


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke
Executive Director 

DATE: January 22, 1999

SUBJECT: Halibut Charter GHL

ESTIMATED TIME 4 HOURS

ACTION REQUIRED

Review GHL/moratorium discussion paper and give staff direction for analysis.

BACKGROUND

At the December 1997 meeting, NMFS notified the Council that the regulatory package to implement the GHL, as approved by the Council in September 1997, could not be submitted to the Secretary without accompanying management measures that would be triggered to keep halibut charter catches under the GHL. In response, the Council formed the GHL Committee to develop possible measures that would be triggered once the GHL was exceeded. The Council approved the committee recommendations for management alternatives with minor modifications in April 1998 and requested that staff provide the Council with a discussion paper of those proposed measures (Item C-5(a)). The committee reviewed the discussion paper on January 12, 1999 and its recommendations are attached as Item C-5(b). The revised list of alternatives, which incorporates a new management alternative proposed by the State of Alaska (Item C-5(c)), and other staff recommendations are attached to these minutes.

Initial review of the GHL/moratorium analysis is scheduled for April and final action for October 1999. ADF&G staff has provided a report on preliminary findings of the 1998 sportfish logbook program (Item C-5(d)), which will be a critical database for development of this analysis. Staff will not be able to compare logbook results with the State-wide harvest (postal) survey until approximately September 1999, and it will take at least three years to verify its accuracy. ADF&G staff recommends that the Council use the 1998 logbook data as the best information available and reevaluate the GHL program as the data are revised.

Proposed Halibut Guideline Harvest Level (GHL) Management Measures Discussion Paper

prepared by staff
**North Pacific Fishery Management Council
National Marine Fisheries Service
Alaska Department of Fish and Game
International Pacific Halibut Commission**

Introduction

At its October 1997 meeting, the Council approved two actions affecting management of the halibut guided sport fishery, culminating more than four years of discussion, debate, public testimony, and analysis.

1. Recordkeeping and reporting requirements. In 1997, the Council approved recording and reporting requirements for the halibut sport charter fishery operating in Alaska. To comply with this requirement, the Alaska Department of Fish and Game, Sport Fish Division, under the authority of the Alaska Board of Fisheries, implemented a Saltwater Sportfishing Charter Vessel Logbook in 1998. Information collected under this program includes: fish landed and/or released, date of landing, location of fishing, hours fished, number of clients, residence information, number of rods fished, ownership of the vessel, and the identity of the operator.
2. Guideline Harvest Levels (GHL) in IPHC Areas 2C and 3A. The Council adopted GHLs for the halibut guided sport (charter) fishery in International Pacific Halibut Commission (IPHC) Regulatory Areas 2C and 3A. A GHL was not set in any IPHC area west of 3A. Under this action, the Council stated its intent to manage the guided sport fishery to not exceed 12.76% of the combined commercial and guided sport halibut quota in area 2C, and 15.61% in Area 3A. The GHL rates were based on the guided sport fishermen receiving 125% of their 1995 catch. In taking this action, the Council stated its intent that the guideline harvest levels would not shut the fishery down, but instead would be used as a gauge to trigger other management measures in years following attainment of that harvest level. The Council intends that the halibut charterboat industry will be managed to maintain a stable charter season of historic length, using statewide and zone specific measures. When end-of-season catch data indicate that the guided sport industry will likely reach or exceed the GHL in the following season, NMFS would implement the pre-approved measures to slow down guided sport halibut harvest. Based on the Council analysis (NPFMC 1997), this approach is not expected to come into play for several years. Management measures will be developed by the Council in cooperation with the Alaska Board of Fisheries (BOF), the charter industry, and other members of the public.

In addition to the specific actions outlined above, the Council also adopted a framework for developing local area management plans (LAMPs) using the joint Council/BOF protocol. Local area plans would be submitted through the BOF proposal cycle, but portions of the plans pertaining to halibut would ultimately require Council approval for implementation. Lastly, the Council scheduled a review of halibut charterboat management for October 2000.

Purpose and Need for Action

At its December 1997 meeting, NMFS notified the Council that implementation of the GHL without accompanying regulations was problematic and, therefore, could not be submitted to the Secretary at that time. Instead, the NMFS published the Council's intent of managing the halibut charter fishery under a GHL as a notice of inquiry in the Federal Register on March 10, 1998. NMFS recommended that the Council develop possible management alternatives for analysis that would be triggered by the GHL. The Council announced the formation of a GHL Committee to recommend possible management measures that would keep the halibut charter fleet under the GHL. The committee met twice in early 1998 to develop management alternatives for the Council to consider. Due to the difficulty in scheduling a meeting of the GHL Committee, the discussion paper was mailed to the committee and individual comments were addressed in preparation of this final report.

In April 1998, the Council initiated a regulatory amendment to analyze a suite of management alternatives to manage the halibut charter industry to maintain the fleet below the GHL. The alternatives will be analyzed to determine their effectiveness under a GHL in addressing the following problems identified by the Council.

PROBLEM STATEMENT

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

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.
2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining catches for historic sport and subsistence fishermen in some areas.
3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.
4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty associated with the present situation and the conflicts that are occurring between the various user groups may also be impacting community stability.
5. Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks: (1) the effort and catch of individual charter operations, lodges, and outfitters; and (2) changes in business patterns.
6. The need for reliable catch data will increase as the magnitude of harvest expands in the charter sector.

This discussion paper is an interim step to further clarify Council intent for management and any regulatory impediments with the management alternatives approved for analysis. The current Council schedule for development of the regulatory amendment package to manage the halibut charterboat fishery is for initial review in February 1999 and final action in April 1999. These dates may change as a result of staff tasking to meet the requirements of the American Fisheries Act. If the Secretary of Commerce approves a moratorium under the 1999 timeline, implementation could occur in 2001. A minimum of one year would be necessary to allow development of the database, submission and appeals of qualification criteria, and issuance of moratorium permits. Other management measures could be implemented in 2000, if necessary, with Secretarial approval.

Background

The Council has discussed the expansion of the halibut charter industry and concerns of localized depletion of the halibut resource and the potential reallocation from the IFQ longline fishery since 1993. A surge in guided charter effort in the early 1990s in some small communities (e.g., Sitka) fueled Council concern. A two-prong approach was endorsed by the Council to resolve the perceived impacts of increased guided charter halibut fishing. The first was establishment of guideline harvest limits for Area 2C and 3A halibut charterboat fisheries; the second was a process to establish local area management plans for coastal communities.

The most significant factor in the creation of the GHLs was the perceived impact to the directed IFQ fisheries in Areas 2C and 3A. Because charterboat catches are deducted from the IPHC calculation of allowable halibut removals, any increase in charter catches results in a lower quota for the commercial IFQ fishery. The GHLs were adopted to prevent the erosion of commercial quotas in Areas 2C and 3A above the recommended GHL levels.

The Council has also endorsed a regional approach, recommending the GHL only for Areas 2C and 3A. The Council considered and rejected more specific GHLs for ADF&G fishing zones, because it would have conflicted with IPHC management of halibut (e.g., area-wide stock assessments, recordkeeping and reporting requirements).

The impact on local communities is another prevalent rationale for the Council to regulate the guided halibut fleet. The Council decision to not impose a GHL west of Regulatory Area 3A is indicative of that intent. Some communities are seeking to limit the expansion of local halibut charter fleets (e.g., Sitka, lower Cook Inlet). Other local communities are only recently expanding and are encouraging the expansion of tourism opportunities, including halibut charter operations, in those areas (e.g., Unalaska/Dutch Harbor, Hoonah, Gustavus, Old Harbor, and Cheenga).

The Council has identified communities such as Sitka and lower Cook Inlet (Homer) as experiencing user conflicts over halibut. Members of those communities have proposed local solutions via LAMPs (BOF proposals have been submitted for Deep Creek and Kodiak and the Sitka Sound LAMP is awaiting implementation). The Sitka LAMP was designed to allocate the halibut resource via creation of user exclusion zones and did not place effort or catch limits on any sector, but emphasized a preference for the local non-guided sport and subsistence halibut fisheries. The Cook Inlet proposal for Deep Creek as submitted to the BOF in April 1998, consists entirely of a halibut charterboat moratorium. The Kodiak proposal is a placeholder proposal while community discussions continue.

LAMPs by design are flexible and can be designed to meet different objectives. As the problem in the halibut charterboat fishery is currently defined by the Council, it appears that individual LAMP proposals may address some of the Council's goals, depending on the individual LAMP proposal (Alternative 1). LAMPs will not, on their own, satisfy the third listed goal in the problem statement, such that LAMPs will not prevent the open-ended reallocation of halibut quota from the commercial to the guided sport sector

Development of LAMPs has the benefit of involving the Alaska Board of Fisheries and its advisory committees and ADF&G staff in the process of resolving local issues. This is beneficial given that some solutions may impact state managed fisheries and allows for consideration of these impact in the development phase of the LAMP. Alternatively, the Council may proceed with recommending measures to implement the Area GHLs and proposed moratoria (Alternative 3). Yet another approach would be somewhere in between these two. The Council could directly allocate the halibut resource between the commercial and guided sport sectors, leaving unguided halibut removals unrestricted, and implementing moratoria and other management measures within LAMPs (Alternative 2).

New reporting requirements must be weighed within the context of potential reporting biases. The charterboat logbook was implemented in the spring of 1998, and the first year rate of compliance is yet undetermined. As of July 1998, approximately two-thirds of logbooks issued in Southeast Alaska were being returned. Also, the information collected using the logbooks has yet to be verified using independent data. ADFG staff have recommended that the data be verified over a three-year period to assure its accuracy. The Council may not wish to base part of the moratorium qualifications on such preliminary information, but may instead prefer to build the database of participants, effort, etc. prior to a moratorium analysis. This is the ADF&G Sportfish Division staff recommendation, stating, in part, the Department's opposition to either a statewide or area-wide moratorium proposed under Alternative 3.

Review of impacts of the GHL

The *major factors of uncertainty* which drive the impacts of the GHL are: (1) the actual biomass and quota for halibut in future years and (2) the actual growth rate experienced in guided sport fishery (demand function for trips). These two factors, in combination, will significantly determine the point at which a cap becomes constraining, and therefore significantly affect the economic impacts, relative to status quo management for the charter and commercial halibut sectors.

Biomass estimates for the North Pacific halibut stock were provided in the halibut charterboat EA/RIR (NPFMC 1997) and are not updated in this discussion paper. No significant changes to the halibut stock have been identified since the EA/RIR was prepared in 1997. A review of the status of the stock will be provided in the GHL EA/RIR. At present biomass levels, the biomass will not be constraining to the GHL for the next several years.

Growth in the number of resident sport licenses is correlated with the Alaska population which has grown since 1961 at 3.1 percent, but the relationship has not been constant (NPFMC 1997). Since 1961 the growth rate of licenses has been 6.6 percent annually, but over time that rate has fallen. Since 1985 the growth rate has been 3.4 percent, and since 1990, 2.9 percent. Since 1961, an average of 42 additional licenses resulted from each increase in population of 100. But the share of the population with licenses, which had been increasing until 1984, has fallen to 29 percent by the mid-1990s from its high of 34 percent. The reason for this decline may be due to the changing demographics of the population, but its cause is not clear.

It is important to note that the effectiveness of any management alternative the Council recommends to limit halibut charterboat operations may be minimized by increases in the growth of visitors to the State. Charter usage is demand-driven. The fleet is currently overcapitalized in some areas of the state with many full-time charter operations meeting their individual capacity and many part-time operators entering and exiting the fishery around other recreational and commercial fishing seasons. The Council analysis reported that consumer demand requires only about 600 (full time equivalent) vessels from over 2,000 IPHC licensed halibut charter vessels. Some actions, such as vessel moratoria, annual bag limits, trip limits, etc., may result in increased costs and stricter limitations on halibut removals by residents who use charter boats to catch fish for personal consumption.

A smaller number of resident anglers have higher avidity rates to attain larger numbers of halibut for their personal consumption. These anglers are more likely to take 2-day trips and attain multiple day bag limits. These fishermen are more likely to be impacted by proposed restrictions on the charter fishery. Many non-resident anglers, particularly those who sign up for a charter in combination with other tourist activities (e.g., cruise ship, Denali Park bus trip) may be satisfied with a fishing charter for either halibut, king salmon, sockeye salmon, etc. and may be combining the fishing experience with a marine sightseeing trip, etc.

Growth in the number of non-resident licenses is related to the growth in the number of visitors to the State. The percentage of visitors who obtain a sport fishing licence has remained fairly constant since visitor counts began, at about 20 percent. This is in spite of growth over time in the percentage of visitors who arrive by cruise ship, particularly in the last 5 years. During this most recent 5 year period the number of cruise ship passengers has grown at a 9.3 percent annual rate compared to 6.3 percent for visitors in total. In 1995, 24 percent of visitors were cruise ship passengers. The majority of charter trips in Southeast are cruise ship passengers and/or non-residents. Most of the cruise ship charters target salmon because greater distances and time are needed to reach halibut grounds.

Historical *visitor trends* indicate that visitor volume grew moderately in the late 1980s, followed by a period of rapid growth through the 1990s (McDowell Group 1998). Visitors to Alaska listing vacation/pleasure as the reason for their trip grew an estimated 6.7% between Summer 1996 and Summer 1997, totaling approximately 839,000 people out of 1.1 million total visitors (Figure 1). This growth rate is lower than the average annual growth rate of 9% between 1989-

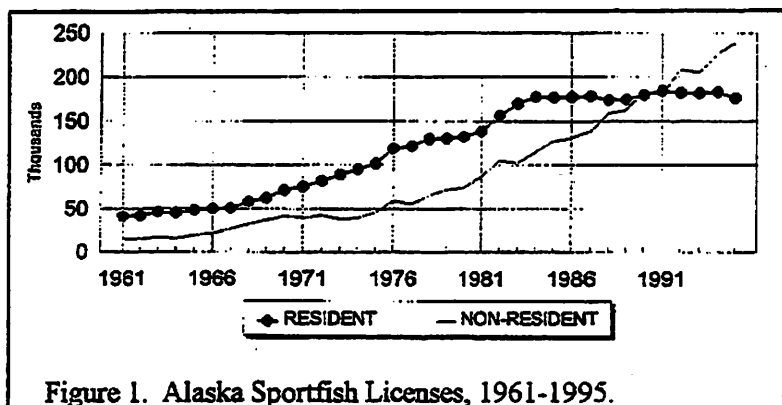


Figure 1. Alaska Sportfish Licenses, 1961-1995.

97, and totals more than 70% in that eight year time span. Since 1961 the growth rate of Alaska sportfish licenses has been 6.6 percent annually, but over time that rate has fallen (NPFMC 1997). Since 1985 the growth

rate has been 3.4 percent and since 1990, 2.9 percent. The percentage of visitors listing vacation/pleasure comprised 75% of all visitors. This pool of visitors supplies the charter fleet with customers.

During 1985-97, the growth rate of licenses issued to residents has been less than that of non-residents so that over time the share of licenses issued to non-residents has increased (Figure 2). Since the mid-1980s the number of resident licenses have not increased while non-resident licenses have continued to increase at 6.7 percent. After 1990, the number of non-resident licenses surpassed those of residents for the first time and since then the number of non-resident licenses has been an increasing majority of the total. Of the non-resident licenses the foreign share has remained fairly constant at about 7 percent.

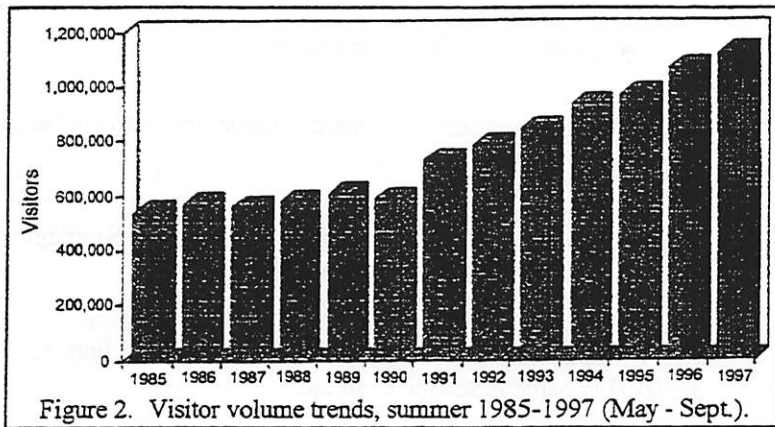


Figure 2. Visitor volume trends, summer 1985-1997 (May - Sept.).

List of Management Alternatives

The following list of alternatives was approved for analysis by the Council in April 1998. The Council added a rod permit program and a control date of June 24, 1998 to the analysis.

MANAGEMENT ALTERNATIVES

Alternative 1. Status quo. Do not develop regulations to implement a halibut Guideline Harvest Level.

- Instead, develop local area management plans as quickly as possible for areas with documented problems, through facilitation, etc., if possible.
- Employ the following six tools within a local area management plan (LAMP) to curtail catch rates of guided sport anglers: (1) line limits on boats, (2) annual angler limits, (3) vessel trip limits, (4) super-exclusive registration of charter vessels, (5) moratorium, and (6) sport catcher vessel only area (SCVOA) to address gear conflicts. These tools could be employed, as well as others not listed, within a LAMP framework to curtail guided sport catch rates.

Alternative 2. Under a GHL,

- Retain GHL at specified levels and convert the GHL to an allocation.
- Manage the guided sport fishery under status quo or according to LAMPs approved by the Council.
- Consider moratorium in the LAMPs.
- Bank uncaught halibut from the sport fishery to provide extra fish to sport fishery during subsequent years of low quota to provide stability to guided sport fishery.

Alternative 3. Under a GHL,

- Manage guided sport fishery status quo.
- Apply range of management measures listed above to curtail catch rates of guided anglers once GHL is attained.
- Apply management measures up to 2 years after attainment of GHL (1 year if data is available, but at the beginning of a year for industry stability).
- Employ combination of management measures (e.g., line, boat, annual and/or trip limits) depending on the level of catch reduction required.
- Include a moratorium under this alternative.

Alternative 1 recommends no additional action to implement the GHL and substitutes the LAMP process for halibut management for all users groups. The list of management measures addressed in this paper would be among those that could be incorporated in LAMPs. IPHC staff have suggested adding a seventh option within LAMPs to create fishing zones for different user groups.

The Council/Board LAMP protocol ensures that proposals for LAMPs will occur with or without the halibut GHL. The LAMP protocol is not strictly limited to halibut, and in fact, anticipates that affected groundfish and non-groundfish (salmon, lingcod, etc.) be considered in development of a LAMP. The protocol additionally expects that all user groups (commercial sport, charter, and subsistence) be involved as active participants in providing management recommendations contained within a LAMP. It is not expected, however, to be a speedy process. The Sitka Sound LAMP has been hailed as the prototype for development of additional LAMPs. Community members discussed different aspects of the plan for three years before reaching consensus. The Council and Board are on record as recommending that all LAMP proposals achieve consensus among the user group participants prior to submission for Council analysis and approval. Under the protocol, the Board agreed to take the lead in developing LAMPs. The Council also reserved the right to approve in total, reject outright, or modify the halibut provisions of a recommended LAMP given adequate biological or legal rationale.

It appears that Alternative 1 may not address the problem statement since, as a general concept, the LAMP may do nothing to restrict landings per se. However, some actions taken as part of a LAMP may in fact reduce effort and thus harvest. For example, limits on multiple day trips or restrictions on guide harvest could reduce effort and thus harvest. However, some communities may not wish to enact harvest restrictions as part of a LAMP unless other communities within the GHL affected area also enact harvest restrictions. A mechanism to encourage development of LAMPs would be to subdivide the area-wide GHL into community GHLs.

It is important to note that the LAMP process does not conflict with the problem statement or the GHL, except for the moratorium provision. LAMPs would act as a complementary action, but not a necessary one. Should the Council modify its original intent for implementing the GHL, individual LAMPs may be developed to meet the same management objectives under this alternative approach.

