

Charter Management Implementation Committee Report

March 27, 2012

Anchorage Alaska

Attendance The meeting convened at approximately 4 pm. Seven members of the public attended.

Committee: Chair Ed Dersham, Gary Ault, Seth Bone, Tim Evers, Kent Huff, Stan Malcom, Andy Mezirow, Richard Yamada. Ken Dole was absent.

NPFMC Staff: Jane DiCosimo, Mark Fina

NOAA: Rachel Baker

IPHC: Gregg Williams

ADF&G: Scott Meyer, Bob Clark, Barbi Failor, Ruth Christiansen, Nicole Kimball

Opening Remarks

Chair Ed Dersham opened the meeting with introductions and invited committee members to comment on the agenda.

Jane DiCosimo reviewed the meeting materials, which included 1) the latest halibut workshop outline, 2) the Council's December 2011 motion, which spawned the documents now under review, and 3) the roadmap (Part 1), which covered how all the documents collectively address the Council motion. No presentations on any of the documents were planned, but staff was available to answer questions.

Logical Outgrowth

Rachel Baker answered questions on the NMFS paper on logical outgrowth, mostly on the GAF program. Ed Dersham highlighted that the NMFS discussion paper identified that 1) the Council clarification for Method 3 for the GAF Program and 2) any change to the management matrix would not be a logical outgrowth of the 2011 CSP proposed rule and would require a new, focused proposed rule to those changes. Under Method 3 NMFS would issue GAF to charter operators in pounds of fish, rather than in number of fish as recommended in the Council preferred alternative and in the CSP proposed rule. Under Method 3, net pounds of IFQ transferred from the IFQ permit holder would be equal to the pounds transferred to the GAF permit holder. Method 3 would require charter operators wishing to lease commercial IFQ as GAF to estimate the number of pounds of halibut to lease rather than the number of halibut, which could potentially be challenging to determine in advance.

Implementation of a GAF Program was a major focus of committee discussion. Richard Yamada suggested that the committee recommend that the Council recommend that NMFS publish a new proposed rule. There was, however, no consensus to recommend Method 3.

Andy Mezirow spoke in favor of a management tool (i.e., modified GAF Program) that would allow individual charter halibut permit holders to purchase commercial QS or a lease to purchase QS option, rather than the current program that only would allow annual leasing of IFQs (i.e., temporary). He felt the GAF program, even under Method 3, doesn't work for some business operations. In his experience, large halibut weigh less than predicted by the IPHC length-weight relationship. He felt that the IPHC length-weight relationship may be appropriate for determining average weight, but may not be appropriate for commerce involving individual fish. One solution to the commerce issue is that an operator would average all his/her GAF fish to determine the additional fee to clients for use of GAF. He preferred that each GAF be weighed so that the average GAF weight would be used for the conversion between pounds and numbers.

Richard questioned the IPHC length to weight conversions that would be used to manage the GAF Program. Gregg Williams responded that the drop in weight at age is well documented, but there has not

been documentation that fish are smaller at a given length, therefore the size at length conversions are still appropriate.

Toward the end of the meeting the committee returned to the GAF Program. Recognizing that a new proposed rule will be promulgated to address Method 3 under Comment 3 in the logical outgrowth paper (Part 2) by NMFS, Andy Mezirow suggested that the Council could revise the GAF Program to determine an average GAF fish by regulatory area for year 1 by using average charter caught halibut to issue fish in numbers of fish, and each subsequent year determine the average size of GAF. Richard noted that Andy's proposal goes back to the Council's original GAF approach for year 1 and there is no advantage for Area 2C.

Tim asked if the committee could recommend different approaches to regulating GAF for each regulatory area. Jane responded that the committee could do so, but it should provide sufficient rationale for why the different approaches were appropriate for each area.

Gary Ault said that he could not imagine GAF "by the inch" being viable in Homer. First, if the second fish was GAF, then it would be the smallest fish on the boat and that would skew the results. Larger operations might be better able to use GAF. Richard asked if the GAF program can be removed from the CSP, but not all members supported that.

CSP Supplemental Analysis

Richard asked about the conclusions of the CSP analysis, and Jane referenced the bold text under Section 1.3. "Charter sector allocations are greater in both pounds and percentage of the combined catch under the GHM at lower levels of the combined catch limit in both areas. Yet, once the combined catch limit reaches 9.5 Mlbs in Area 2C and 26.1 Mlbs in Area 3A, the CSP yields a larger charter sector allocation."

