on the Council's discussion paper considering mechanisms to address latent Charter Halibut Permit (CHP) capacity. Also included under issue C2, and addressed below, is the ability of the Recreational Quota Entity (RQE) to purchase CHPs. Prior to commenting, SEAGO extends our thanks for the work of Council and the Alaska Department of Fish & Game staff members in compiling the logbook data used in the discussion paper.

#### Reducing Latent Capacity

SEAGO sees the goal of reducing latent capacity as one which can help stabilize management measures in Southeast and maintain the quality of clients' catch opportunities. Many halibut anglers book their Alaska visits a year or more in advance. Over the last decade, annual halibut management measures in 2C have changed so frequently that business owners cannot provide predictions with any sense of certainty. Operators who run charter halibut trips full-time during the summer season rely on returning clients and pre-season bookings; these anglers frequently consider management measures in their decisions. The upcoming season's management measures are partially based on the previous season's angler effort. As the Council analysis lays out, existing CHPs are used at a lower rate than is ultimately possible. If there is a "surprise" increase in angler effort via some CHPs being used for more trips, this can have a detrimental effect on management measures and client choices over the following years.

SEAGO is in favor of creating a three-tier system for CHPs, setting permits within a low ( $\leq 20$  trips), medium ( $> 20$  trips and  $\leq 50$  trips), or high use category ( $\geq 51$  trips). These categories will maintain opportunities for growth within the bounds that the CHP has historically been used. They will also reduce the opportunity for "surprise" increases in angler effort from ten-fold (history of ten seasonal trips increasing to full time operator) to two-fold (history of ten seasonal trips limited in growth to twenty trips). This would also maintain operators' ability to keep a back-up CHP active for high booking days. At this time, SEAGO disagrees with a limitation by angler trips, as it might limit the opportunity for growth or variation by high-use CHP holders.



Regarding the goal of reducing latency, SEAGO sees this action as one of a combination of actions which can help stabilize management measures while maintaining flexibility and the opportunity for growth of the fleet. Currently, Southeast has little growth, as CHP prices have doubled in cost since 2016, with waiting lists for purchasing opportunities. This action may in fact lead to more variety in market prices and increased opportunities for growth of new or part-time operators.

There are concerns raised to SEAGO which the industry would like to see addressed in an analysis on reducing latent capacity. The first industry concern is whether the process for qualification under any limitation scheme will inequitably reduce an operator's future capacity to use his or her CHP. Related to this are concerns from operators who recently purchased CHPs without any knowledge of the history of use. A CHP's purchase value is based on the status quo and may decrease if a CHP is limited based on pre-purchase use. In considering the process within this action, it is vital that qualifying information account for whether the CHP has recently been sold to a new operator or if an existing operator has undergone or plans to undergo changes to the business. Additionally, CHP holders should be made aware of the CHP's history of use, perhaps as a part of the CHP's annual registration process.

The second concern is regarding how the Council proposes monitoring CHP use under a limitation scheme. Monitoring the alternatives provided would place a new and complex burden on both operators and enforcement, which could only be reviewed post-season. Third, the definition of a "halibut trip" must be considered carefully and laid out clearly so operators are aware of and can track their limits from their own or a leasee's logbook, if need be. Operators should not be unknowingly penalized a trip for having caught and released a halibut while bottomfishing. Finally, some industry members would like to see 2C and 3A managed based on regional differences. This idea could be further fleshed out within the next staff analysis if necessary.

#### Recreational Quota Entity's Purchase of Charter Halibut Permits

An increase in angler effort via increasing CHP use may have a negative effect on the operation of the RQE. As angler effort increases, if the halibut stock remains stable or decreases, the RQE would have to purchase quota with an eye towards returning catch measures to a base level. This may be what the charter industry faces this year after the unanticipated increase in fishing intensity. As an example, in Southeast, instead of purchasing enough quota shares (QS) to maintain a reverse slot limit near U43:O80 and improve catch opportunities from there, the RQE may have to spend its initial hundred thousand dollars purchasing QS to eliminate an annual catch limit. If the Council can facilitate some control over one of the factors affecting catch opportunities, such as angler effort, we need to consider these options.