Alternative 2 recommends that the GHL be converted to an allocation and that management measures to manage halibut, including a moratorium, be implemented through LAMPs. It would also include the use of LAMPs to manage the halibut charter fishery. Management actions such as a moratorium, annual angler limits, vessel trip limits, and/or super-exclusive registration would be developed within a LAMP. A reserve that would bank unused quota of an allocation, and likely nullify the original GHL concept, is also included under this alternative.

The conversion of the GHL from a target that triggers management actions to an allocation departs from the Council's original intent in its development of the GHL, but merits review. Halibut charter representatives have argued that the industry requires two things to remain viable: a two-fish bag limit and its traditional fishing season. The Council has concurred with these two points (see above problem statement). The reserve concept discussed above addresses this concern.

The GHL analysis has pointed out that under current assumptions of biomass, tourism, and industry growth the GHL annually assigned to the charter fishery would not be met by the fleet until the later years of the projections in the charterboat analysis. The fleet, through its representatives on the Council's GHL Committee, has not requested a more liberal bag limit or other measures that would allow the charter sector to reach its de facto share of halibut. Instead, it has requested consideration of two changes to the Council's approach of managing the halibut charter industry.

I. It recommends that the GHL be converted from a target or trigger to an *allocation*. Conversion of the GHL to an allocation would then cap the commercial sector share since both the charter and commercial catches would then be under a direct allocation: 87.24% to the commercial sector and 12.76% to the charter sector of the combined commercial and charter catch limit. The current interpretation is that the GHL is a charter cap. Charter (guided) removals are combined with non-guided removals for an estimate of total sport removals determined by ADF&G Sportfish Division. Total sport removals for a given year are subtracted from the International Pacific Halibut Commission's (IPHC) projected annual catch limit to determine the commercial quota for the next year. Under the current understanding of the GHL, the commercial sector is not restrained from harvesting the unused portion of the GHL and it would be allowed to harvest all fish not harvested by the charter fleet. Under the proposed conversion to an allocation, the commercial sector would be constrained and the unused portion banked for later use by the charter fleet.

II. The charter industry proposes that under *either* the GHL as a cap or converted to an allocation, those halibut that the charter fleet is assigned under the GHL that are not harvested by them be assigned a credit in a conceptual manner. This would result in the charter sector being allocated a sufficient allocation to meet its minimum level of harvest to maintain the season length or bag limit in a year when the GHL would otherwise trigger reductions in either or both. The industry is explicit in not requesting an actual accounting of unused fish (pound for pound), but an acknowledgment in times of depressed halibut biomass that their minimum requirements need to be met to continue the charter fishery as a viable entity. The minimum is controlled by demand for halibut as evidenced by the number of clients. If client demand grows, the minimum would also increase.

On its face, this banking or as recently redefined as a *sportfish reserve*, appears to conflict with the Council's intent to cap the fishery under the GHL. The GHL would continue to represent a target, or benchmark, for the guided sport fishery. The minimum amount needed is the previous year's catch that did not result in triggering the GHL. But, the reserve effectively moots the GHL, in that the minimum amount of halibut guaranteed to the charter fleet under a reserve may exceed the cap in a given year.

To the charter industry, however, the reserve is a reward for forgoing harvesting halibut beyond their immediate needs in times of abundance. It is also a minimum amount needed, agreed to by the Council, to not decrease the charter season or bag limit in times of decreased halibut abundance. Additionally, the commercial sector accrues the unconstrained benefit of unused charter GHL during times of halibut abundance when the charter fleet does not reach the cap. Under the sportfish reserve, the commercial sector would be asked to sacrifice a disproportionately smaller amount of halibut in times of depressed stock abundance so that the charter sector could remain viable. The analysis concluded that a decrease in halibut, and corresponding revenues, for the charter fleet has a *proportionally* greater impact than a similar decrease in halibut (and revenues) to the commercial fishery, as it represents a much greater *percentage* change in overall revenues for the charter sector.

Alternative 3 recommends implementation of management measures to keep charterboat catches below the GHL. Implementation of an area-wide (2C/3A) moratorium is included under this alternative. As stated above,

development of LAMPs will occur with or without implementation of the GHL, so an area-wide (2C/3A) vs. local (LAMP) moratoria may require additional clarification. The current recommendation by the GHL Committee is that an area-wide moratorium would trump a LAMP moratorium, such that a LAMP could further restrict participation within a broader Area 2C or 3A moratorium. This aspect distinguishes Alternative 2 (moratorium within a LAMP) from Alternative 3 (area-wide moratorium), and requires further consideration. This issue is discussed further under the moratorium section of this paper. Remember again, that LAMPs with or without a moratorium will proceed on a separate course of action through the joint BOF/Council protocol.

Description of Individual Alternatives

I. Local Area Management Plans

While unguided sport fishing is growing, it is growing at a slower rate than the guided sport fishery, and accounts for about 3% of the overall harvest of halibut statewide. Problems for the non-guided fishery, as well as subsistence users, occur in the context of reduced local, or near-shore, availability of halibut. These localized depletions are due, in part, to increased catches by the charter fleets and by increasing catches of commercial IFQ in near-shore areas. Non-guided sport and subsistence users are forced to travel greater and greater distances to catch their halibut. Neither capping the charter fleet catch at current or increased levels, nor imposing a moratorium on new entry, even at regional levels, is going to address this type of problem. Localized depletions, and user conflicts, are occurring at current harvest rates. Local management plans, put together by the various user groups involved, appear to be a potentially effective way to address these issues, by reserving near-shore areas for unguided sport and subsistence users, for example.

Local Area Management Plans or LAMPs are a new management tool used by the Council to resolve user conflicts in communities competing for a common resource. In February 1998, the Council and Board of Fisheries adopted the following protocol to guide the successful development, processing, and implementation of local area fisheries management plans. Though the protocol covers development of local area management plans for all species of interest in a local area, the Council's main purview will be over halibut and those species covered by one of the Council's fishery management plans.

SCOPE AND CONTENT OF PROPOSALS

It is the expectation of the Board and Council that any proposals submitted for review will be well thought out and reflect the efforts and a high degree of consensus of representatives of all users of the fish species in the local area covered by the proposed plan. Local commercial, sport, charter and subsistence representatives, and others as appropriate should be involved in the development of proposals, preferably using a local advisory committee or task force approach. When submitting a proposal, users should be identified and their involvement in the process documented. During development, appropriate agency staff (NMFS, ADF&G, Council, Board, IPHC, etc.) should be contacted to provide guidance and legal limitations so that the proposal has a much higher likelihood of not facing difficulties in the review process. Proposals should encompass all shared fish stocks in the local area and should address as appropriate, catch and possession limits, gear types, effort limitation, closed areas, seasons and overall boundaries of the local area plan. Proposers should anticipate that the local plan, if approved, likely will be implemented for no less than three years before there will be another opportunity to revise it. They should also be aware that the schedule below spans over a year from the April deadline for proposals to implementation sometime in the spring or summer of the following year or longer. The first LAMP was approved in 1998 for Sitka Sound. Regulations for the Sitka Sound LAMP are not yet implemented, but it appears that the multiple user groups are voluntarily complying with the community-based agreement.

II. Line Limits on Boats

This action would restrict the number of lines legally fished from a charter vessel. One option would limit the lines fished to the number of paying passengers. Line limits could prohibit the captain and crew from halibut fishing during a paid charter and result in possibly two fewer lines and four fewer fish being caught on each charter. A cursory examination of this proposed action suggests that boat limits may constrain total charter halibut harvests by 2-4 fish per fishing charter vessel for each day spent fishing. An estimate of average daily active charter vessels and number crew per vessel will be necessary to estimate the impact of this measure on halibut removals. Such a prohibition may result in a significant limitation on halibut removals and is generally supported by the charter industry as less onerous than some other possible management measures. The impact in terms of pounds of halibut saved would vary depending upon the area under consideration. In general, the saving would be greater in Area 3A than in Area 2C given current regulations.

In Southeast Alaska, a state regulation limits the number of fishing lines in the water for halibut to a maximum of six per boat. Most charter operators typically take 3-4 clients per trip. A Southeast charter owner serving on the GHL Committee requested that the Council consider grandfathering vessels who are Coast Guard qualified to carry more than six passengers. This latter suggestion would be problematic for the State since it might result in conflicting State and Federal regulations.

In Southcentral Alaska, the majority of halibut charters are licensed to carry six passengers, but some operate as headboats or military charters, primarily out of Kodiak, Seward, and Homer. These vessels can carry 16-20 passengers. In Seward, two operators had several boats capable of carrying 16-26 passengers. In Seward, the Air Force has three 43-foot boats that can carry 18-20 passengers for a variety of bottomfish and halibut. The Army has a 54 ft boat that can carry 20-22 passengers and a 40 ft boat that can carry 14 passengers that travel outside resurrection Bay where they can target halibut. In Kodiak, most charter vessels are 6-pack boats, perhaps six are 30 ft boats, and eight are 40-50 ft and can carry up to 18 passengers. The Valdez fleet consists mostly of 6-pack or smaller boats; six boats can take 8-12 passengers. Because of such differences, line limits may need to be approached on a community basis that recognizes differences in the existing fleet.

III. Boat Limit

A boat limit would restrict the number of halibut legally landed on a halibut charter boat in a given day (midnight to midnight) based on individual bag limits and number of paying passengers. This action appears to have no additional impacts on constraining halibut charter removals beyond those included under line limits, when eliminating lines fished by captain and crew. Boat limits may conceptually limit the boat to a total of 10 fish, for example, but in practice would likely remain under a 2-fish/person/day limit by anglers voluntarily limiting the boat to five customers. Since an individual angler must catch his/her own fish (the boat catch cannot be shared/divided), a 10 fish boat limit for six anglers, would result in two anglers being allowed to harvest only one halibut. At the cost of a halibut charter, it is unlikely that anglers would pay this cost with their opportunity to harvest the allowable bag limit in question. Thus, boat limits do not appear to be an effective management tool for the purposes of reducing guided halibut removals.

IV. Annual Angler Limits

Annual angler limits would restrict the number of halibut that can be retained annually by an individual angler. ADF&G and the Council have previously examined the issue of possession limits. Most charter clients take either two or four halibut in a year (Figure 3). A small percentage of avid anglers exceed four fish in a year. This information indicates that annual angler limits will have less impact on total halibut removals. It may result in significantly impacting the amount of halibut taken by a few fishermen, but have less impact on total removals because it does not address trip demand by anglers. In 1997, the Council decided to not pursue halibut possession limits as a separate action from charterboat management.

V. Vessel Trip Limits

Vessel trip limits would prohibit vessels from making more than one trip each day. In Southeast, half-day trips for cruise ship passengers are common, but most trips target salmon. Roughly, <10 percent of South Central and Southeast halibut charters are multi-day trips. Thus, it is not expected that a vessel trip limit alone will have a significant impact on keeping the fleet below the GHL.

VII. Super-exclusive Registration

Super-exclusive registration would restrict a charter boat registered in one community or LAMP from operating in another community or LAMP in the same year. This action would redistribute fishing effort and removals but would not be expected to constrain halibut removals. It may, in fact, increase effort and removals because overcapitalization and overcrowding may motivate a particular charter vessel to relocate into a less crowded port.

VIII. Sport Catcher Vessel Only Area (SCVOA)

A Sport Catcher Vessel Only Area to protect locally designated areas for sport (guided and non-guided) use only does not appear to reduce halibut removals, but may be a valid management tool to be included within a LAMP. IPHC staff have suggested adding a similar alternative that would create specific fishing zones for different user groups. This approach could also be applied in the local area management plans.

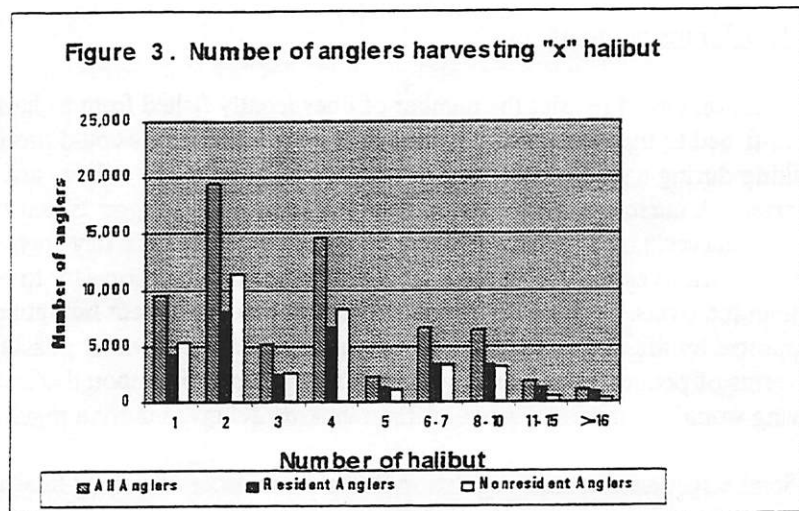
IX. Convert the GHL to an Allocation

This option would convert the GHL to an allocation. In years when the allocation would be reached, regulatory measures would be enacted to constrain the charter fishery. However, in years when the allocation would not be reached, converting the GHL from a cap to an allocation would likely result in constraining commercial halibut removals (see earlier discussion of Alternative 2). The conversion to an allocation may result in (positive) biological/conservation impacts, such that reserved fish (those allocated to but not harvested by the guided sport sector) would be left on the grounds to further contribute to the biomass through growth and reproduction.

X. Sportfish Reserve

The GHL Committee redefined the banking concept to more clearly define its intent. In years when the charter fleet would not catch the amount allowed under the currently defined GHL (as a cap under Alternative 3), this "surplus fish" would be *de facto* "granted" to the directed IFQ fishery in exchange for a possible future return grant to guarantee the guided sport season and bag limit for economic stability in the fishery. Under this action, unused allocations of halibut to the charter sector which is absorbed by the commercial sector would be conceptually reserved for future reallocations to the charter sector from the commercial sector in years of lower abundance when the GHL would be met. In such times, additional allocation to the charter sector would likely be reallocated from the commercial sector, so as not to allow removals above recommended levels.

The halibut sportfish sector has been limited to a 2 fish bag limit since 1974. Representatives of the guided sport fishermen maintain that their catch should not be reduced to lower than needed to maintain the bag limit and season even under decreased halibut abundance. It has been willing to maintain the current bag limit even in



times of greater abundance (as is currently the case). In return, the fleet is recommending that the Council implement the reserve to ensure the bag limit and season length during periods of decreased abundance. (Note that increased fishing effort also could result in the guided sector exceeding the GHL; this is discussed in greater detail earlier in this paper.) Effectively, the reserve is an alternative to the GHL concept since it eliminates the cap by 'reserving' previously unharvested fish. Under the GHL, the commercial sector would gain in high quota years, but would lose some allocation in low quota years. If and when the halibut stock abundance declines to historical lows, then both sectors would be reduced. It is possible that faced with conservation concerns, season length and bag limits might then be affected.

The sportfish reserve, which has been linked with Alternative 2, to convert the GHL to an allocation, may have negative biological impacts since it would be invoked to increase guided halibut removals likely during years of lower halibut quotas due to lower halibut abundance. However, this impact would be mitigated if the reserve amount were redirected from the commercial sector's allocation, and not in addition to the commercial and guided sport quota. IPHC staff strongly recommends against harvest in addition to the quota. Should the GHL be converted to an allocation of 12.76% of the combined commercial and guided sport halibut quotas for Area 2C as recommended, the commercial allocation would be 87.24%. If these specific allocations are set in regulation, the IPHC or the Council would be legally unable to deviate from these allocations and the sportfish reserve could not be coupled with the GHL as an allocation. However, the Council could recommend regulations with conditional allocations and set a formula for redirecting a portion of the commercial allocation to the guided sport sector, for the year(s) subsequent to when the GHL is exceeded.

The reserve concept recognizes that uncaught fish is not available as a unique quantity in future years. Instead, what is available is the yield associated with the uncaught biomass, i.e., some principal is being saved and what is available in future years is only the interest on that saved principal. If the stock biomass declines in future years, the available yield will decline in proportion and the yield forgone from previous years, when stock biomass may have been higher, will not be available as a simple add-on to the current year's yield. Specifically, no yield in excess of the present year's estimated total yield will be available for harvest. Changes in what is to be made available to a particular sector in a given year must come through reallocation. The IPHC staff will not recommend extra halibut harvest above the quotas set during its annual meeting. Thus, the reserve must come from the combined sport-commercial quota. The Council can set the allocations as fixed percentages, or floating percentages (conditional allocation), or can set an unallocated portion of the combined quota for reallocation. IPHC staff will not support an open-ended grant of halibut from the resource above the combined quota.

The GHL Committee recommended similar language to that in Alaska State regulations to define a salmon reserve to be applied to the halibut fishery. Such language might read, "If the guided sport halibut fishery falls short of the minimum needed to maintain the current bag limit and season length under the GHL, the subsequent year's commercial fishery quota will be adjusted down to allow the guided sport fishery to continue fishing."

XI. Rod Permits

A rod limit is currently in State regulations for Southeast Alaska: 1 rod per person; 6 rods per boat; up to 6 lines/vessel; limited to the number of paying clients such that the maximum number of fishing lines that may be fished from a vessel engaged in sport fishing charter activities is equal to the number paying clients on board the vessel. Washington State has an angler permit program, which is based on an equation of length X breadth/factor. Based on this, a 6-pack vessel limited to 6 persons could have more than 6 rods. The GHL Committee identified perhaps 50 vessels that could upgrade under this type of program. The committee recommended that the Washington program would be a more useful management tool under license limitation. There is not a rod permit program in Oregon as had been earlier discussed in Council testimony. This alternative is complicated and has enforcement difficulties.

XII. Moratorium

A moratorium would limit the number of guided sport fishing operations that could legally harvest halibut in an area. Only those operations that could prove they have a fishing history that meets the moratorium's minimum requirements would be permitted to operate a business that provides guided halibut fishing trips. New operations and those that do not meet the minimum criteria would not be allowed to enter the fishery until they were able to obtain a legal permit.

Remember that the guided halibut fleet developed because people are willing to pay someone to take them halibut fishing. This demand for halibut guides comes both from Alaska residents and visitors to Alaska. Should the number of people wishing to take a halibut charter increase and the number of seats available remain fixed by a moratorium, then the price of a charter will likely increase as clients compete for the available seats, and it is possible that demand could outstrip supply.

Information presented earlier in this document shows that the number of tourists visiting Alaska has increased each year since 1990. A corresponding table indicates that the number of fishing licenses sold to persons that are not Alaska residents has also increased during the 1990's. As of 1995, almost 250,000 sport fishing licenses were sold to non-residents. If tourists visiting Alaska feel that halibut fishing is an important part of their vacation, then limits on the guided sport fishermen, which restricts their access to the halibut fishery, may have adverse impacts in the State's tourism industry.

On the other hand, implementing measures that limit the amount of sport caught halibut may provide the commercial fleet protection against harvesting a smaller percentage of the quota in years with low quotas. However under the current TACs, which have increased fairly dramatically over the past two years, the commercial industry has shown some willingness to forgo quota, hoping instead that reducing the supply of halibut on the market will allow them to receive a higher ex-vessel price. On the other hand, commercial fishermen could not afford to forego quota in years of low halibut abundance.

It should be noted that ADF&G staff has indicated that the State would not support a moratorium for the 2C and 3A areas, whether the areas are combined or separated. ADF&G staff noted that there is currently no State constitutional authority for any form of limitation system or moratorium on recreational anglers, including the charter fleet. Thus, any proposed moratorium the Council implements for halibut must take into account the ripple effects on other species that would be targeted by the charter fleet. That concern, along with the concern that charter operations and facilities are in very different stages of development in areas across the State, would compel the State to oppose any form of state-wide or area-wide moratorium or license limitation system. The State could support a moratorium or license limitation system on a local level (as a LAMP component), given sufficient justification.