CSP Discussion Paper

Andy Mezirow spoke in favor of the 2012 approach as described in the discussion paper to replace the management matrix under the CSP. Seth Bone agreed, and suggested that the committee consider recommending it to the Council as a preferred approach. Richard noted some shortcomings: 1) that an EA/RIR/IRFA would not be developed under the 2012 approach, although there would be an ADF&G analysis with SSC review and 2) it relies on the IPHC to accept or reject the Council recommendation. Ed said that the 2012 approach looks to be successful this year, likely would be used again for 2013 under the current CSP implementation schedule, and could be beneficial between the Council and the Commission. Ed responded that a committee or even this committee would be used by the Council to identify potential management measures early in the process each year. Andy, Ed, Gregg and Jane commented further that the IPHC action would be to adopt the Council's Area 2C/3A CSP, which would include a specific management measure reviewed by the SSC and recommended by the Council for each IPHC area covered by the CSP. Stan Malcom concurred with the 2012 approach as the best solution.

Ed noted that there was nothing preventing new ideas for long term solutions being developed into a future discussion paper.

The committee unanimously agreed to recommend to the Council to adopt the 2012 approach for the CSP.

Andy asked if the committee could suggest an increase in the bag limit beyond two fish per day during times of high abundance. The committee concluded that philosophically, there might be agreement to increasing the bag limit, but there were questions about the practicality of having a higher bag limit than for the unguided sector. Tim suggested that banking of unharvested fish during times of high abundance could be made available during times of low abundance.

Logbooks

The issue of whether the CSP allocations to the charter sectors would be revised if the Council adopted the logbooks as the official harvest reporting vehicle was generally discussed. Ed noted that if the Council wishes to look at revised allocations at low levels of abundance, any adjustment that could be considered as a result of changing the reporting mechanism to logbooks, could be accommodated at the same time.

Andy suggested that the Council recommend that ADF&G use the ADF&G logbook as the harvest reporting vehicle. Tim noted that the logbook data was necessary to attain the successful development of the 2012 approach. *The committee unanimously recommended adoption of the ADF&G logbook with an appropriate adjustment to the allocations.*

Military boats

Military Welfare and Recreation (MWR) charter halibut limited entry permits were issued to qualifying military welfare and recreational vessels that are registered with the armed forces. There are no limits to the permits. The proposed rule speaks to the process that NMFS would report back to the Council if the number of permits increased over time. Tim asked if halibut caught on the MWR permits count against the charter sector allocation. Rachel said the proposed rule was not specific to that question. Scott said the MWR harvest is included in current charter harvest estimates based on the statewide mail survey, and MWR harvest is reported in ADF&G logbooks. Jane confirmed that she thought it was the intent of the Council that those harvests count against the GH (or CSP).

Andy noted that only about half of all anglers on the military boats are military personnel and he supported the MWR program. He recommended that the Council either completely include them in the CSP and have their harvests count against the allocation, or exclude them from the charter sector by taking the military harvests off the CEY, similar to the process for accounting for unguided removals. There have been 5 military vessels since about 2000, the captains are licensed by ADF&G as charter captains, are compensated and therefore those anglers are defined in federal regulations as charter vessel anglers and would be subject to charter restrictions.

Public Comment

Rhonda Hubbard asked if certified scales could be used to document the size and weights of GAF, and have a third party verify the recorded measurements. Richard responded that fish must be measured before the fish are removed from the vessel and using a scale on a moving vessel would make that unmanageable. Rachel clarified that the size of a GAF would not be required to be reported in logbooks, only that one was harvested. Lengths or weights of GAF would be under electronic reporting, but not in the logbook. NMFS needs that data for returning unharvested GAF to the commercial IFQ holder. Lodges don't have certified scales, but could get them. Remote lodges can be IGFA certified. The logbooks could record only the number of GAF, and scales could be required to report measurements. Jeff Farvour noted that certified scales can be put on small, commercial boats.

Tim noted that he hasn't heard any charter operator who intends to harvest a GAF. Gary noted that the scale issues would discourage use of GAF.

Stan Malcom asked whether marking of fish has been clarified. Rachel identified that the NMFS paper on logical outgrowth identifies this specific issue and is seeking Council comment on that. The NMFS paper includes a suggestion by ADF&G to mark GAF by cutting off the upper and lower lobes of the tail, as is done for personal use sockeye salmon.

Adjourn

The meeting adjourned at approximately 6:40 pm.