SEAGO supports the RQE having the opportunity to purchase more than five CHPs. This purchasing ability would promote long-term flexibility for the charter fleet by removing some transferable CHPs from use on a temporary basis. The RQE should then be able to lease,



lease to own, and sell CHPs to operators down the line. In the long run, non-transferable CHPs will be retired, so a limit of 30% of transferable CHPs would provide better protection for the CHP market and reduce the risk that the RQE would be considered to hold an “excessive share” of halibut fishing privileges. Finally, this should be one of a combination of actions the Council takes to reduce latent capacity while maintaining flexibility within the fleet, as no one measure will reduce latent capacity on its own.

Some of the challenges raised regarding RQE purchases of CHPs will depend on other Council actions and the decisions of the RQE Board of Directors, and staff may not be able to fully address them in their analysis. For example, if the Council designates trip limits for CHPs, this may lower the market price and decrease or vary purchasing by operators, leaving available low-use, lower-cost CHPs for purchase by the RQE. Additionally, the RQE Board will determine whether it is more cost effective and beneficial to the industry to purchase QS before purchasing CHPs, which CHPs to purchase, and be able to follow how its purchases affect the industry’s CHP market. As a Board of Directors must take the best steps for the RQE, and the intent of the RQE is to benefit the industry’s catch opportunities, these decisions will be very carefully made.

Thank you for your consideration of the above comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Weinstein", is written over a light blue horizontal line.

Samantha Weinstein  
SEAGO, Executive Director  
Samantha@seagoalaska.org



NPFMC comments - NOAA Service Account &lt;npfmc.comments@noaa.gov&gt;

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## Latent Capacity of Charter Halibut Permits-- Comments

1 message

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**Joel Steenstra** <joelst99@yahoo.com>

Mon, Nov 27, 2017 at 1:52 PM

To: NPFMC Comments &lt;npfmc.comments@noaa.gov&gt;

Dear Counsel,

My wife and I purchased my 2c, 4 angler Charter halibut permit in February of 2017. It is permit number 5255 version c. I have been a guide out of Craig, Alaska for an established lodge for the last 14 years, averaging over 60 days a year. We are year round residents of Craig with our three young children. After many years guiding, my wife and I decided it was time for me to venture out on my own and start my own charter business. We dug deep in our savings and purchased the permit from a Sitka operator for \$32,000 with the help of a broker, Alaska Permit Brokers. The broker handled the sale and we never had contact with the seller. Our future plans were to run a family run, one boat operation out of Craig. We have also purchased a boat, gear, and set up a webpage. We have invested a lot of money into this venture.

We are very concerned about the future status of our permit. It takes time to build a business from nothing, despite being in the industry so long. Craig does not have cruise ships or a lot of walk on charter clients. You need to market to, and find your customers from down south to come up and fish. We never saw this coming and paid the market price of \$32,000 assuming the status quo, which is we could fish our permit once established for a full season, between 60 and 75 days. Full seasons like that are necessary to support a family in Craig, Alaska.

We do not know the real history of our permit. I have submitted a request for information to NOAA, Ram Division, but they replied that they do not have that information, and I had to inquire with the ADFG for logbook information. I have contacted ADFG and they said I needed to have the original owner of the permit file a request and they have the choice whether or not to share the information with me as logbook information is confidential. I have contacted the original owner and he wasn't sure how much the permit was used, as he had multiple permits. I will try to get the original owner to get me the information from ADFG but there is no guarantee we will get it and be able to make future plans.

We urge you to strongly consider the permits that have been recently bought and sold. Those permits were purchased at a market price assuming the status quo. As of right now there is no compensation for those permits if they are designated to a lessor status. If a permit is given a maximum of say 20 or 50 days, it will severely effect the ability of the smaller one boat operations to make an adequate living here in small town Alaska.

Joel and Leanne Steenstra  
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Craig, AK 99921  
[907-965-0130](tel:907-965-0130)