The State has indicated they would prefer to develop and implement any guided sport moratorium through LAMPs which are reviewed by the Board of Fish as well as the Council. This would allow the impacts on species other than halibut to be considered by the Board before any regulations were passed on to the U.S. Secretary of Commerce. They also felt that the diversity in the guided sport fisheries could best be dealt with at the local level, as a one size fits all approach might not be the best solution.

How would the moratorium work under a GHL?

The purpose of the GHL was to slow the guided sport harvest the year after the harvest limit set by the Council is reached or exceeded. It is unlikely that a moratorium will slow the harvest rate of the guided sport fishermen once the GHL is reached. Measures included within the moratorium may, however, decrease the chances that the fleet would reach the GHL, or at least increase the length of time before the GHL is reached.

A moratorium may help prevent the fleet from reaching the GHL by stopping new vessels from entering the fishery, and by limiting participating vessel's harvesting capacity through other regulations. Limiting the number of boats that can operate in the guided halibut fishery may help slow the rate at which the guided fleet increases their harvest. This is of course depends on the number of vessels which are issued moratorium permits, and the latent capacity of those vessels.

If a moratorium limited the number of vessels to the current fleet, but the qualified vessels were operating at less than full capacity, then the annual harvest could increase. For example, let us assume that on average the charter fleet operates 5 days a week and carries an average of 5 clients per trip. In this example the fleet average would be 25 clients per week. However, if vessels are allowed to carry 6 clients and can operate 6 days a week, they could actually serve 36 clients in a week. The growth from 25 to 36 clients per week is a 44% increase. Given that the GHL allows a 25% increase in harvest (based on the 1996 fishery), then it is possible (at least under this scenario) that the latent capacity of the active charter fleet could allow the GHL to be exceeded. This assumes that catch rates per client, the size of halibut caught, and the season lengths remain constant. However if there is a large increase in client demand for halibut charter trips under a moratorium (i.e., there is no more latent capacity), then limiting the number of vessels will keep new guides from entering the fishery and may slow the rate at which catch increases.

If the number of vessels were limited by a moratorium, then the maximum pounds of halibut that could be taken is constrained by the size of halibut harvested, the number of clients a vessel could service in a day (maximum number of clients per trip times the number of trips per day), and the number of days a vessel could operate during the year. The activities that increase harvesting capacity (outside of the number of operations), could be controlled with or without implementing a moratorium. However, limiting the number of passengers a vessel could carry without limiting the number of vessels may not be effective in keeping the fleet from reaching the GHL.

The halibut quota will be an important factor in determining if the guided sport fishermen will reach the GHL in a year. If the quota declines significantly when compared to 1995 levels then the guided sport fishery may very well exceed the GHL even if their sector has not experienced any growth in terms of actual pounds harvested. Under this scenario, limiting the number of vessels that can participate in the fishery will provide the fleet little protection against reaching the GHL, because the catching capacity needed to harvest the GHL will likely qualify under any moratorium scenario.

How would an area-wide (2C and 3A) moratorium work with LAMPS which also contain moratoriums?

The Council is considering a moratorium for IPHC areas 2C and 3A. Some of the LAMPs that are currently under development also include a moratorium. It is possible that if both the area-wide and LAMP moratoria were put into regulation they would conflict. If there are conflicts, a plan will need to be developed that defines which moratorium would take precedence over the other. For example, if the qualification requirements differ and the Deep Creek LAMP moratorium is more restrictive, what would happen? Would only those persons that qualify under the LAMP be allowed to fish in the Deep Creek area, or would any one with a state permit be allowed to fish? If the area-wide moratorium has precedence what is the purpose of a LAMP moratorium? If the LAMP moratorium took precedence, would the area-wide permit holders that did not qualify under the LAMP be forced to fish only areas outside the LAMP, such as Old Harbor, and would this negate the goal of the Old Harbor LAMP? If the intent of the Old Harbor LAMP is to allow its residents to enter the charter fishery and benefit from increasing tourism in the area, then limiting the participants in the Old Harbor area to those that already hold an area-wide permit would do Old Harbor residents little good.

On the other hand, if an area-wide permit was more restrictive, could a person that qualified under a LAMP in Old Harbor fish within the local area but not outside? Or, would the permit holder that qualified for the local plan, but not the area-wide plan, not be allowed to fish anywhere covered under the larger moratorium? The issue

of which moratorium will take precedence over the other and how the moratoria would mesh together will need to be resolved before they are developed for both LAMPs and IPHC areas.

Problems that could arise if local and area-wide moratoria did not mesh well together go beyond who could fish in a given area. It also applies to all other aspects of the moratorium's structure. One moratorium could sunset after a given number of years and the other could be permanent. One moratorium could allow permit transfers and the other may not allow transfers. A permit for a larger vessel may allow the boat to carry more than six passengers under one moratorium but not the other. The hierarchy of which moratorium would take precedence over the other needs to be clearly established prior to implementation, or only one type of moratorium should be selected.

Structure of the Moratorium Based on the GHL Committee recommendations.

A moratorium's design is based on several criteria. These criteria include who would be permitted to fish, what permit recipients are required to have done to qualify, and what they are allowed to do under the permit they are issued. The following discussion pertains to the proposed Area 2C/3A moratorium.

Qualification Criteria

When the Council considered a moratorium for the guided sport fleet (halibut charter vessels) in 1997, a major obstacle in the path of implementation was determining who were the actual participants. Several sources of data existed, but none were refined enough to allow an analyst to determine who actually operated a halibut charter service during a year. The logbook system, implemented by ADF&G in 1998, should help clarify who actually participated in that year. As discussed earlier in this document, the State has expressed concern over using these data in the first year of the logbooks existence. However, as the industry becomes more familiar with filling out these reports, the data quality will likely improve. This of course assumes that everyone in the industry is filling out the log book. ADF&G has expressed concern that, in their opinion, using the 1998 log books to verify participation may not be appropriate. They feel that before the log book system is used to determine who qualifies under a moratorium, additional checks on the data quality should be conducted.

The GHL Committee has by consensus selected the option that would issue moratorium permits based on a person having held a 1995, 1996, and 1997 IPHC license and having filed a 1998 ADF&G logbook. Under this eligibility criteria, the person would need to have held an IPHC license in each year 1995-97 and submitted a legal ADF&G logbook, which reports halibut landings, to ADF&G during any week in 1998 to qualify for a permit.

The Committee's intent was to issue the permit to a person based on his/her participation, and not vessel activity. IPHC licenses are issued to vessels and are easily trackable by ADF&G number. Licenses are also signed by the captain and/or owner of the vessel, but no unique person identifier is included on the form (e.g., SSN) other than the signature. Therefore, it would be more difficult to match persons on IPHC licenses and ADF&G logbooks than vessels. Still matching the people from the two data sets is probably possible, though it will likely require more time checking the data and will result in a greater possibility for error.

Required Evidence of participation

The GHL Committee divided the evidence required for qualification into two categories. The first category included the information that would be required for proof of qualification. These data included information from the IPHC license, CFEC permit files for sport charter vessels, and the 1998 ADF&G Saltwater Charter Logbook. Data that could be used to supplement the mandatory information could be derived from Alaska state business license files, sportfish business registration files, records of passenger for hire insurance, ADF&G guide registration files, and proof of enrollment in a drug testing program as is required under CFR 46. It is likely that the supplemental information would only be used in cases where there is doubt about a person's eligibility after reviewing the mandatory data sources.

The IPHC dropped the requirement that halibut sport charter vessel owners, operating in Alaska, apply for an IPHC license in 1998. The reason IPHC made this change was because the Commercial Fisheries Entry Commission (CFEC) implemented a sport charter vessel permit program in 1998, and the IPHC did not want to require vessel owners to file duplicate reports to the two separate agencies. Instead the IPHC plans to use the permit information collected by the CFEC and the logbook information collected by ADF&G to fill their information needs. The IPHC had discussed continuing licensing sport charter vessels for one more year in order to have a cross check between IPHC and CFEC files. Due to the time involved in issuing the permits and the limitations in knowing whether the IPHC license was active, the IPHC opted to discontinue licensing vessels in 1998.

Currently the ADF&G logbook data are not available for the 1998 fishery. Without those data, developing an estimate of the number of persons who would qualify for a moratorium permit is not possible. The information that is currently available comes from the 1995-1997 IPHC license files. Table 1 lists the number of annual IPHC sportfish licenses held by individual vessels and persons in 1995, 1996, and 1997, and those licenses that were held in all three years, 1995-97 (in the last column). The number of persons that held an IPHC sportfish license each year from 1995 through 1997 will likely overestimate the number of permits that would be issued based on the GHL Committee's preferred alternative, because that alternative will exclude persons that held an IPHC permit each year from 1995 through 1997, but did not file an ADF&G logbook with a halibut landing any week during 1998. These 1,300+ eligible individuals/vessels (without knowing yet how many filed logbooks with ADF&G), is still more than double the vessels needed to harvest the current GHL (NPFMC, 1997). Therefore if only the 1995, 1996, and 1997 IPHC license files were used to determine eligibility, the moratorium would likely not be very effective in keeping the fleet under the GHL.

Table 1. Number of IPHC Licenses

Number of IPHC Sportfish Licenses	Year			
	1995	1996	1997	License Held All Three Years
Vessels	2,334	2,615	2,099	1,321
People	2,334	2,615	2,099	Approx. 1,340

The number of persons that held a license each year are based on the minimum number of licenses held in any one year. As an example, a person was listed as the owner of three vessels in 1995, five vessels in 1996, and eight vessels in 1997, according to IPHC records. This person would have only been given credit for holding three licenses in each year 1995 through 1997.

Preliminary information, through mid July 1998, indicates that about 890 ADF&G Saltwater Logbooks were issued to vessels homeported in Southeast Alaska, and approximately 595 Saltwater Logbooks were issued to vessels homeported in Southcentral Alaska. Of the logbooks issued for vessels in Southeastern Alaska, 290 went to the Southern Southeast area, 70 to Petersburg/Wrangell, 200 to Sitka, 290 to Northern Southeast, 20 to Haines/Skagway, and 20 to Yakutat. In the Southcentral area 400 logbooks were issued to vessels from Cook Inlet, 120 to Prince William Sound, and the remaining 75 to the Kodiak/Alaska Peninsula area. Later this fall we hope to be able to provide an update on the number of logbooks that were completed and returned to the State.

Who would be issued the moratorium permit?

It was the committee's intent that permits be issued to persons and not vessels. They then defined the person as the business owner or lease holder. While it may be more difficult to track persons across different data sets, it does reduce the problems associated with people using different vessels at various times during the qualifying period. For example, the transfers of fishing history would not be an issue if a vessel is bought or sold.

The problems associated with when a person should be issued a license are numerous, but they can be overcome. Recall that the IPHC license has a field for the name of the vessel, the ADF&G vessel number, Coast Guard documentation number, the vessel owner's name, the captain's name, and the license type (sport only or both sport and commercial). The only field that has information in every observation is the license type. The other fields are blank some of the time. A few examples will illustrate some of the problems encountered after briefly studying the 1995, 1996, and 1997 IPHC license files.

1) In one case Fred Smith is listed as the captain on five IPHC vessel licenses during 1995 and 1996, but in 1997 is not listed as the captain on any licenses. During 1997 Kim Smith is listed as the captain of the same five vessels that Fred Smith captained during 1995 and 1996, but did not hold a license in either 1995 or 1996. No owner was listed on the IPHC license for any of these five vessels. The question is, should any licenses be issued if the requirement is that a person held an IPHC license each year between 1995 and 1997?

2) Toney Z. Smith was listed as the owner of a vessel in the IPHC license file during 1995, but not 1996 or 1997. However, a Tony Z. Smith was listed as the owner of the same vessel during 1996 and 1997, but not 1995. It is likely that this is the same person and he should be given credit for holding a license each year. Interestingly, Peter F. Smith is listed as the captain of Tony's boat each year. Peter is also listed as the owner of four other vessels (each year between 1995 and 1997). So according to IPHC files, Peter was the captain of Tony's boat and owned four boats of his own. So, Tony may qualify for one license and Peter, four.

3) Kelly Smith is listed in the IPHC vessel files as a vessel owner and captain in 1995 and 1996. In 1997 she is only listed as a captain. William Jones is listed as the owner in 1997. Should Kelly be issued a license based on participation in each year?

Other grey areas, in terms of who should be issued a permit, may be encountered. These situations are likely to be more pronounced when the IPHC data are joined with the ADF&G logbooks.

Permit Transfers

After initially discussing that transfers should not be allowed, the Committee selected only one option, and that was that transfers should be allowed.

Vessel Upgrades

Vessel upgrades considered by the committee dealt with the number of passengers that could be carried by a vessel. It was the consensus of the Committee that the permits would be limited to six clients per vessel. The other option listed in their minutes was to allow (grandfather) larger vessels from Southeast Alaska that are currently limited to six-pack licenses to upgrade and carry more than six clients at a time.

By limiting the number of passengers a charter could carry, upgrade restrictions like those placed on the commercial fisheries may not be needed. Recall that under the groundfish and crab moratorium there is a limit on vessel length increases (20% LOA). Other limits on increasing the vessels horsepower or changing gear were also considered for the commercial fishery, but may not make as much sense in the context of charter fisheries.

Duration of the Moratorium

The GHL Committee, by consensus, selected the option of keeping the moratorium in place as long as the GHL remains in effect. If the Council chooses this option, the moratorium and GHL would be permanent, and would require further Council action to amend the program before the moratorium would cease. It also means that the Council would need to take action to keep the moratorium, if they decide to drop the GHL in the future.

Other options recommended by the Committee were to sunset the moratorium after three or five years (three years, with an option to renew it for two additional years). These options would allow new entry even if the fishery were still operating under the GHL.

Other Provisions of the Moratorium

Several other provisions were also considered as part of a moratorium. These included the concept of requiring a minimum number of days fished or a minimum number of pounds of halibut caught to qualify for a permit. This concept was rejected by the committee because they felt it would be difficult to separate salmon from halibut effort. However, the ADF&G logbooks break out effort, harvest area, fished for bottomfish (halibut) and salmon and will allow analysts to determine if a skipper fished for halibut on any given charter trip and where fish were caught. The logbooks list the number of days that halibut were caught on a charter. This does not necessarily mean the entire trip targeted halibut, it would only prove that halibut were harvested. It is also possible that a charter could have gone fishing with the intent of targeting halibut, but did not record any landings. That trip would not likely count towards qualification. Yet with some simplifying assumptions about what constituted a halibut trip in 1998, it may be possible to determine if the minimum number of days fished or the minimum number of halibut needed for qualification were harvested.

Linking a guaranteed season length to the moratorium was also considered by the committee. This means that if a moratorium is put in place, a definition of the fishing season would also be needed. This was also the Council's intent under the GHL. The Council stated when they passed the GHL that they did not intend to shorten season lengths. Their intent was to slow the pace of the fishery through other, though undefined, management measures and to maintain a fishery of traditional length.

The concept of a rod permit and a sportfish reserve were also considered as part of the moratorium. Both of those concepts have been discussed in earlier sections of this document and will not be discussed further here.

Implementation Issues

1. Regulatory Development

Implementing a GHL for the guided sport fishery for halibut would require the development of regulations. These regulations would specify the GHL for each portion of the fishery that is to be managed under a GHL (IPHC regulatory areas 2C and 3A) and describe the management measures that would be employed if in fact those GHLs were reached. Typically, it will take about 6 months to develop regulations, from the drafting of the proposed rule to the effective date of the final rule. Since halibut is not a groundfish species specified in a fishery management plan (FMP), no FMP amendments would be necessary for this action.

2. Annual Management of the GHL

After completion of the regulations, enforcing the GHL would require annual management to monitor catch. If the volume of catch indicated that the GHL had been reached or exceeded, management measures would have to be employed in subsequent years to ensure that guided sport harvests of halibut remain below the GHL. Several methods may be used to employ these management measures. For example, several management measures may be specified in the regulations to be used if the GHL has been reached. Choosing the appropriate management measure(s) could be left to the discretion of NMFS. Alternatively, different management measures can be specified for use for different levels of catch above the GHL. Or, a single management measure can be specified. Whatever method is used, it is important to note that the management measure(s) will be employed after the season in which the GHL was attained.

3. Management Measures

Several management measures to curtail guided sport catch of halibut if the GHL is reached have been discussed by the GHL Committee. These alternatives include: (1) line limits on boats; (2) annual angler limits; (3) vessel trip limits; (4) super-exclusive registration of charter vessels; (5) moratoria; (6) sport catcher vessel only area; and (7) local area management plans. These alternatives could have different implementation impacts.

Line limits on boats

This management measure would restrict the number of lines that can be fished from a boat. Currently, the State of Alaska has a rod limit of one rod per person. In Southeast Alaska, a further limit of 6 rods per boat is imposed. Other constraints, such as U.S. Coast Guard 6 Passenger for Hire License, also impacts the number of lines that can be fished from a vessel. Ensuring that persons conformed to line limits would require the participation of enforcement.

Annual angler limits

This management measure would restrict the number of halibut retained annually by an individual angler. Currently, there is a daily bag limit for halibut but no overall annual limit. This action, like line limits on boats, can be imposed by regulations but will require the participation of enforcement to ensure compliance.

Vessel trip limits

This management measure would restrict the number of trips a vessel could take during a specific time period (e.g., only one trip per day or four trips per week). This type of limitation would most likely require a method to monitor trips to ensure conformance to the requirements. For example, punch cards could be used to monitor the number of trips or a check-out/check-in requirement could be imposed.

Super exclusive registration

This management measure would limit the area in which a vessel could operate. Super exclusive registration could be season-long (i.e., once a vessel registers for an area, that could only be used in that area for the entire season) or only for the duration of the registration (i.e., a vessel can move to another area by changing registration area). Although this management measure may have some impacts on harvests, its primary function would be to prevent user conflicts.

Moratoria

This management measure would limit the number of vessels by area. This defined area could be the entire regulatory area (e.g., IPHC Regulatory Area 2C) or a smaller area as defined by a LAMP. Previous experience with moratoria indicates substantial implementation and enforcement costs. Eligibility criteria must be developed based on participation in and dependence on the fishery. Applications for moratoria permits must be processed. Monitoring and enforcement must continue throughout the duration of the moratoria. Other design considerations include but are not limited to: (1) leasing of permits; (2) transferability of permits; (3) permit holder on board requirements; (4) ownership requirements (i.e., individual only or any legal entity); and (5) limit on the number of permits held by individual or other entity.

Sport catcher vessel only areas

This option, similar to super exclusive registration, would impact user conflicts more than reductions in harvest. Enforcement and monitoring would be the primary implementation concerns with this management measure.

Local area management plans

This management measure has potential for resolving local user conflicts and may be used to incorporate other management measures on a local basis. However, usefulness of a LAMP to maintain harvests under a GHF for an entire IPHC regulatory area may be limited unless there is significant coordination among other LAMPs within the same IPHC regulatory area. Implementing LAMPs require significant monitoring and enforcement costs, but

LAMPs do have the advantage of heightened local attention, especially if the LAMP was developed through community consensus.

Conclusions

This preliminary examination of the problem statement for this fishery and the Council's proposed management measures initially suggests that many of the proposed measures will not keep the charter boat fleet under the GHL, since effort and removals are primarily demand-driven in an overcapitalized fleet. Simply, there are too many (double) charter vessels in the halibut fishery capable of taking far more paying passengers. This potential for increases in fishing effort overrides most of the proposed management measures the Council could recommend for limiting halibut removals. While the Council has previously stated it will not adjust the recreational bag limit or season length of the charter fishery, which appear to be among the few measures that would be effective at reducing guided sport halibut removals, it may reconsider this. Further examination of the effects of area-wide moratoria and LAMPs for addressing local depletion and overcrowding may indicate that these approaches may result in more success for addressing the problems of local depletion, overcrowding, and user conflicts.

The major conclusions from this discussion paper are:

- An area-wide moratorium may be effective in limiting the halibut catch taken by the guided sport fishermen at some point in the future, but likely well after the GHL has been exceeded.
- Implementation of both an area-wide moratorium and LAMP moratorium may result in regulations which conflict. If the Council prefers an area-wide moratorium on charter vessels, it may need to reconsider the inclusion of moratoria in LAMPs. A dual approach regarding moratoria will lead to a regulatory impasse. The Council/Board LAMP protocol ensures that proposals for LAMPs will occur with or without the halibut GHL. The issue of which moratorium will take precedence over the other and how the moratoria would mesh together will need to be resolved before they are developed for both LAMPs and IPHC areas.
- While moratoria may effectively address overcapitalization and crowding issues in the fleet, it may not address the stated goals of the GHL. Limiting the number of vessels that can participate in the fishery will provide the fleet little protection against reaching the GHL, because the catching capacity needed to harvest the GHL will likely qualify under any moratorium scenario.
- The Council should consider that the data are not yet available that would allow the Council to select a qualification criteria that could rationalize the fleet size (ADF&G Sportfish Division staff recommends verification of the 1998 logbook data before it is used to determine if a person qualifies for a moratorium).
- The ADF&G Sportfish Division staff have voiced strong opposition to an area-wide moratorium because the State constitution does not allow such a program to be implemented in other state-managed guided sport fisheries, and they are concerned about the anticipated ripple effects on those fisheries. The State has also expressed concern that communities are at different stages of development in terms of their involvement in the guided sport fisheries, and a broad moratorium may not meet each community's needs as well as LAMPs would. The State could support a moratorium or license limitation system on a local level (as a LAMP component), given sufficient justification.

Given these conclusions, the Council may wish to review a suggested revision of the approved management alternatives that staff believes clarifies Council intent and simplifies the language while eliminating apparent conflicts across and within alternatives. In addition to the structure of the management measures listed below, a committee member suggested that halibut charter boat moratorium be listed as Alternative 4 in addition to being listed as options under Alternatives 2 and 3. Staff would proceed with the analysis and the alternatives as structured on the next page, pending any Council redirection at this time.

SUGGESTED REVISION OF PROPOSED MANAGEMENT ALTERNATIVES

Alternative 1. Status quo. Do not develop regulations to implement a halibut Guideline Harvest Level.
Local area management plans would be developed on a separate track.

Alternative 2. Convert the GHL to an allocation. The guided sport halibut fishery would be allocated 12.76% of the combined commercial and guided sport halibut quota in area 2C, and 15.61% in Area 3A. The commercial fishery would be allocated 87.24% and 84.39% of the combined quota in Areas 2A and 3C, respectively. Under a GHL as an allocation, the guided sport fishery would close when that sector reached its allocation.

Option A: Area-wide moratorium

Option B: Local moratorium

Alternative 3. Under a GHL, apply a range of management measures listed above to curtail catch rates of guided anglers once GHL is attained. Apply management measures up to 2 years after attainment of GHL (1 year if data is available, but at the beginning of a year for industry stability).

- line limits
- boat limit
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve
- rod permit

Option A: Area-wide moratorium

Option B: Local moratorium

References

McDowell Group, Inc. 1998. Alaska Visitor Arrivals, Summer 1997. Available from: Div. Tourism, ADCED, P. O. Box 110801, Juneau, AK 99811-0801. 34 p.

North Pacific Fishery Management Council. 1997. EA/RIR/IRFA for a Regulatory Amendment to Implement Management Alternatives for the Guided Sport Fishery for Halibut off Alaska. NPFMC, 605 W. 4th Avenue, Suite 306, Anchorage Alaska 99501. 900 p.

Preparers

Jane DiCosimo, Darrell Brannan, Chris Oliver
North Pacific Fishery Management Council

Rob Bentz, Doug Vincent-Lang, Earl Krygier
Alaska Dept. of Fish and Game/Sportfish Division

John Lepore
National Marine Fisheries Service

Bruce Leaman, Robert Trumble, Heather Gilroy,
and Calvin Blood
International Pacific Halibut Commission

Halibut GHL Committee Minutes January 12, 1999

The GHL Committee convened on January 12, 1999 at 9 a.m. Committee members in attendance were Chairman Dave Hanson, Joe Kyle, Ed Dersham, John Goodhand, Doug Ogden, Larry McQuarrie, Mike Bethers, and Bob Ward for Tim Evers. Mary Jo McNally and Robert LaGuire were absent. Staff in attendance were Jane DiCosimo, Chris Oliver, John Lepore, Earl Krygier, Rob Bentz, Kevin Delaney, Scott Meyer and Mike Bethe. Eleven members of the public were in attendance.

The committee had provided comments on the October 12, 1998 draft GHL discussion paper directly to Council staff because of difficulties in scheduling a Fall 1998 committee meeting. The committee discussed the November 11, 1998 draft. A committee member objected to revisions that addressed comments that were submitted by non-committee members at the staff's request. Council staff discussed with the committee that the discussion paper is a Council document and may therefore not reflect the views of individual committee members.

Rob Bentz, ADF&G Sportfish Division, presented preliminary results of the 1998 charter vessel logbook program. He clarified that logbooks were issued to lodges but lodge logbook data cannot be separated from the total database. He also reported that outfitters cannot be managed by the State without direct authorization from the State Legislature. ADF&G staff will not be able to compare logbook results with the State-wide harvest survey for another 6-8 months, and will take at least three years to verify the accuracy of the logbook data. ADF&G staff clarified that it would recommend that the Council use the 1998 logbook data and reevaluate it as data is revised. Staff also reported on a steady decline in resident sportfish licenses and a 1% increase in 1998 non-resident licenses. Nearly all (97%) sport anglers in Southeast Alaska (Area 2C) were non-residents, while 67% were non-residents in Southcentral Alaska (Area 3A). The committee concluded that sportfish licenses do not specifically reflect halibut charter effort. Staff and the committee expressed concern on the validity of the logbook results since it has not yet been verified with the 1998 postal survey and its usefulness in evaluating participants in terms of the moratorium alternative may be limited. The fleet had been notified that non-compliance in returning logbooks would result in warnings in 1998 and citations in 1999. Bob Ward requested that logbook data be presented in terms of carrying capacity of the charter fleet.

Jane DiCosimo reviewed the discussion paper with the committee. The committee provided a number of corrections and clarifications that should be incorporated into the analysis of the various alternatives. The committee clarified that the discussion paper does not accurately explain the revised sportfish reserve concept or boat limits. The sportfish reserve would be triggered only in years of low halibut abundance when the bag limit and season length would be jeopardized. Boat limits would limit a boat to taking only one trip in 24 hours, but would not affect multi-day charters.

Kevin Delaney, ADF&G, reported on the status of the Alaska sportfish fishery. He reported that the State of Alaska is opposed to a statewide or area-wide halibut charter moratorium due to potential ripple effects of a halibut charter moratorium on other sportfish fisheries statewide, the need to provide room for economic activity in the recreational sector in many coastal communities in 2C and 3A, the lack of a halibut conservation issue, and the lack of constitutional authority for such a moratorium. The State recommends that user conflicts, and localized or seasonal depletion would be best addressed in LAMPs. Data and monitoring needs have been addressed by implementation of the Sportfish Charter Logbook. The remaining allocation issue would be best addressed by an analysis of GHL management alternatives.

Rob Bentz presented a revision of Alternative 3 and a new alternative to convert the GHL to a range for consideration by the committee. The committee concurred with the ADF&G proposal to change the GHL to a fixed allocation and to include this alternative in the analysis. They identified that the fatal flaw of the current

GHL approach is that it is tied to abundance; when abundance is high, the charter fleet can't take advantage of the full GHL and when it is low there is insufficient allocation to meet the industry's minimum needs for the bag limit and season length. A range for the GHL is necessary to recognize the lack of management precision, the difference in converting pounds to fish, the need to provide a 'floor' of allowed halibut removals for industry today and a 'ceiling' to allow for limited growth. The committee requested that ADF&G staff provide a more thorough presentation for the Council on the ramifications of its proposed alternative and the effects of using the preliminary 1998 logbook data instead of the postal survey results. Some members of the committee were concerned that the alternative did not include an area-wide moratorium. The committee further expressed concern that if the data used to calculate the GHL (equal to 125% of the 1995 charter catch based on the postal survey) might be replaced by more accurate data (1998 logbook), then the cap itself (125%) should be reexamined using the 1998 logbook data.

Ed Dersham provided a report on the status of the local area management plan process. Cook Inlet and Kodiak proposals were due in 1998, Prince William Sound and Southeast Alaska proposals are due in 1999. A workgroup is planned to develop the Cook Inlet LAMP proposal.

The committee made the following recommendations to the Council:

1. Update the Halibut Charter problem statement (developed in January 1995) to reflect revised halibut biomass estimates, changes in commercial halibut quotas, changes in resident and non-resident licenses, changes in visitor trends, and changes in fishing patterns as of 1998 to more clearly define the problem to be addressed by implementation of a GHL and/or charter moratorium. The statement could be further refined to remove those points that are being addressed by the Council/Board of Fisheries local area management process (#1 and #2) and the development of the Sportfish Charter Logbook Program (#5 and #6).
2. Add a new alternative to the analysis to address instability in the halibut charter industry due to an overcapitalized fleet and its latent capacity and the prospect of industrialized sportfishing in Areas 2C and 3A. The new alternative is an area-wide moratorium only, using the same moratorium criteria as stated in the June 1998 committee minutes.
3. Accept the revised list of alternatives by ADF&G (which incorporates the staff revisions) and modify Alternatives 2 and 4 to include: 1) an area-wide moratorium only, using the same moratorium criteria as stated in the June 1998 committee minutes; and 2) a prohibition on new licenses that would be triggered upon attainment of the GHL.
4. The GHL should be measured in numbers of fish (net weight) using the average weight of fish reported by area by ADF&G as a conversion factor.
5. The committee continues to affirm its recommendation that a halibut GHL is not needed. Necessary limitations on halibut charter removals or effort can be implemented through the joint Council/Board LAMP process on a community by community basis.

The revised list of alternatives as recommended by the committee to the Council is attached to the minutes.

The committee adjourned at approximately 5 p.m.

REVISED LIST OF GHL ALTERNATIVES FOR ANALYSIS

Alternative 1. Status quo. Do not develop regulations to implement a halibut Guideline Harvest Level.

Alternative 2. Convert the GHL to an allocation.

The guided sport halibut fishery would be allocated 12.76% of the combined commercial and guided sport halibut quota in area 2C, and 15.61% in Area 3A. The commercial fishery would be allocated 87.24% and 84.39% of the combined quota in Areas 2A and 3C, respectively. Under a GHL as an allocation, the guided sport fishery would close when that sector reached its allocation.

Option A: Area-wide moratorium

Suboption: Prohibit new charter licenses upon attainment of the GHL

Option B: Local moratorium

Alternative 3. Convert the GHL to an allocation range. (ADF&G proposal)

The allocation range will have an upper and lower limit and would be a fixed amount expressed in numbers of halibut. The allocation range would be set by IPHC Areas 2C and 3A. Some or all of the management measures listed below would be implemented up to 2 years after attainment of the GHL (1 year if data is available), but prior to January 1 for industry stability. If the guided sport halibut harvest exceeds the upper limit of the range in a year, the guided sport fishery would be restricted to reduce the harvest back within the allocation range using management actions listed below. If the guided sport halibut harvest is restricted and the harvest is reduced below the lower limit of the range guided sport fishery management measures would be liberalized to increase the harvest back within the allocation range.

- line limits
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve

Option A: The upper limit of the allocation range would be set at 125% of the 1995 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1995 guided sport halibut harvest.

Option B: The upper limit of the allocation range would be set at 125% of the 1998 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1998 guided sport halibut harvest.

Alternative 4. Under a GHL, apply a range of management measures listed below to curtail catch rates of guided anglers once GHL is attained.

The GHL functions as a cap. Apply management measures up to 2 years after attainment of GHL (1 year if data is available, but prior to January 1 for industry stability).

- line limits
- boat limit
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve
- rod permit

Option A: Area-wide moratorium

Suboption: Prohibit new charter licenses upon attainment of the GHL

Option B: Local moratorium

Alternative 5. Area-wide moratorium only.

The criteria for an area-wide halibut charter moratorium under Alternatives 2, 4, and 5 are:

Years of participation

- 1995, 1996, and 1997 IPHC licenses and 1998 logbook (*committee preferred option*)
- 2 of 3 years (1995-97) plus 1998 logbook
- 1 of 3 (1995-97) plus 1998 logbook
- license or logbook in any one year (1995-98)

Owner vs Vessel

- owner/operator or lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity) (*committee preferred option*)
- vessel

Evidence of participation

- mandatory:
IPHC license (for all years)
CFEC number (for all years)
1998 logbook
- supplementary:
Alaska state business license
sportfish business registration
insurance for passenger for hire
ADF&G guide registration
enrollment in drug testing program (CFR 46)

vessel upgrade

- license designation limited to 6-pack, if currently a 6-pack, and (*committee preferred option*)
inspected vessel owner limited to current inspected certification (held at # of people, not vessel size)
- allow upgrades in Southeast Alaska (certified license can be transferred to similar sized vessel)

transfers

- yes (*committee preferred option*)

duration for review

- tied to the duration of the GHM (*committee preferred option*)
- 3 years
- 5 years (3 years, with option to renew for 2 years)

HALIBUT CHARTERBOAT GHL DISCUSSION PAPER

The Department of Fish and Game is submitting one additional management alternative for Council consideration when reviewing the GHL discussion paper during their February meeting. The new alternative and amended language to alternative 4 are written in **bold underline**.

Alternative 1. Status quo. Do not develop regulations to implement a halibut Guideline Harvest Level.

Local area management plans would be developed on a separate track.

Alternative 2. Convert the GHL to an allocation.

The guided sport halibut fishery would be allocated 12.76% of the combined commercial and guided sport halibut quota in area 2C, and 15.61% in Area 3A. The commercial fishery would be allocated 87.24% and 84.39% of the combined quota in Areas 2C and 3A, respectively. Under a GHL as an allocation, the guided sport fishery would close when that sector reached its allocation.

Option A: Area-wide moratorium

Option B: Local moratorium

Alternative 3. Convert the GHL to an allocation range.

This allocation range will have an upper and lower limit and would be a fixed amount expressed in pounds of halibut. The allocation range would be set by IPHC Areas 2C and 3A.

Options for Analysis:

Option A: The upper limit of the allocation range would be set at 125% of the 1995 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1995 guided sport halibut harvest.

Option B: The upper limit of the allocation range would be set at 125% of the 1998 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1998 guided sport halibut harvest.

Management Intent:

If the guided sport halibut harvest exceeds the upper limit of the range in a year, the guided sport fishery would be restricted to reduce the harvest back within the allocation range.

If the guided sport halibut harvest is restricted and the harvest is reduced below the lower limit of the range guided sport fishery management measures would be liberalized to increase the harvest back within the allocation range.

Alternative 4. Under a GHL, or an allocation range, apply a range of management measures listed below to curtail catch rates of guided anglers once the GHL or the allocation is attained.

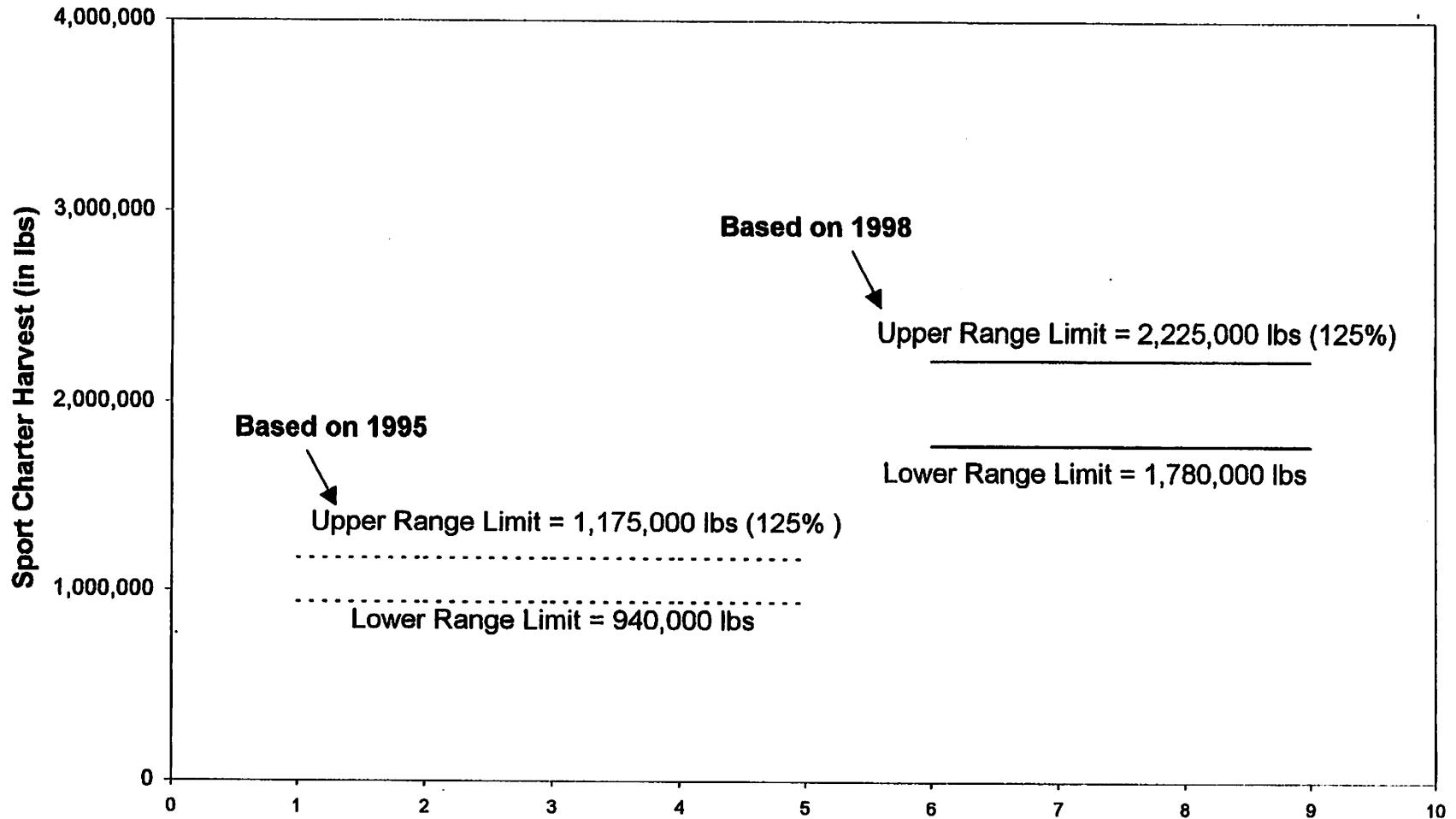
Apply management measures up to 2 years after attainment of GHL (1 year if data is available, but at the beginning of a year for industry stability).

- line limits
- boat limits
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve
- rod permit

Option A: Area-wide moratorium

Option B: Local moratorium

Area 2C Charter Harvest Allocation Range Using 1995 and 1998 Harvest Estimates



AREA 2C SPORT AND COMMERCIAL HALIBUT HARVESTS: 1995 – 1998

YEAR	<u>SPORT CHARTER HARVEST</u>		<u>COMMERCIAL HARVEST</u>	
	# OF FISH	MILLIONS LBS.	MILLIONS LBS.	QUOTA
1995	47,338	0.94	7.79	9.00
1996	41,060	0.92	8.53	9.00
1997	42,206	0.86	9.64	10.00
1998*	63,852	1.78	9.66	10.50

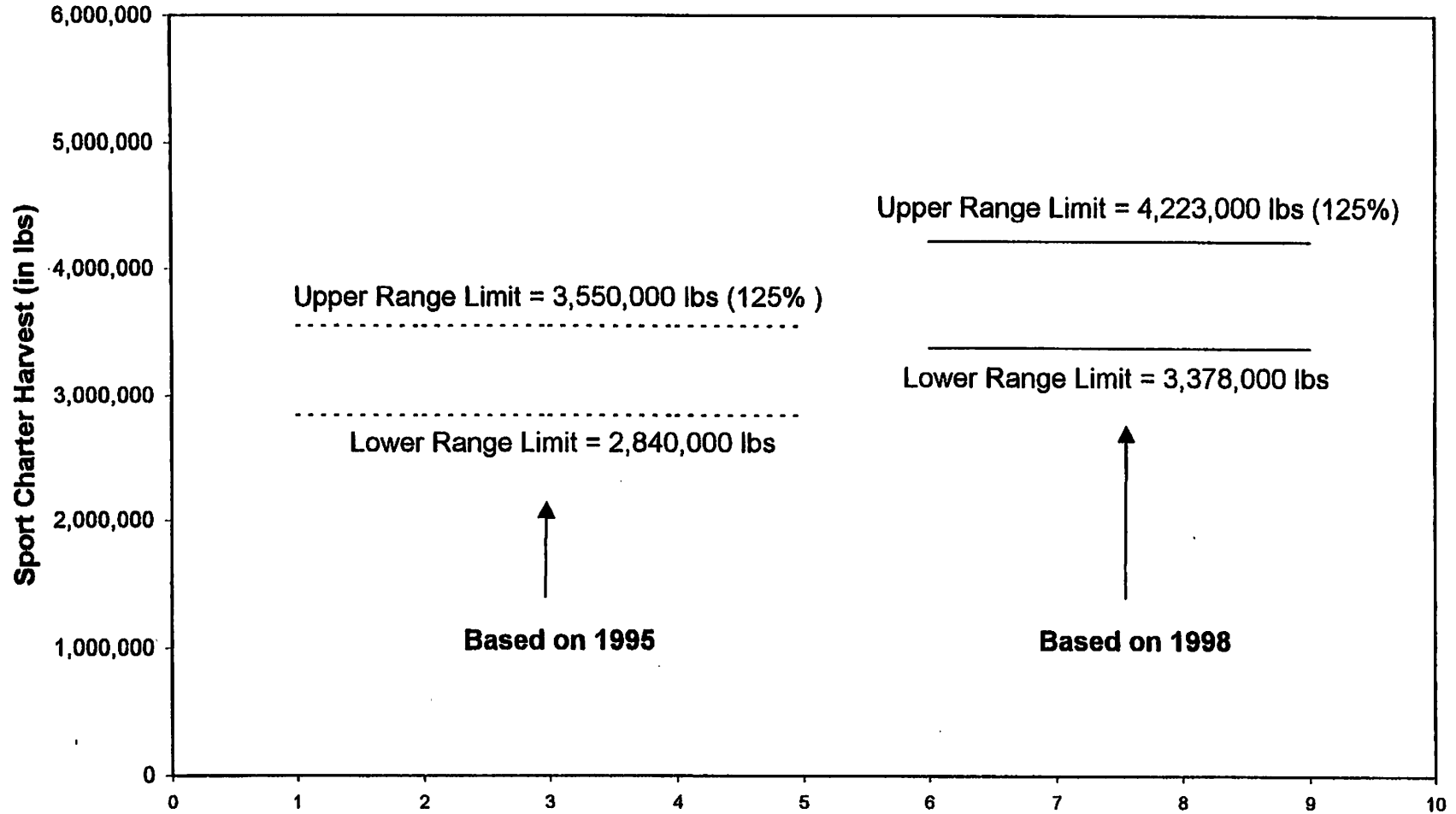
*Charter harvest data in 1998 are based on preliminary results from the 1998 Saltwater Charter Vessel Logbook. The charter harvest data for 1995 – 1997 are from the annual Statewide Harvest Study report.

AREA 3A SPORT AND COMMERCIAL HALIBUT HARVESTS: 1995 – 1998

YEAR	<u>SPORT CHARTER HARVEST</u>		<u>COMMERCIAL HARVEST</u>	
	# OF FISH	MILLIONS LBS.	MILLIONS LBS.	QUOTA
1995	138,025	2.84	18.19	20.00
1996	146,066	2.86	19.69	20.00
1997	156,924	3.49	24.68	25.00
1998*	161,701	3.38	24.64	26.00

*Charter harvest data in 1998 are based on preliminary results from the 1998 Saltwater Charter Vessel Logbook. The charter harvest data for 1995 – 1997 are from the annual Statewide Harvest Study report.

Area 3A Charter Harvest Allocation Range Using 1995 and 1998 Harvest Estimates



1999 CHARTER VESSEL LOGBOOK PROGRAM

PRELIMINARY RESULTS

The Division of Sport Fish initiated a statewide logbook reporting program for saltwater charter vessels in 1998. Over 100,000 daily records were received from charter vessel operators during the 1998 fishing season. About eight months of Administrative Clerk time was required to key the logbook information. The summaries from this data that are presented below should be considered very preliminary at this time.

SOUTHEAST ALASKA – IPHC AREA 2C

Approximately 1,250 vessels were licensed in 1998 with the Commercial Fisheries Entry Commission (CFEC) as charter vessels intending to operate in Southeast Alaska. ADF&G staff issued about 910 logbooks to fishing businesses with vessels homeported in the Southeast Alaska area. Of the logbooks issued for these vessels about 290 were in the Southern Southeast area (Ketchikan and Prince of Wales Island), 80 to Petersburg/Wrangell, 205 to Sitka, 300 to Northern Southeast (Juneau, Gustavus, Elfin Cove, Angoon, Hoonah) and about 20 each to both Yakutat and Haines/Skagway.

If ADF&G received at least one weekly logbook form that contained information from at least one charter trip that fished either exclusively for bottomfish or fished part of their trip for bottomfish the charter vessel turning in the form was considered an “active” charter vessel. We have identified 625 unique vessels that were active in Southeast Alaska in 1998.

These 625 active vessels conducted 17,326 charter fishing trips where clients fished either exclusively for bottomfish or fished part of their trip for bottomfish. The number of clients on these charter trips is estimated at 61,820; an average of four clients per trip. Only three percent of the clients were residents of Alaska. The clients on these charter trips harvested 63,852 halibut and caught and released an additional 28,673 halibut.

SOUTHCENTRAL ALASKA – IPHC AREA 3A

Approximately 1,320 vessels were licensed in 1998 with the Commercial Fisheries Entry Commission (CFEC) as charter vessels intending to operate in Southcentral Alaska. ADF&G staff issued about 655 logbooks to fishing businesses with vessels homeported in the Southcentral Alaska area. Of the logbooks issued for these vessels about 460 were issued to vessels from Cook Inlet, 120 to Prince William Sound, and the remaining 85 to the Kodiak/Alaska Peninsula area.

If ADF&G received at least one weekly logbook form that contained information from at least one charter trip that fished either exclusively for bottomfish or fished part of their trip for bottomfish the charter vessel turning in the form was considered an “active” charter vessel. We have identified 518 unique vessels that were active in Southcentral Alaska in 1998.

These 518 active vessels conducted 18,530 charter fishing trips where clients fished either exclusively for bottomfish or fished part of their trip for bottomfish. The number of clients on these charter trips is estimated at 97,671; an average of five clients per trip. Only 33 percent of the clients were residents of Alaska. The clients on these charter trips harvested 161,701 halibut and caught and released an additional 148,012 halibut.

ALASKA SPORT FISHING LICENSE SALES DECLINE IN 1998

The number of Alaska residents who purchased resident sport fishing licenses declined by over 3,100 people, a drop of nearly three percent from 1997 license sales. The number of nonresidents that purchased a sport fishing license increased by almost 1,900 people, an increase of one percent from 1997.

RECEIVED
JAN - 4 1999
N.P.F.M.C

To: Richard Lauber, Chairman, NPFMC

From: Robert D. Schell, Board Chairman, Seafood Producers Cooperative

Subject: Proposed GHL for Guided Sport

Date: January 3, 1999

I am writing on behalf of the five hundred members of Seafood Producers Cooperative. We support the concept of a GHL for the guided sport fishery as outlined in alternative 3 of the discussion paper dated November 11, 1998. We certainly **DO NOT** endorse the conversion of the GHL to an allocation.

In reading through the discussion paper, it was quite apparent that much emphasis was given to the economic well being of the guided sport industry, but little discussion of the economic well being of the commercial industry.

With the onset of the IFQ halibut fishery and the subsequent ability of fishermen to deliver a fresh product to the market place over an eight month period, has come a concomitant need to change the way halibut is marketed and in the form in which it is processed for market. To this end, our cooperative has made a considerable investment in both staff and facility to better meet the needs of this changing market. A default allocation away from the commercial fleet to the guided sport industry would deal an economic blow to our members in the cooperative, the co-op employees, the co-op itself and to the community of Sitka, the city in which our plant is located.

IPHC staff has recommended a reduction in 2B and 3A halibut quotas with a slight increase in 2C. By reading the reports that led up to these recommendations, it is quite easy to infer that 2C will be seeing a suggested decrease in the year 2000. It appears that the areas from 3A south have seen their peak for the foreseeable future. It is critical for our survival that the commercial fleet does not see reductions in quota beyond that necessary for the biological success of the stocks.

As individuals, our members have drained savings, mortgaged permits, boats and homes to stay a participant or to become a viable participant in the halibut fishery. As cooperative members, they have taken on debt for facilities and staff to meet production and market needs. In short, they have invested in their fishery future-in this case the halibut fishery. As a council, you need to acknowledge this investment.

As an individual, I would certainly have been well satisfied with a 125% guarantee of my 1995 production-especially with out having to go out and purchase those additional pounds on the open market.

1/24/99

North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, Alaska 99501-2252

RECEIVED
JAN 25 1999
N.P.F.M.C

North Pacific Fishery Management Council Members,

At our Port Alexander Fish and Game Advisory Committee meeting on Jan. 15th we voted unanimously to write the N.P.F.M.C.. supporting measures to limit the halibut guided sport fishery.

We have sent written comments in the past supporting the council to limit the halibut guided sport fishery.

We request that the Council identify measures for analysis that will effectively restrict the guided sport halibut fishery to the guideline harvest level.

Thank you for your time and consideration.

Respectfully Submitted,

Marty Remund

Marty Remund, Chairman
Port Alexander Fish and Game Advisory Committee
P.O. Box 8147
Port Alexander, AK. 99836

PORT ALEXANDER ADVISORY FISH AND GAME COMMITTEE
JANUARY 15, 1999 11:15 A.M.
MEETING HELD AT LONGSTRETH RESIDENCE
PORT ALEXANER, ALASKA

MEMBERS PRESENT: LAURA RIDEOUT, SCOTT RIDEOUT, MARTY REMUND,
CINDY LONGSTRETH, DEBRA ROSE GIFFORD

ORDERS OF BUSINESS

LAURA RIDEOUT CALLED THE MEETING TO ORDER.

ADVISORY COMMITTEE MEMBER FORMS WERE HANDED AND FILLED OUT.

OFFICER ELECTIONS FOLLOWED.
CINDY LONGSTRETH NOMINATED MARTY REMUND FOR CHAIRMAN, LAURA
RIDEOUT SECONDED. MARTY CONCURRED. ALL IN FAVOR.
SCOTT RIDEOUT NOMINATED DEBRA GIFFORD FOR VICE CHAIRMAN, LAURA
RIDEOUT SECONDED. DEBRA CONCURRED. ALL IN FAVOR.
CINDY LONGSTRETH NOMINATED LAURA RIDEOUT FOR SECRETARY, MARTY
REMUND SECONDED. LAURA CONCURRED. ALL IN FAVOR.
ALL MEMBERSHIP FORMS COLLECTED.

LAURA OFFERED TO HELP MARTY CHAIR THE MEETING.

FEDERAL SUBSISTENCE BOARD
LAURA BROUGHT UP THAT THE FSB IS TAKING APPLICATIONS FOR BOARD
MEMBERS. DEAD LINE TO APPL. IS MARCH 26. IT WAS DECIDED TO
PUBLICLY ANNOUNCE AND POST .

NEM MEMBERS
LAURA SUGGESTED WE ANNOUNCE IF ANYONE IS INTERESTED IN BECOMING
A MEMBER OF THE LOCAL ADVISORY BOARD TO CONTACT MARTY OR DEBE.

SE FINFISH AK. BOARD OF FISH
LAURA WANTED TO REMIND PEOPLE THAT SE FINFISH MEETING WILL BE
ON FEB⁵-16, 2000 IN SITKA. IF ANYONE HAD ANY PROPOSALS THAT
THEY SHOULD BE THINKING ABOUT GETTING THEM IN.

BOARD OF FISH 98/99 PROPOSALS (AREAS UP NORTH)
WE DISCUSSED PROPOSALS #350. IT WAS FELT THAT SOLUTIONS TO ISSUES
IN THESE AREA, SHOULD NOT EXTENT TO ALL AREAS.
#125,126 DISCUSSION ON THESE CONCERNING CREATING HALIBUT
MANAGEMENT AREAS.
LAURA PROPOSED OUR COMMENTS ON PROPOSAL # 67-391 BE ,THESE
PROPOSALS ARE NOT IN OUR REGION AND WE WOULD LIKE TO SEE PROBLEMS
RESOLVED BY PEOPLE IN THOSE REGIONS. WE SUPPORT THE CONCEPT
ON REGIONAL/AREA MANAGEMENT.

HALIBUT GUIDED SPORT MANAGEMENT

MARTY READ PART OF AN ARTICLE FROM AN ALFA NEWSLETTER ADDRESSING
THE FACT THAT THE NATIONAL PACIFIC HALIBUT MANAGEMENT COUNCIL
HAS BEEN DRAGGING THEIR FEET ON THE SLOW DOWN ISSUE OF THE

HALIBUT GUIDED SPORT FLEET. THIS SLOW DOWN IS TO HELP RESTRAIN THEIR ANNUAL CATCH TO MEET THE GUIDELINE HARVEST LEVEL, SET BY THE COUNCIL. IT IS FELT THAT THE ANALYSIS MEASURES RECOMMENDED WILL NOT BE ENOUGH TO ACCOMPLISH THE GOAL OF THE SLOW DOWN. DISCUSSION FOLLOWED. IT WAS DECIDED THAT WE SHOULD WRITE A LETTER SUPPORTING THAT MEASURES BE IDENTIFIED FOR ANALYSIS THAT WILL EFFECTIVELY RESTRICT THE GUIDED SPORT HALIBUT FISHERY TO THE GH. ALL IN FAVOR. MARTY SAID HE WOULD WRITE LETTER. IT WAS SUGGESTED TO SEND A COPY OF THAT LETTER TO THE STATE BOARD OF FISH.

SEABIRD AVOIDANCE

MARTY BROUGHT IT TO OUR ATTENTION THAT ONLY TWO MORE ALBATROSS HAD TO BE CAUGHT TO POSSIBLY SHUT DOWN THE LONGLINE FISHERY. DISCUSSION FOLLOWED. IT WAS FELT ALASKA HAS SUCH A LARGE FISHING AREA THAT MAYBE AREAS SHOULD BE IDENTIFIED AND CATCH LIMITS OF ALBATROSS SHOULD BE ACCESSED ACCORDING TO AREAS. THE FISHERMEN PRESENT SAID THAT THEY HAD NO INCIDENT OF ALBATROSS CATCH AND THEY FELT IT WAS BECAUSE THEY SET SLOW AND WEIGHTED THEIR LINES.

FOREST SERVICE SALT WATER SHORELINE-BASED RECREATION CARRYING CAPACITY ANALYSIS

THE FOREST SERVICE HAS ASKED FOR COMMENTS ON THEIR PROPOSALS FOR SALTWATER SHORELINE BASED OUTFITTING AND GUIDING ON THE CHATHAM AREA AND THEIR RELATED RECREATION CARRYING CAPACITY ANALYSIS. COMMENT PERIOD WAS EXTENDED TO FEB. 4.

WE ARE IN UNIT 04-01 S.E. BARANOF. DISCUSSION FOLLOWED.

COMMENTS ON ANALYSIS-
SHORELINE ROS- SHOULD READ PRIMARILY PRIMITIVE, WITH AREAS OF PRIMITIVE NON-MOTORIZED USE
LAND USE DESIGNATION-SHOULD READ WILDNESS REMOTE RECREATION,
WE QUESTION SEMI-REMOTE RECREATION. WE WOULD LIKE TO REMAIN REMOTE.

GROUPS A AT TIME- WHERE DID THE NUMBER 14 COME FROM ? HOW WAS IT ARRIVED AT ? YOU SAY A GROUP CAN CONSIST OF ONE TO MORE THAT 12. WE QUESTION THAT NUMBER. WE FEEL THAT THE NUMBER IN THE GROUP SHOULD BE AT MOST 4-6 AND THE NUMBER OF GROUPS AT A TIME SHOULD BE NO MORE THAN 7. ONE PERMIT PER ENTITY.

WE FEEL IT'S IMPORTANT NOT TO OVER UTILIZE AREAS, BUT TO BEAR IN MIND THE CAUSE AND EFFECT OF THE RURAL LIFESTYLE ALREADY ESTABLISHED IN THESE AREA. ALSO TO CONSIDER THE CUSTOMARY AND TRADITIONAL USE OF THE PEOPLE IN THE COMMUNITIES IN THIS AREA. WE SUPPORT CONTINUED MONITORING OF LOCATIONS FOR POTENTIAL IMPACT TO VEGETATION, WATER AND SOIL, WILDLIFE, AS WELL AS, THE IMPACT TO THE RURAL COMMUNITIES IN THIS AREA. WE WOULD LIKE TO SEE PREFERENCE GIVEN TO LOCAL GUIDES, THAT WOULD SUPPORT THE RURAL ECONOMY OF COMMUNITIES IN THIS AREA. (WE WOULD LIKE TO SEE THIS ANALYSIS PROVIDE FOR THE SUSTAINABLE USE FOR RESIDENTS, SMALL BUSINESS AND OTHER DEVELOPMENT BENEFICIAL TO THE COMMUNITIES IN THIS AREA.)

IT WAS DECIDED TO CALL MARTI MARSHALL TO INQUIRE ABOUT HOW BEST TO COMMENT, IN PERSON OR BY LETTER. WE COULDN'T REACH HER. LEFT MESSAGE.

IT WAS DECIDED TO SEND THE FOREST SERVICE A COPY OF OUR MINUTES. SCOTT MOVED TO ADJOURN. SECONDED BY CINDY. ALL IN FAVOR MEETING ADJOURNED 12:15 P.M.

Respectfully Submitted,

Laura Ridesow

1/25/99

North Pacific Fisheries Management Council.

I'm a commercial halibut longliner. Ive fished in S.E. Alaska, area 2-C for 25 years.

I'm writing in regards to the halibut guided sport management issue.

I've written in the past asking the council to limit the halibut guided sport fishery. I was glad to see the guideline harvest level adopted by the Council for the halibut guided sport fishery.

I urge the Council to identify measures for analysis that will effectively restrict the halibut guided sport fishery to the guideline harvest level. Thank You.

Sincerely, Marty Remund

P.O. Box 8147
Port Alexander, AK. 99836

RECEIVED

JAN 26 1999

N.P.F.M.C

Alaska Sportfish Council

Post Office Box 32323 • Juneau, Alaska 99803 • (907) 789-7234 • Fax (907) 789-7235

January 26, 1999

Richard Lauber, Chairman
North Pacific Fishery Management Council
605 W4th Ave #306
Anchorage, AK 99501-2252

RECEIVED
JAN 26 1999
N.P.F.M.C

Dear Rick,

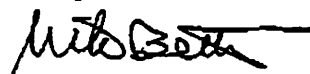
I've been involved in the North Pacific Fishery Management Council (NPFMC) since beginning of the sport/charter management issue and have always been impressed by the number of questions on sport fishing and guiding asked by the council. Not only is there a lack of sport fish representation on the council, there has always appeared to be a lack of understanding and knowledge of Alaska's sport fisheries, specifically the guided halibut sport fishery on which you may soon take action.

It's a given that if the NPFMC takes regulatory action on Alaska's halibut sport fishery, the council will be dealing in sport fishery issues more and more as time goes on and the need for information and understanding of Alaska's sport fisheries will only increase. In an attempt to provide information to the council members, I've drafted the following on Alaska's halibut sport fishery and concepts of the guided sport industry.

I'm not trying to get you to sell your dragger or IFQ's and take up chartering or even think like I do on this subject. Please just read the following, give it some thought and call me if you have any questions on sport fishing or guiding. There is a lot more that could be included in this discussion.

Thank you. I look forward to hearing from you.

Sincerely,


Mike Bethers
Executive director

Please see that each council member receives a copy of this. Thank You.

Halibut Sport Fishery

The North Pacific is the only place left in the world where an angler can expect a reasonable opportunity to catch a halibut and this attracts thousands of anglers to the sport fishery every year from both in and out of state. There are about 450,000 sport anglers licensed in the state as compared to about 4000 halibut IFQ holders. Probably one of the greatest differences between sport and commercial fisherman is in numbers of fisherman and in harvest. Commercial fisherman are very few in number but take a very high percentage of the resource while sport fisherman number in the hundreds of thousands however take only a very small percentage of harvest.

Commercial fishermen sell their catch to put groceries on the table and the more poundage they sell, the more groceries get put on the table. It is illegal for any sport caught fish taken in Alaska to be sold. However, most sport anglers fish halibut to put meat on the table. Halibut sport fishing provides a great amount of enjoyment for anglers. There are a lot of halibut caught and released, and anglers releasing halibut also keep a portion of their catch. There appears to be a tendency in some areas for anglers to release large females and retain smaller sized halibut.

Guided sport fishermen using charter boats often fish the same waters as non-guided anglers, however charter boats often run farther from population centers to offer clients better opportunity. In some areas there are actually more non-residents fishing unguided, than from charter boats.

Sport fishermen normally deal or talk in numbers of fish and commercial guys deal in pounds of fish.

Council members are probably more familiar with factors limiting one's commercial catch than with factors limiting sport catches. Many factors limit opportunity to sport catch halibut and these factors are different in different areas of the state. Factors that limit ones ability to sport catch halibut include

- A) gear limit, 1 rod/2 hooks maximum per angler
- B) daily limit of 2 fish, 4 in possession
- C) catch efficiency of sport gear
- D) weather
- E) short cruise range of sport boats
- F) availability of halibut in local area
- G) time available for sport fishing

The entire Alaska sport catch is said to be biologically insignificant by the IPHC. Non-guided anglers typically retain smaller halibut than anglers fishing in guided parties. The average sport caught halibut is normally 20-30 pounds with a good portion of fish being less than the 32-inch commercial limit. Many commercial fishermen have said that sport anglers should also have a 32-inch limit. However, if sport anglers were required to keep

only halibut over 32 inches it would reduce the number of fish over 32 inches that are now available to the commercial fishery.

Sport boats may anchor, drift or back troll to stay on position while fishing. Wind and tide are very important factors in how well one can fish and generally dictate how deep one can fish with sport gear on a given day.

Baited circle hooks are standard terminal gear, however some operators also use heavy jigs. Sinkers from 8 oz to 3-4 pounds are common.

Charter boats typically provide sport gear for clients to use. Rods are typically 5 to 7 feet in length and quite stout. Reels are large capacity and line test is usually 50 to 130 pound test. The price of a good rod and reel combo is similar to the cost of a skate or halibut gear rigged.

A Sport/Charter Boat Compared to a Commercial Vessel

A commercial vessel is rigged with gear designed to catch large numbers of fish very effectively and has tremendous harvest capability depending on size of vessel, while a sport fishing boat has absolutely no harvest capability. The harvest capability of a sport boat is dependent on the number of anglers fishing from the boat.

Just for comparison, one long liner with a 1000 hook set in the water would have the same number of hooks fishing as 125 charter or sport boats fishing four anglers with two hooks each (the maximum amount of gear).

Charter boats range in size from about 16 to 80 feet in length, with most boats being 20-36 feet long. In southeast all sport boats (charter included) are limited to no more than six sport lines in the water. Halibut charter boats average four clients per trip in southeast and five clients in south central. In southeast, larger certified boats can only fish six lines, however, in south central, certified vessels may fish more rods (up to their certified limit).

Charter boats vary in the amount of high tech equipment they carry, just like commercial boats. Most boats in my area carry radar, video sounders, g.p.s., and chart plotters are becoming common.

Charter boats are typically smaller and less rugged than commercial vessels. Charter boats are for the most part single purpose boats that are not adaptable to other commercial uses. There are a few charter boats in operation that have changed over from commercial fisheries and there is a handful of operators that participate in both sport charter and commercial fisheries.

The Charter Business

The typical "charter business" is comprised of one boat capable of carrying six passengers (or less) which is operated by the owner. Some boats employ a deckhand and some don't.

Some boats/businesses are independent and attract clients themselves while other boats may work for brokers who act as middleman between client and boat operator. Independent boats typically spend more on advertising, communication and client transportation, etc. than boats working for brokers. Brokers typically do the advertising and incur more expense and thus pay less per client than the boat would get if working independently. Brokers often have a contract with a cruise ship or tour business to provide sport fishing for customers.

Some sport fishing lodges own their own fleet of boats and some lodges hire operators with their own boats. Lodges are often located where they are visible to commercial fishermen and are responsible for many perceptions of over harvest etc. by guided anglers. Sport fishing lodges are typically located near good fishing locations for the same reasons that commercial guys are there - there's good fishing to be had. Lodge harvest capability is dependent on the number of guests - just like a charter boat. A lodge worth ten million dollars - with 10 guests would be limited to 20 halibut per day for clients.

In south central, charter boats tend to be more single species, say halibut only. In southeast, more active boats tend to fish both salmon and halibut on a given day. Some boats also do whale watches, eco tours, hunter transport, freight delivery, kayak hauling, etc.

A very important concept of a charter fishing business is that this business is demand driven. If there aren't people willing to pay the price or wanting to go fishing - there won't be a charter business. Developing clientele is one of the most expensive and time consuming costs associated with professional sport fishing.

A typical "active" charter operator seriously trying to maximize his potential will probably need to carry at least 300 clients a season in order to keep his head above water. That's figuring about \$150.00 per client and no big breakdowns. Given that a charter boat has at least a 50% operating expense, you can see about the best an operator can hope for is adequate wages in the summer and good luck finding a winter job. You've heard commercial fishermen say that even though they don't make much money fishing that it is their "way of life". Sport fishing is exactly the same to many charter operators and fishing guides.

Commercial fishing vessels have particular safety regulations while charter boats have different requirements. Following are the requirements needed to run a charter boat.

- A) Business license
- B) Commercial vessel license
- C) Outfitter and/or guide license
- D) Sport fishing license
- E) USCG license to carry passengers
- F) USCG vessel registration or certification
- G) USCG required vessel equipment
- H) Proof of enrollment in random drug testing
- I) Local sales tax registration and payment
- J) Some brokers and business require minimum levels of insurance coverage

One difference between commercial fishing and chartering is the impact of missed fishing on these fisheries. Commercial long liners have from March 15 to November 15 in which to catch their IFQ. If a commercial fisherman missed fishing due to weather or other factors he can go out later in the season and catch the same amount of fish as he could have caught earlier and there would be no net loss.

Charter boats however, being people driven, need clients to haul and clients are available only during the short summer season. A charter boat is limited to a maximum number of clients per trip and if a trip or day is missed it cannot be recaptured later. You can't make more trips per day to make up and you can't make it up at the end of the season because clients are no longer available. Given the short summer season and availability of clients, downtime is devastating for a charter or guiding business.

Fishing seasons for most active established charter boats and lodges are booked prior to the beginning of the season. This is why the charter industry has stated that stability is so important in providing angling opportunity. Clients that have paid in advance for a fishing trip (angling opportunity) expect to receive what they were sold and paid for. This is why in season restrictive regulatory changes are devastating for sport fishing businesses.

Commercial fishermen often argue that Alaskan charter boats take too many non-residents as clients. Many Alaskan's often fish for themselves and there simply aren't enough resident clients available in state to operate a professional sport fishing industry. This is similar to the commercial fishing industry - how viable would Alaska's commercial fishing industry be if production had to be sold in state? It wouldn't work!

RECEIVED

JAN 26 1999

N.P.F.M.C

1/25/99

North Pacific Fisheries Management Council,

I'm writing in regards to the halibut guided sport management issue.

I've longlined for halibut in S.E. Alaska with my husband since the late seventies. My son and daughter fish with us also.

I've written in the past supporting the Council to limit the halibut guided sport fishery. I think it was a good move by the Council adopting the guideline harvest level for the halibut guided sport fishery.

I urge the Council to identify measures for analysis that will effectively restrict the halibut guided sport fishery to the guideline harvest level. Thanks for your time and consideration.

Sincerely,

Jean Remund
P.O. Box 8147

Port Alexander, AK.99836

Alaska Happy Bear Charters

PO Box 1666
Valdez, Alaska 99686
(907) 835-2927

RECEIVED

JAN 27 1999

N.P.F.M.C

North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, Alaska 99501-2252

January 27, 1999

Agenda Item C-5, Halibut Charter GHF

Mr. Lauber and Council members.

I'd like to express my concerns on the Halibut harvest by guided charter operators. First, management plans for the Sport-fishery must be done by regions, IPHC area 3A works fine for management of the commercial fishery, however it is too large and offers too much diversity to manage as a collective fishery when sport-fish issues are included.

Second, I feel proposed years to qualify for the moratorium are too restrictive, as I fished 1987-1993 and have financially planned to return to the guided fishery in the near season.

The moratorium criteria as proposed by the GHF task force does not provide reasonable historical participation of the fishery. As proposed, I would be excluded from the fishery, which causes financial loss to myself.

Thank you for your time.

Greg Heuschkel
Owner

Agenda Item C-5, Halibut Charter GHJ

Submitted 27 January 1999

By: Seward Charterboat Association, Valdez Charterboat Association
& Valdez Fish & Game Advisory Committee.North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, Alaska 99501-2252**RECEIVED**
JAN 27 1999
N.P.F.M.C

Dear Mr Lauber and Members of the Council

Per the discussion paper of the Charter GHJ committee, the problem statement indicates the areas of the councils concerns with respect to the growth of halibut charter operations, lodges and outfitters. As expressed on page 1 of the GHJ discussion paper, due to difficulty in scheduling a meeting of the GHJ committee, the discussion paper was mailed to the committee members only and individual comments were addressed in preparation of the final report. The public process is not represented in this discussion paper. This letter is part of the public process and is written in regards to the councils expressed concerns as identified below in block caption, followed by response. Comments in regards to each proposed Alternatives as provided by the GHJ committee follow.

Expressed Council Concern #1

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.

It is agreed that pressure by charter operations is contributing to localized depletion in several areas. Lodges and outfitters currently do not have any reporting requirements if they are operating in an un-guided role. The removals are unknown by these commercial entities.

Since the development of the Commercial IFQ system in 1995. The Prince William Sound region of area 3A has experienced a tremendous growth in near shore harvest based on IPHC harvest data.

In Prince William Sound, the 1998 sport-guided logbook data reflects guided Halibut harvest to be 859,767 pounds of Halibut removed from the IPHC statistical areas of 230, 232, 242 & 240. The IPHC reports that the 1997 IFQ halibut harvest from the same IPHC statistical areas at 4,636,000 pounds. The commercial harvest has increased by 2,078,000 pounds since 1995 to 1997. The first year (1995) of the IFQ harvest in these same statistical areas the harvest was 2,558,000 pounds. Obviously the localized depletion is not only the Sport-guided effort; the IFQ system has changed the traditional methods in the commercial halibut fishery. The near shore removals by the commercial harvest on the shared fishing grounds with the guided and un-guided effort during the same periods is creating increased gear conflict situations. The near-shore depletion is a problem shared by all users.

The guided and un-guided halibut sport-fishery is made up of vessels with limited mobility by range and time from their ports of origin, should no management measures be taken, local depletion could extend beyond the range of the guided and un-guided sport-fishery boats of this region. Adjacent (outside) areas of higher halibut abundance are not accessible to the majority of guided and un-guided sport-fishery boats.

Expressed Council Concern #2

2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining catches for historic sport and subsistence fishermen in some areas.

Currently this is not a known problem associated to the Prince William Sound; any management measures identified to address this part of the problem statement should come from the LAMP (Local Area Management Plan process)

Prince William Sound is on the verge of potential explosive growth; the road to Whittier will provide easier public access from Alaska's largest population community of Anchorage to Prince William Sound. Plans for infrastructure development are currently in progress to accommodate growth in the Whittier harbor. The three primary Sportfishing ports of Prince William Sound will be Valdez, Seward and Whittier. Of these three ports, the current slips accommodate 1284 vessels. The current collective waiting list of the same three ports is 1392. There are more vessels looking for slips to come into PWS than are currently here. This growth will contribute to overcrowding on productive grounds and PWS will experience declining catches from historic levels. Not just Sport-guided but equally in the historic sport fishing. The best approach to address solution options would again remain in the region associated with the problem. The Local Area Management Plan process would be the best solution.

Expressed Council Concern #3

3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.

Without any data to address annual harvest of the commercial lodges and outfitters operating in an un-guided role, the ability of the NPFMC to address these commercial users is not practical. It is recommended that a reporting program be implemented.

Due to geographic configuration of the IPHC area 3A, it is very clear that four independent regions exist: 1. Yakutat 2. Prince William Sound (includes Seward) 3. Cook Inlet (Upper and Lower) 4. Kodiak.

The State of Alaska's proposed "Alternative" offers a management concept that would resolve the open end reallocation, however to better manage under their proposed concept, regional issues remain un-answered and the LAMP process may be hampered in its ability to resolve issues from an area wide allocation. Using the States alternative concept, management action must reflect solutions down to the regional level. This would give the local area management plans the ability to function clearly within established objectives.

This regional alternative under the States concept is better defined under Alternative #3 in the following pages.

Expressed Council Concern #4

4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty associated with the present situation and the conflicts that are occurring between the various user groups may also be impacting community stability.

For the very same reasons as outlined in the foregoing pages, impacts by users affecting community stability is a regional issue. The potential explosive growth in Whittier under a GHJ or allocation to the Sport-guided industry will impact community stability in adjacent communities of Cordova, Tatitlek, Chenega Bay, Valdez and Seward. The Charter industry as it now exists, will be negatively impacted by management restraints caused by future growth in new entries. Consideration must be given that any historical harvest data that is used to place restraints must equally apply to the same group that provided the data. Allowable growth is a major regional issue, how much growth is a public policy decision that must play out in the Council process. This growth question must take into account that some regions have communities that under a GHJ or allocation may already be over-capitalized (Valdez & Seward), however some neighboring communities of the same regions are under-capitalized. (Cordova, Whittier, Tatitlek & Chenega Bay) The Local Area Management Plan process would again be the best approach to address these issues.

The traditional commercial fisherman that is referenced in sentence 1 of problem statement number 4 (above) has changed from their traditional fishing methods. The IFQ fishery of 1995 now provides this user group an eight month season. The growth in the near shore commercial harvest on shared fishing grounds with the other users is creating conflicts in certain areas. In reality, changes in the commercial halibut fishery is impacting community stability in a higher degree than reflected by the councils expressed concern. These recent commercial fishery changes are displacing the sport-guided and sport-fishing halibut users of Prince William Sound. The LAMPS would be the best approach to a favorable solution.

Expressed Council Concern #5

5. Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks: (1) the effort and catch of individual charter operations, lodges, and outfitters; and (2) changes in business patterns.

The logbook program for the sport-guided effort was implemented by the State of Alaska in 1998; this is a positive start in resolving part of this council concern in the problem statement. The State has provided testimony that cautions the NPFMC about using only one year of data to base decisions. The logbooks did not get out to the users in PWS region until May 98, yet the first reported harvest date in the program was 27 April 1998. Most of the April harvest of sport-guided halibut for 1998 is not reported in the logbooks. The PWS region did experience weather in 1998 that forced the fleet more weather down days than typical of a normal season. Given time, the annual data will reflect the information needed to best answer questions in regards to effort, harvest and business patterns of the PWS halibut charter fleet.

Information is still lacking concerning commercial lodges and outfitters that offer support to clients in an un-guided environment. I.e.: floating fly-in camps with small boats to support clients, boat rentals and shore side lodges with small boats for client use.

Expressed Council Concern #6

5. The need for reliable catch data will increase as the magnitude of harvest expands in the charter sector.

This statement is very misleading; the magnitude of harvest is by what comparison? Surely not in ratio of Sport-guided halibut removals to Commercial halibut removals in Area 3A or even in the regional areas as expressed above. The public use of the halibut resource by engaging the services of a charter company to provide a platform to access the fishery is key to this issue. The real questions are what legal alternatives are available to restrict the Halibut Charter removals that will satisfy the national standards as provided by the Magnuson-Stevens Act? Can the Charter fishing public be legally restricted in their ability to access the Halibut fishery? What public policy, limits growth to meet the public's demand for access and harvest? These questions are especially important due to the fact that each year increasing numbers of fisherman (resident and non-resident) seek to utilize the halibut resource.

The ADF&G Sport-guide logbook program is the best tool to catch data that would resolve this concern.

PROPOSED ALTERNATIVES

Comments concerning the five alternatives that will be on the council agenda of the Feb 99 meeting with comments are listed below:

ALTERNATIVE #1

Status quo - do not develop regulations to implement a GHL. Instead, local area management plans (LAMPs) could still be developed in areas with documented problems. Employ a variety of measures as needed within LAMPs, including line limits, annual bag limits, vessel trip limits, super-exclusive registration of charter boats, moratorium, etc.

This alternative is the best approach in resolving regional issues; this alternative does address solutions to the councils concerns as provided by #1, #2, #4, #5 and #6.

This alternative does not address a solution of the councils concerns expressed in #3.

This alternative will not address the open-ended reallocation as expressed by the councils concern in #3.

ALTERNATIVE #2

Convert the GHL to an allocation (15.61% of the combined commercial and sport charter quota in Area 3A. Two additional options include are area-wide (e.g., Area 3A) or local moratoriums on charter vessels.

This alternative does address the councils concerns in #1, #2, #3, #5 and #6.

This alternative does not address a solution of the councils concerns expressed in #4.

This approach will not provide the charter industry a two fish bag limit and a traditional fishing season. This rise and fall of the assessed biomass does not align with the public needs for access and harvest. The public policy decision concerning the amount of acceptable growth remains unanswered.

This alternative does not address the communities and regions that are under capitalized and desire growth in the Charter industry. Communities that may be approaching over-capitalization may be negatively affected by the loss or limited Halibut Charter effort. The LAMP process would be the best action to address regional moratoriums.

ALTERNATIVE #3

Convert the GHL to an allocation range with fixed upper and lower bounds expressed as numbers or pounds of fish. Separate ranges would be established for IPHC Regulatory Areas 2C and 3A. If the charter harvest exceeded the upper bound, management measures would be instituted as needed in the guided fishery up to 2 years later (1 year if data are available, but prior to January 1 for industry stability) in order to reduce the harvest to within the range. Likewise, if the charter harvest fell below the lower limit of the range, management measures could be liberalized to bring the harvest up into the range. Under this alternative, the longline fishery would receive a relatively larger allocation when the halibut stock abundance is high, and the charters would receive a relatively larger allocation when the stock is low.

This alternative does address the councils concerns as stated in #1, #2, #3, #4, #5 and #6.

Alternative 3 (Continued)

The negative merits of the States alternative:

1. One region could negatively impact another region by increase in harvest.
2. Any regional increase in harvest by added effort could trigger management tools that would apply to all regions of the IPHC area.
3. Should the IPHC area reflect over-capitalization, the restrictive management tools will never be removed until the area wide triggers are modified to accompany entry harvest growth.

This alternative concept is good, however it must be applied to regions.

NOT AREA WIDE. The negative merits as specified, will be resolved using the regional approach as identified below:

This alternative (Broken down to regions) coupled with alternative #5, or with the LAMP's would resolve issues of the Charter industry that are currently in potential over-capitalized regions. The LAMP'S coupled with this regional approach without alternative #5 would be the best tool to address under-capitalized regions and communities.

THIS REGIONAL APPROACH WAS NOT ADDRESSED OR DISCUSSED BY THE GHL COMMITTEE. (Considering the State of Alaska did not bring this alternative to the committee until 12 Jan. 99)

Due to the current structure of the area 3A Halibut Charter fleet, it is very clear that there are four independent regions. 1. Yakutat 2. Prince William Sound (includes Seward) 3. Cook Inlet (Upper and Lower) 4. Kodiak

The State of Alaska's proposed Alternative offers a management concept that would resolve the open end reallocation. To better manage under their proposed concept, regional issues remain un-answered and the LAMP process may be hampered in its ability to resolve issues from an area wide allocation. Using the States alternative, this alternative would provide better management at the regional level. This would give the local area management plans the ability to function clearly within established guidelines. This regional alternative is a mirror image of the State of Alaska's GHL /allocation alternative, the harvest numbers used are from the 1998 sport guide logbook program. In light that the State will not support an area wide Moratorium but will support a regional moratorium in the LAMP process, this plan would aid in the development of regional LAMPS.

As reported by ADF&G staff, per the 1998 Sport-guide logbook data, 3,378,100 pounds of Halibut was reported as harvested from IPHC area 3A Halibut Charter vessels. The area wide average used to compile this weight from reported harvested fish was 21.12 pounds.

Alternative 3 (Continued)

The IPHC 3A area is broken down by regional harvest as follows:

Area	Avg. Weight	# of Fish reported	Converted Weight
PWS	28.3	13,387	378,852
Seward	23.79	20,215	480,914
Yakutat	35.4	3,806	134,732
Cook Inlet	18.86	113,873	2,147,644
Kodiak	27.08	8,715	236,002
		159,996 Fish	3,378,144 Pounds

Like the proposed management alternative as provided to the NPFMC by the Department of Fish & Game (Alternative 3) using the IPHC 3A Charter Harvest Allocation Range of the 1998 Harvest. The States proposal triggers management measures at a lower range of 3,350,000 lbs. This needs to be changed to properly reflect 3,378,144 pounds. The States alternative proposal reflects an Upper Range limit of 4,187,500 lbs. which is intended to be 125% of the 3A Charter harvest. With the correction as identified above, this upper trigger should be corrected to properly reflect 4,222,680. The State should validate this error.

With these corrections in place, this proposal would provide an Allocation range to be established down to the proper region as that of shared fisheries within the scope of the LAMP process. This would aid in the process of development in the local Area Management Plans to best address the regional concerns. Using the States logbook program as demonstrated by the States alternative, **it is requested that the following alternative be included in the NPFMC analysis process:**

Due to the shared fishery of the PWS and Seward, it is only obvious by harvest data that these Ports be inclusive in a single LAMP as is with the upper and lower Cook Inlet. The Kodiak and Yakutat areas are stand-alone fisheries. This clearly would reflect the make-up of the regions that may further their concerns in the Local Area Management Plan process.

For the same reasons that the ADF&G staff has indicated why they do not support any area wide Moratorium, the Charter Industry of the Prince William Sound cannot support an area 3A wide Charter harvest allocation. Should the regions pursue the development of a Sportfish management plan that would address the concerns as expressed by the State for these specific regions, then now is the time to allocate the guided effort in this direction. Given a direct regional allocation, with management triggers, the State concerns could be resolved within the regions involved. Per the GHF discussion paper (page 12, para. 6) the State clearly stated **"the diversity in the guided sport fisheries could best be dealt with at the local level, as a one size fits all approach might not be the best solution."**

ALTERNATIVE 3 (Continued)

Using the same concept as expressed by the States Alternative; this proposal adopts a Regional Charter Harvest Allocation range using the 1998 harvest as follows:

PWS & SEWARD

Lower Range Limit at: 859,767 lbs.
Upper Range Limit at: 1,074,708 lbs.

YAKUTAT

Lower Range Limit at: 134,732 lbs.
Upper Range Limit at: 168,415 lbs.

COOK INLET

Lower Range Limit at: 2,147,644 lbs.
Upper Range Limit at: 2,684,555 lbs.

KODIAK

Lower Range Limit at: 236,004 lbs.
Upper Range Limit at: 295,004 lbs.

This proposal provides a total Area 3A upper trigger weight of 4,222,682 lbs., which is 125% of the 1998 Guided harvest.

To prevent industry drift from one region to another, a regional allocation must insure that all Halibut Charter Vessels conduct Sport-guided Halibut landings to their one Primary Port as reflected by the Sport Charter vessel license that is currently required by Alaska CFEC. Industry drift (Effort re-location that could address under-capitalization issues.) could be provided in the regional LAMP.

If the guided sport halibut harvest is restricted and the harvest is reduced below the lower limit of the regional range, guided sport fishery management measures would be liberalized to increase the harvest back within the allocation range.

Per this regional allocation range, a range of management measures listed below could be employed to curtail catch rates of guided anglers once the allocation is attained.

Management measures could be applied up to 2 years after attainment of the upper trigger allocation. (1 year if data is available, but not later than 1 Jan. of the year to provide industry stability)

- Line Limits
- Boat Limits
- Annual Angler Limits
- Vessel Trip Limits
- Super-Exclusive Registration
- Sport Catcher Vessel Only Area
- Sportfish Reserve
- Rod Permits

ALTERNATIVE #4

Under a GHL, apply a range of management measures to curtail harvest by chartered anglers once the GHL is attained. Measures would be implemented up to 2 years after the attainment of the GHL (1 year if data are available, but prior to January 1 for industry stability) — no inseason measures are proposed. Management measures could include line limits, boat limits, annual bag limits, vessel trip limits, super-exclusive registration of charter boats, sport catcher vessel only areas, sport fish reserve, and rod permits. Again, two additional options would be area-wide or local moratoriums.

This alternative does address the councils problem statement concerns as expressed in #1, #2, #3, #5 and #6.

This alternative does not address a solution of the councils concerns expressed in #4. For the same reasons as expressed under alternative #2, this alternative offers doubt that it will be able to provide the Charter industry a two fish bag limit and a historical season. Any consideration of this alternative must address the public policy question concerning public need that requires allowable growth in charter harvest and the willingness of the managers to provide for it. Management measures placed on tourism driven industry that capitalizes from a resource must identify a balance between allowable resource yield and allowable participation. This alternative would cause fluctuation in allowable charter yield and make it difficult for the managers to provide for it without affecting the traditional season.

ALTERNATIVE #5

Area-wide moratorium only.

This alternative does address the councils problem statement concerns as expressed in:
#1 A moratorium will prevent new entries from adding pressure that would contribute to localized depletion.

#2 A moratorium would stop growth that may be contributing to overcrowding of productive grounds.

#4 A moratorium would provide fleet stability and potentially aid in offering solutions to conflicts between the various user groups in the LAMP process.

#5 A moratorium would provide a known and fixed group to users to receive management data from.

#6 A moratorium would provide reliable catch data as the harvest expands to existing charter potential.

This alternative does not address the councils problem statement concerns as expressed in #3. As stated and agreed in the conclusions of the GHL committees discussion paper, since effort and removals are primarily demand-driven in a potential overcapitalized fleet. (Considering the GHL) This potential for increases in fishing effort overrides most of the proposed management measures the Council could recommend for limiting halibut removals. (If the existing Halibut Charter vessels were operating at full potential, the harvest amount potential is far more than any of the proposed caps.)

Example: Given the 1998 Sport-guide logbook data of area 3A, if the reported 518 vessels that averaged 5 fishermen per trip at a 1.6 fish per average, and the average reported weight being 21.1 pounds per fish. (different from what the State reflects) A professional halibut charter operator operates at a traditional season average of 65 days. The harvest amount to support this total fleet effort would require 5,683,496 pounds.

The Prince William Sound Charter Industry supports an area wide moratorium, however it also requested, that a provision be added that will prevent effort from drifting between Regional areas covered by the Local Area Management Plans. The use of Super Exclusive Registration would resolve this issue.

SUMMARY

The Charter industry has clearly requested a moratorium; the council should understand the economics effected of this request.

A stand-alone area wide moratorium does not address the open-ended reallocation from the commercial fishery.

Desires of the Prince William Sound Region Charter Industry:

1. Provide an **area wide moratorium** with a provision that would prevent effort movement from one region to another (Alternative 5)
AND ALSO:
2. Provide a **regional fixed allocation** as expressed by Alternative 3 in concept only that will support the regional existing charter fleet.
3. A regional fixed allocation with a fleet moratorium must address realistic effort and provide a reasonable operating season to meet the public's demand.

If the LAMP process is given this charge, the regional concerns as expressed by the State and the Charter Industry could be resolved, this process would ease the NPFMC schedule in dealing with each local fishery on a case-by-case basis, however, it still would be required.

This document is submitted and supported by the leadership and the members of the following Prince William Sound Regional Organizations:

Valdez Charterboat Association
President: Bob Jaynes

Seward Charterboat Association
President: George Hiller

Valdez Fish & Game Advisory Committee
Chairman: Darrel Shreve

Valdez Fish & Game Advisory Committee
 PO Box 2053
 Valdez, Alaska 99686

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 JAN 27 1999

N.P.F.M.C.
 27 January 1999

Agenda Item C-5, Halibut Charter GHL

North Pacific Fishery Management Council
 605 West 4th Ave., Suite 306
 Anchorage, Alaska 99501-2252

Dear Chairman Lauber & Members of the Council

In Feb 98 concerning the councils joint meeting with the Alaska Board of Fish, a protocol was adopted for the Local Area Fishery Management Plan process.

In March 1998, the Valdez Charterboat Association approached the Valdez Fish & Game Advisory Committee with a concern in regards to their industry impacts as seen by potential implementation of the GHL.

From public comment to this committee, the following problem statement was developed and effort to address this problem has been an on-going process of this committee.

This document is provided as information of this committee's action to address the Prince William Sound regional problem statement, the original intent is per the LAMP protocol, However, some of this regional information might aid the council during the GHL analysis during the Feb 99 meeting.

Problem: During its' September 1997 meeting, the North Pacific Fisheries Management Council (NPFMC) implied the implementation of a Guideline Harvest Level (GHL) on halibut harvested by the charter fishing industry. A GHL was established at 125% of the 1995 harvest levels in regulatory area 3A. This action was initiated on the premise that the halibut charter fleet was increasing without restrictions, however, the NPFMC failed to address regulations or restrictions that would curtail new entries into the fleet. The GHL was intended to address, "displacement of unguided local sport and subsistence users and erosion of commercial quota share by the open-ended allocation to the charter fishery.", within area 3A. Without provisions to restrict increased industry participation, a potential of overcapitalization and economic distress looms over the entire halibut charter industry within area 3A, including those Charterboat owners within the Prince William Sound Region (PWSR). Due to a normally short fishing season and quite sizable investments, the PWSR charter owners are concerned about season stability. The current GHL design does not provide for a stable allocation to insure season stability. The rise and fall of halibut biomass and methods used to obtain the CEY does not align with the rise and fall of the Sportfishing season.

"The IPHC considers the halibut resource to be a single population. Egg and larval drift and subsequent counter migration by young halibut cause significant mixing within the halibut population. The IPHC sets halibut harvest in regulatory areas in proportion to abundance. This harvest philosophy protects against over-harvest of what may be separate, but known, genetic populations, and spreads

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Vice-Chairman: Mike Wells: phone 907 835-4874, 907-835-5360 Email: vfdaserv@alaska.net

Secretary: Dave Daniels: phone 907 835-4469 Email: lpp1897@alaska.net

fishing effort over the entire range to prevent regional depletion. Small-scale local depletion does not have a significant biological effect for the resource as a whole.

Ultimately, counter-migration and local movement tend to fill in areas with low halibut density, although continued high exploitation will maintain local depletion. However, **estimates of biomass and rates of local movement are not available to manage small areas.** Local depletion affects mainly vessels with limited mobility, which cannot move to adjacent areas of higher abundance. Options for managing local areas with high fishing pressure fall with two extremes: little or no restrictions that lead to maximum fishing opportunity, but low abundance and low catches; or severe restrictions with reduced seasons, bag limits, quotas, and participation that lead to high abundance and high catch rates for those allowed to fish." (Trumble, IPHC, 1997)

In consideration of:

- Continued growth of new entries into the PWS region Sport-guided fishery.
- IPHC stock assessment methods and the lack of data for small area biomass assessment & local movement.
- The commercial IFQ harvest of the inside waters of the Prince William Sound has nearly doubled since the implementation of the 1995 IFQ system.
- Growth in IFQ harvest of outside waters directly adjacent to the two primary entrances of the Prince William Sound is up to 4,031,000 net pounds for 1997.
- The change from traditional commercial halibut harvest methods since the implementation of the IFQ is increasing effort and harvest of the near-shore shared fisheries.
- Construction of the Whittier road and the added fishery participation brought with infrastructure development.
- Impacts to other State managed fish stocks.

Without providing some immediate controls that effect these concerns may lead to local depletion thus requiring much stronger action for more restrictive management options that would apply to all PWSR halibut harvest efforts.

What will happen if nothing is done? Continued growth in the Prince William Sound Region Halibut Charterboat Industry will cause early season achievement of the GHL and added efforts to the near shore stocks. Over exploitation will cause local depletion, which will effect all PWS region halibut users that have limited mobility based on time or vessel size to access adjacent areas of higher abundance. Thus adding financial distress to the Halibut Charter businesses of the Prince William Sound region. Other fisheries will become targets for the guided fishery and due to this added effort with little or no restrictions will lead to other species low abundance and low catch rates that force restrictive management measures as reduced seasons, bag limits, or quotas.

In attempt the provide information from the Prince William Sound Charter boat industry to address this problem statement.

On 16 Nov. 1998 this AC mailed out a survey to each vessel that was Sport Charter licensed by the Commercial Fisheries Entry Commission for 1998 that indicated their primary Port as Valdez, Cordova, Whittier, Chenega Bay, Tatitlek or Seward. And that they engaged in the Salt-water fishery of Prince William Sound (Region 9) or the North Gulf Coast (Region 10). The CFEC d-base provided 245 vessels that licensed per these perimeters.

Of the 245 vessels surveyed, 97 responses have been received as of this date. The PWSR Charter Companies that have participated are as follows:

Discovery Voyages
Sound Experience
AK Fish & Hunting beyond boundaries Inc
True Life Adventures
Mick's Adventures
Sea Dancer Adventures
Sound Eco Adventures
Snowline Enterprises
Miller's Landing
C & G Inc.
Hot Spot Fishing Adventures
Prince William Sound Charters
North Star Charters
Glacier's Edge Sportfishing In
Quarterdeck Charters & Lodging
SL Adventures
Silver Lining Charters
Grey Eagle Charters Inc.
Sudsy Charters
Puffin Family Charters
Arctic Wilderness Charters
'But Kick'n Charters
North Star Charters
Empire Alaska Seafood's, Inc.
Sea Star Charters
Smarter Charter & Tours
The Fish House
Cra-Zee's II Charter
Sandi-Kay Charters
Pro Fish-N-Sea Charters
Sablefish Charters
Lesea Charters
Crackerjack Sportfishing Charters
Wild Iris Fishing & Sightseeing
Adventure Charters
Valhalla Charters
Silver-lining Charters
Alaska Angler Adventures
Glacier Angler Charters

Alaska Whitewater Kings
Northern Magic Charters
Captain Brown's Charters
First Bight Fishing Charters
Blue Bayou Charters
Sanity Charters
Ivory Gull II Charters
Cap'n Patty Charters
Northern Comfort Inc.
Luck of the Irish Charters
Nuliaq Alaska Charters
Something Fishy Charters
Fishhawk Charters
Alaska River & Sea Charters
A-1 Fishing Charters
Aurora Charters
Flat Fun Fishing
Sundance Seaventures Inc.
Arctic Accessory
Alaska Charters
Phantom Mountain Adventures
Quarterback Charters
This El-Do Inc.
Captain Ron's AK. Adventure
Bread & Butter Charters
Sound Adventure Charters
Alaska Walkabouts
Aquabionics Inc.
Prime Time Charters
Sound Adventures
Roe's Enterprises
Alaskan Fishing Adventures, Inc.
Capt Bob's Charters
Choice Marine Charters
Omni Enterprises, Inc.
Wild Willy Adventures
Cookie Jar Charters
Goodband Charters
Thumb Bay Lodge
Petre's Fishing Charters
Shoestring Charters
Patty Anne Charters
Leisure Fishing Charters
Saltwater Safari Company, Inc.
Share Alaska Charters
Ace Charters
Eagle Song Charters

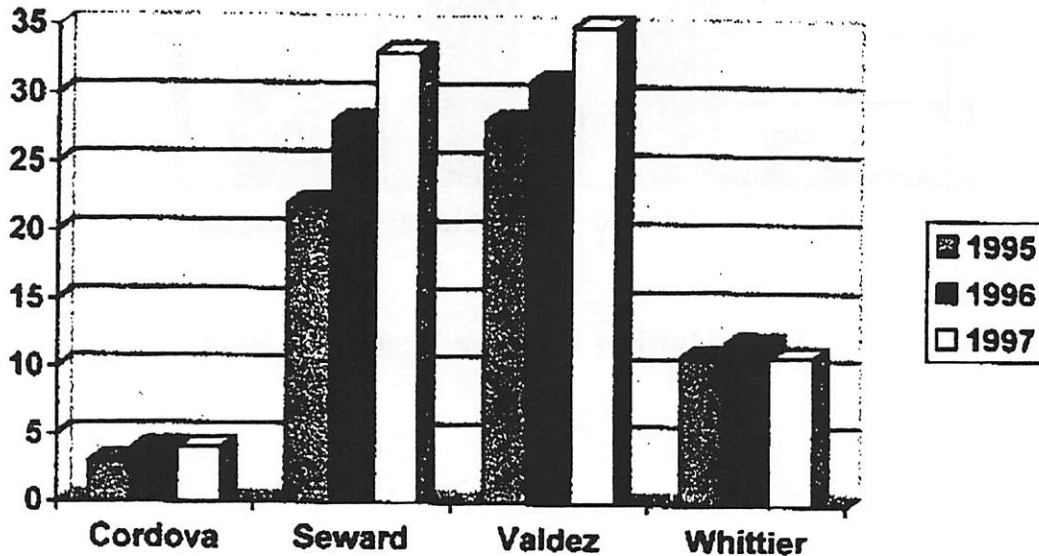
These companies represent 5 vessels from Cordova, 36 vessels from Seward, 43 vessels from Valdez and 13 vessels from Whittier. 5 Surveys have been returned due to a bad address.

In regards to the question of agreement or disagreement with the problem statement :

Port	# Agree	# Dis-agree	No-Comment
Cordova	3	0	2
Seward	26	2	5
Valdez	42	1	0
Whittier	12	0	1
Total	86	3	8

Of the returned surveys concerning State of Alaska CFEC license for 1995, 1996 and 1997. The table below reflects those indicating that they had a CFEC sport vessel license in the noted year for their vessel.

Port	# of surveys	1995	1996	1997
Cordova	5	3	4	4
Seward	36	22	28	33
Valdez	43	28	31	35
Whittier	13	11	12	11
Total	97	64	75	83

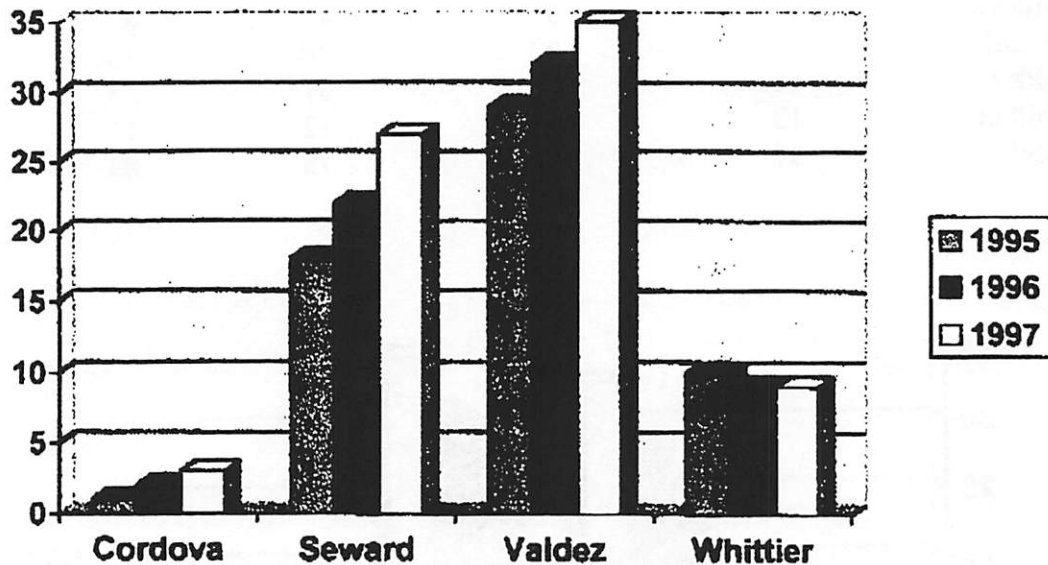


PWS CFEC SPORT CHARTER VESSEL LICENSE BY PORT

Of the returned surveys concerning IPHC license for 1995, 1996 and 1997. The table below reflects those indicating that they had an IPHC sport vessel license in the noted year for their vessel.

Port	#of surveys	1995	1996	1997
Cordova	5	2	3	4
Seward	36	21	27	32
Valdez	43	28	31	36
Whittier	13	9	10	10
Total	97	56	67	75

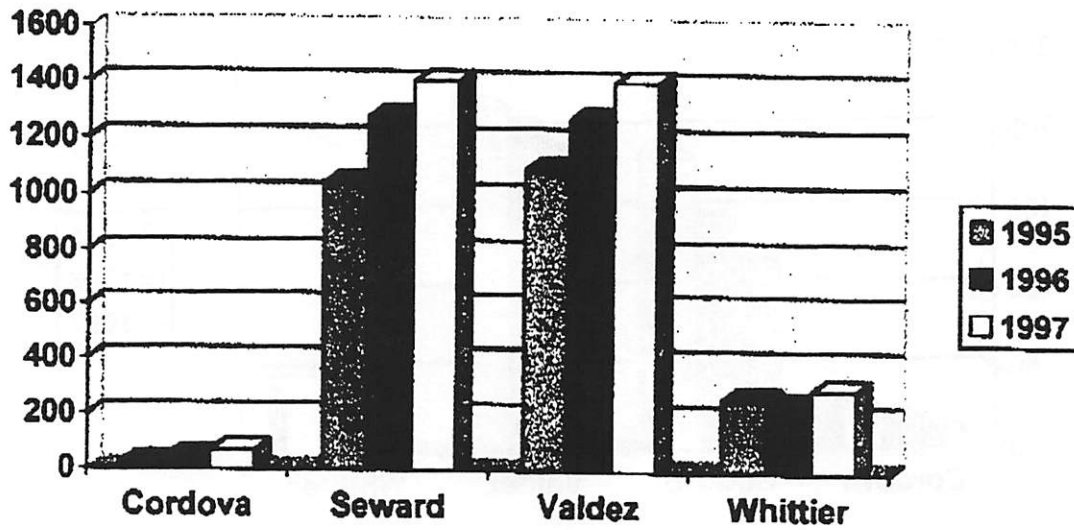
Of the returned 97 Surveys, the following figure reflects Halibut Charter vessels by port and by year.



PWS Halibut Charter Vessels by Port

Of the returned 97 returned surveys, the regional effort by Halibut daily fishing trips per year by Port follows:

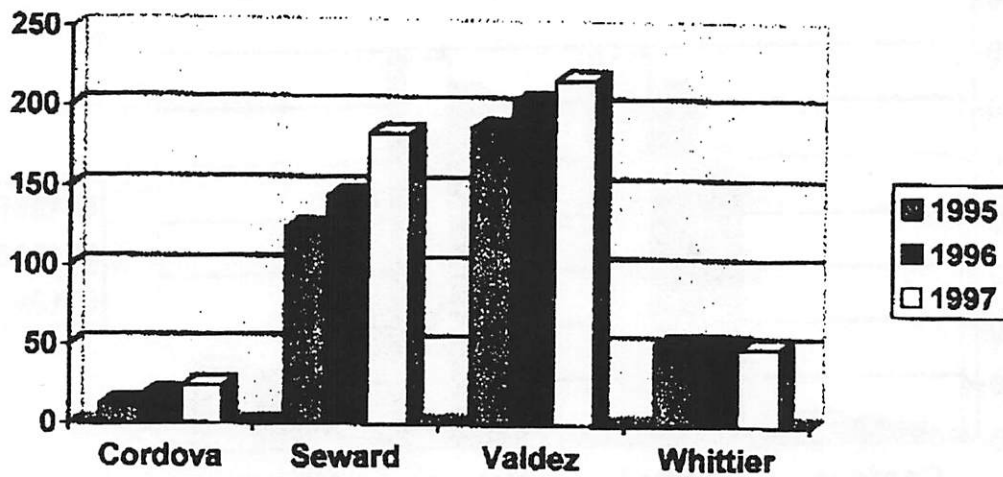
	1995	1996	1997
Cordova	20	40	66
Seward	1043	1276	1544
Valdez	1097	1270	1404
Whittier	264	248	299
Total	2424	2834	3313



PWS Halibut Charter Seasonal Trip Effort by Port

Of the returned 97 surveys, the daily regional fishing potential based on reported available fishing passengers seats.

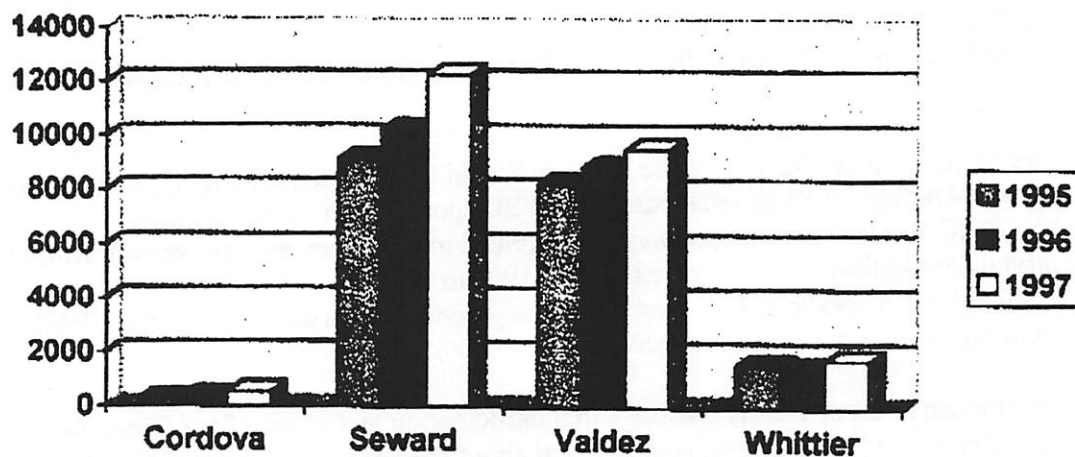
	1995	1996	1997
Cordova	12	18	24
Seward	124.5	144	183
Valdez	187	204	218
Whittier	52	52	50
Total	375.5	418	475



PWS Halibut Charter Daily Seat Availability by Port

Based on effort and seats, the 97 surveyed vessels of the PWSR supported the approximate number of fishing guests during the reported years.

	1995	1996	1997
Cordova	240	360	516
Seward	9115.5	10223	12222
Valdez	8203	8815	9485
Whittier	1568	1468	1750
Total	19,126.5	20,866	23,973



PWSR Halibut Charter Clients by Port

Of the 97 vessels responding, the PWSR yearly season duration is reflected below:

	1995	1996	1997
less than 20 days	22	23	25
21 to 37 days	7	12	11
37 to 65 days	17	17	16
66 to 90 days	7	9	12
Over 91 days	5	5	6

ADF&G Staff notes: Preliminary data from the 1998 logbook program as reported by ADF&G staff:

Prince William Sound reflected 101 distinct vessels returning logbooks with 86 reporting halibut landings.

Seward reflected 97 distinct vessels returning logbooks with 74 reporting halibut landings.

Prince William Sound vessels reflected 13,400 Halibut landed. With an average net weight of 28.3 pounds. (net weight) Note: since 1992 the average of the 7 years is 27.7 pounds (net weight)

Seward vessels reflected 19,900 Halibut landed.

Summary:

As reflected by the Prince William Sound Charter industry survey participation as of this date:

The survey reflects that the Prince William Sound Region Halibut Charter industry has grown 34% from 1995 to 1998 based on CFEC sport charter vessel licenses.

The IPHC Vessel Sport license was discontinued in 1997, however the growth from this survey base indicates a 25% increase from 1995 to 1997.

Regional effort parallels IPHC vessel license growth at 26% and daily seat availability at a growth of 21% over the same period.

This industry survey clearly indicates that participation and effort of the Prince William Sound Halibut charter vessels is growing at about 8% per year. The potential of the Whittier harbor project could provide explosive growth in the future.

Should any questions or concerns in reference to this document should be addressed to the undersigned.

**Darrel Shreve
Chairman**

Goodhand Charters

P.O. box 218, Ester Alaska 99725 907-479-5562

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JAN 27 1999

N.P.F.M.C

1/26/99

Chairman Rick Lauber
North Pacific Fishery Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK. 00501-2252

Dear Mr. Lauber,

As a member of the GHLC committee, officer of the Valdez Charter Boat Association, and being very involved in the beginning development of a Prince William Sound LAMP, I have some concerns about the direction of this council.

First it becomes very obvious that industry desires a moratorium to relieve future growth. With the various harbors in my area of Prince William Sound, and Seward having some 1300+ people/boats on waiting lists for future slips, this waiting list is an increase of over 120% of current vessel slips in use. A moratorium is the only way to curb growth and insure any economic future at all for the charter industry. While the State of Alaska will say they are worried about "potential ripple effects" to other sport fisheries, this is purely conjecture and not substantiated. Most, but not all, charter companies can not make a living without halibut as a main stay, so the "ripple effect" will more than likely be very small. A moratorium that does not have a super-exclusive registration to stop movement from area to area right from the start, will not work. The LAMP process can adjust movement from port to port as needed within the LAMP region. If the NPFMC does not place a moratorium on new charter entrants please put participation requirements in (IPHC and CFEC license 1995, 1996, 1997 and 1998 log book) area wide, that LAMP's can use as a common tool, if and when charters hit an allocation limit.

The ADF&G proposed allocation idea of not being tied to the TAC is the best to insure a stable sport fishery. This would be best served by simply giving each area of 3A, in this case its own allocation. This would be easy for ADF&G to do as the numbers are gathered by port.

While this may sound like micro management too cumbersome for the NPFMC to deal with, I would point out that any management requests would go through a local area task force and local area advisory boards, then to joint BOF and NPFMC board for refinement, before the council would ever see an issue. Micro management is what sport fishing is about, LAMP's are the only way.

With an increase of 8% charter growth each year since 1995 in the Prince William Sound alone, a moratorium is the first step needed.

Thank You,
John Goodhand



ALASKA VISITORS ASSOCIATION

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1998-99

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Tina Lindgren

Executive Director

January 27, 1999

Dear North Pacific Fisheries Council Members:

Thank you for the opportunity to comment on proposed alternatives to manage the halibut charter industry to maintain the fleet below a GH (guideline harvest level) in regions 2C and 3A (Southeast- Juneau to Ketchikan, and Southcentral - Yakutat to Kodiak, respectfully). Sportfishing opportunities are a key component of many visitor trips and are a staple summer activity for many Alaska residents. The North Pacific Fisheries Management Council (NPFMC) decisions will play a critical role in the future predictability and stability of the halibut sportfishery. In turn, the sportfishery plays an integral part of the Alaskan visitor experience and provides a significant economic and employment contribution to these regions. As the major voice for the visitor industry, the Alaska Visitors Association (AVA) offers the following comments for your consideration.

AVA is very concerned about the NPFMC decision to pursue management alternatives to establish a guideline harvest level for the halibut charterboat industry. The original decision to pursue GH's was based on projections that have not been realized. However, if the Council moves forward, the Alaska Visitors Association offers these comments on the alternative management measures.

- A. Alternative 1 - status quo - is the preferred AVA alternative. AVA supports conservation of the resource and supports development of local area management plans to address site specific issues. Additional support for this position is outlined in the latter portion of this letter.
- B. AVA has concerns about moratoriums on an area-wide and local basis which in essence create a limited entry fishery. Moratoriums, for species other than halibut, will require a state constitutional amendment and could have a number of unanticipated effects from increasing the cost of a halibut charter to reducing the fishing opportunity. In addition, moratoriums can destroy free market enterprise and result in financial benefits for a limited few.
- C. Management measures selected for further staff analysis should strive to ensure:
 - **A stable and predictable halibut sport fish industry to sustain and provide growth for local businesses, provide regional economic benefits, and assist in diversifying the state's economy.** Once the upper limit is reached in the GH and allocation range alternatives, restrictive measures will be implemented. The measures need to ensure that halibut fishing will be open in August as well as June to ensure that visitors have equal opportunity to fish. The visitor industry has been diligently working to extend the visitor season; measures that reduce or constrain the fishing season will have deleterious effects.

Sportfishing is one of the primary attractions for people interested in visiting Alaska. State of Alaska visitor surveys show that 35% of visitors coming to Alaska go fishing.

For many of these anglers, fishing is their primary purpose. If they had not been able to fish, they would not have come.

The sportfish segment of the Alaska visitor industry supports a significant number of small businesses which provide financial benefits to the state and local economies. The small percentage of halibut caught by non-residents and residents supports a substantial number of local businesses from lodge owners to restaurants to bed and breakfasts, as well as charter boat operators.

Just as commercial fishing interests are working to ensure stability and the increase profits, the sportfishing industry should also be allowed the opportunity for growth.

- **A fair and equitable allocation of the resource in light of the demand, the economics, and the Magnuson-Stevens Act.** The current halibut allocation of about 91% commercial and 3-4% guided sport fleet needs to be carefully reviewed. The two regions under consideration for GHF's encompass the two largest sport fisheries in Alaska with the greatest sportfish demand. Region 3A is home to over half the state's population and the halibut charter industry serves an equivalent number of residents and non-residents. In Region 2C, where more residents have access to or own their own boats, the charter boat fleet is more dependent on visitors.

If the State of Alaska wants to encourage tourism and broaden the economic and employment base, then halibut allocations between commercial and sportfish interests need to be more equitable to ensure adequate public access to this important fishery resource for resident and visitor anglers. Further, the Magnuson-Stevens Act clearly defines parameters that must be considered in the allocation decision-making process.

- **The disproportionate economic impact on the commercial and guided sport fisheries is clearly quantified and addressed.** A small increase in the charter boat allocation will have a large economic impact on the sport fishery and the businesses that support it; whereas, a small decrease in the commercial allocation will have a negligible, or very small impact

As previously noted, AVA supports the status quo alternative and does not support the establishment of measures to limit the guided halibut sport fish charters. The primary reasons for this position are noted below and should be addressed in the analysis justifying guided halibut sport fish management measures.

1. **There is no quantitative, biological justification for this action.** For the last three years, the total allowable catch (TAC) has increased. Conflicts in localized areas, such as Sitka and Homer, in part are the result of the IFQ fishery which enables commercial boats to fish closer to home thereby increasing the pressure on halibut resources previously used by sport fishers.
2. **The problem the NPFMC is trying to resolve is "perceived impact" based on tourism growth and non-resident license sales.** While license sales between 1985-1997 for non-residents increased, Alaska Department of Fish and Game 1997 Statewide Harvest Survey data for salmon shows that non-residents have significantly fewer angler days (up to 45% less) and catch fewer fish than residents. This is likely true for halibut as well.

More recent 1998 data shows sport fish license sales dropped well below the 7% annual increase projected, raising serious questions about the impetus and need for GHL's. (Non-resident sales increased about 1% , resident sales decreased about 1%.) While non-residents support sport fisheries through significantly higher license fees, their voices are not heard in the NPFMC process.

3. **The effects of limits on the halibut charter fishery could displace sport fisheries to other areas and to other species.** For example, halibut charter boat operators report increased demand when salmon fisheries are closed. The effects on other fish species needs to be carefully considered.
4. **The commercial fishery has been allocated more halibut than they harvested. Since IFQ's have been in place, 5% or more of the total allowable commercial harvest has been left in the ocean.** The commercial fishery is being given more halibut than they care to harvest, yet measures to limit the guided sport fishery are under discussion. In 1998, the commercial harvest in region 2C was 4-5 million pounds less than the IPHC recommended harvest. This is two to three times more than the 1.7 million pounds harvested by the guided charter fleet. The "excess" or unharvested commercial allocation makes it difficult to understand the merits of management measures for guided sport fishing.
5. **A change or limit in the allocation quotas has a significantly disproportionate economic impact on the different fisheries.** The current allocations of 3-4% for the charter boat fleet and 91% for the commercial fleet are skewed significantly towards the commercial fishery. As a result, a small increase in the charter boat allocation will have a large economic impact on the sport fishery and the businesses that support it; whereas a small decrease in the commercial allocation will have a negligible, or very small impact.
6. **The Magnuson-Stevens Conservation and Management Act states that:**
 - **Allocation among fisherman be fair and equitable, and carried out in such a manner that no entity acquires an excessive share.** GHL's on 3-4% of the guided sportfish catch compared to 91% commercial catch is neither equitable or fair.
 - **Allocation decisions consider impacts to recreational fisheries and not negatively impact them.** Although the timeframe to enact management measures remains undefined, when the limit is reached, there will be a negative impact and public access to a public resource will be restricted.
 - **No measure shall have economic allocation as it's sole purpose.** The decision to pursue charterboat limits transparently favors and protects commercial fisheries economic interests over sport fisheries, given the current and projected future allocations.
 - **Reduction of commercial bycatch and waste should occur before recreational fisheries are restricted.** The poundage of the commercial bycatch is more than the sport fish poundage.
 - **Economic impacts to communities with healthy recreational fisheries be addressed.** While the Council has noted the economic value of the commercial and sport fisheries to the state, the jobs and community impacts (value to tourism) needs further analysis. In addition, the contribution of sport fisheries to diversify the state's economy should be considered.

January 27, 1998

The Alaska Visitors Association (AVA) is a private, nonprofit statewide trade association representing all facets of the tourism industry. Our mission is to recognize and promote Alaska's opportunities, emphasizing the importance of high quality visitor experiences. With over 650 member businesses, AVA is the largest, statewide visitor industry association representing a wide range of business interests from large air and cruise lines to small localized guiding services and charter boat operators.

The visitor industry is one of the top three industries in the state that:

- Provides a *direct* economic impact of nearly \$1 billion and a *total* economic impact of \$2.6 billion each year.
- Accounts for 18,900 full-time jobs and \$360 million in total earnings.
- Employs 78% Alaska residents, the highest percentage of all Alaska's key industries. One out of every eight private sector employees in Alaska works in the visitor industry.
- Contributes \$124 million each year to state and local governments (\$70 million to state, \$54 million to local treasuries) through taxes, fees and other assessments paid by visitors and tourism businesses.
- Is comprised of 90% small businesses.

These statistics, although not directly applicable to sportfishing, clearly state the economic and employment benefits that must be considered during allocative and management decisions.

Thank you for your consideration of the visitor industry perspective on this important issue.

Sincerely,



Ken Dole
President



Tina Lindgren
Executive Director