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Eric Olson, Chairman
North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
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Chairman Olson and members of the Council,

Agenda Item C-1: Rebuttal to Charter Halibut Task Force “New Proposal”

When the NPFMC rescinded the charter IFQ program in December 2005, it committed to managing the charter sector in Areas 2C and 3A to the Guideline Harvest Levels (GHL) published in Federal Regulation, and to develop a plan to manage the charter sector for the long term that would, among other things, address the open-ended reallocation that occurs under the GHL program, and establish a mechanism for the transfer of longline quota between the two sectors. The Council established a Halibut Charter Stakeholder Committee to resolve the issue with assistance from Council staff, as well as NMFS and ADF&G staff.

With virtually unanimous support from the charter sector, the Council first approved a Limited Entry Permit (LEP) program for the charter sector in April 2007. This plan was developed by the charter sector representatives of the Stakeholder Committee, and specifically addresses the desire of charter operators for economic stability by prohibiting entry into the fishery by any charter operator that does not meet the qualifying criteria. This plan will be implemented in 2010.

The Council is now scheduled to take final action on a Catch Sharing Plan (CSP) that was developed and fully supported by charter operators on the Stakeholder Committee, with the assistance and review of Council staff as well as NMFS and ADF&G staff. The main elements of the plan include 1) a hard allocation; 2) annual management review to achieve the allocation; and 3) provisions to allow the transfer of halibut IFQ for use in the charter sectors. Members and representatives of the charter sector stood before the Council in April 2007 with longline fishermen to testify to their support for the Catch Sharing Plan as the best interim solution.

Alaska Longline Fishermen's Association • Cordova District Fishermen • Deep Sea Fishermen's Union •
Fishing Vessel Owners Association • Halibut Association of North America • Kachemak Bay Fisheries
Association • North Pacific Fisheries Association • Petersburg Vessel Owners Association • Sea Food
Producers Cooperative • Southeast Alaska Fishermen's Alliance • United Cook Inlet Driftnetters Association
• United Fishermen's Marketing Association • United Southeast Alaska Gillnetters Association

Now however, these same representatives of the charter sector have now turned their backs on their commitment' efforts to resolve this issue equitably, and have completely rejected the same Catch Sharing Plan that they developed and supported through the Council process over a period of several years. Instead, they are proposing that the Council delay action on the CSP and consider instead a "new" proposal.

1. The "new" charter proposal is entirely inconsistent with and in conflict with the problem that the Council is addressing through the Catch Sharing Plan.

The Council's problem statement is:

"The absence of a hard allocation between the commercial longline and charter halibut sectors has resulted in conflicts between sectors, and tensions in coastal communities that are dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability, while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood".

The "new" charter proposal does not include a hard allocation, instead it proposes that halibut continue to be reallocated away from the longline fishermen to charter operators. It only serves the needs of those charter operators who will be granted Federal limited entry fishing privileges, and does not balance the needs of all who depend on the halibut resource. And it will perpetuate the ongoing conflicts between the two sectors in Alaska's coastal communities.

2. Under the "new" charter proposal, charter operators with Federal limited entry permit fishing privileges could almost entirely displace the commercial longline fleet in Southeast Alaska, and in Southcentral they could reduce the commercial sector's share of the harvest by 20% to 25%.

Using ADF&G data on charter catch and effort for the 2007 season, the charter sector could harvest between 4.9 and 5.7 million pounds of halibut in Southeast Alaska over a traditional 85 to 100 day season. This compares to their current GHL of 913,000 lbs, and is 70% to 80% of the total combined commercial and charter catch limit of 7.1 million pounds in 2008.

In Southcentral, the charter sector could harvest between 8.9 and 10.5 million pounds over a traditional 85 to 100 day season. This would be an increase of 250% to almost 300% over their current GHL of 3.65 million lbs.

In both Southeast and Southcentral, this level of reallocation would be economically devastating to longline fishermen, processors and support services and communities that depend on commercial longline halibut.

3. The dramatic harvest increases in the charter sector that are likely under the "new" proposal will displace unguided recreational and subsistence fishermen, and lead to local depletion of other species such as rockfish, and lingcod.

Because charter vessels fish primarily in coastal waters within range of their home ports, the increases in their harvest of halibut will displace local recreational and subsistence fishermen who also use those areas, and will increase pressure on nearshore stocks of rockfish and lingcod. This has already been reported in Sitka Sound, and concerns have been raised in recent years in areas of Prince William Sound and Cook Inlet as well.

4. The “new” proposal removes any obligation of the charter sector to share in the conservation of the resource as stocks fall until the stocks reach a very low threshold level.

The “new” proposal removes any obligation of the charter operators who hold Federal limited entry fishing privileges to share in the conservation of the resource along with longline fishermen who hold similar privileges. It only suggests that the charter sector could share in the conservation of the resource when the spawning biomass reaches the critical threshold of (B_{30}), at which time harvest rates or percentages for the longline sector are reduced. Under this proposal, catch limits in the longline sector would be declining long before the charter sector would ever have to share in that burden of conserving a declining stock. The spawning biomass has remained well above this level over the last 12 plus years. The charter sector does not want to share the pain as stocks decline prior to reaching this threshold; instead they demand the opportunity to increase their harvests with no management restrictions, even as the spawning biomass goes down.

Additionally, the “new” charter proposal only suggests that management restrictions be implemented when the entire coastwide biomass is in trouble and does not allow for management restrictions and consideration for the stock health in individual regulatory areas. In this instance, commercial fishing could be closed down in a particular area and the charter sector would still be allowed to fish within that regulatory area even if stocks were low, because the coastwide biomass had not reached a low enough level to implement charter management restrictions.

5. The new proposal is a total rejection of the Council process and a Catch Sharing Plan that the charter sector developed and approved in the Stakeholder Committee.

The charter sector has insisted over the years that the Council process is the appropriate forum for resolving this issue, particularly after the IPHC took action to limit their harvest in 2C at the 2007 annual meeting.

The charter sector agreed to participate in the Stakeholder Committee to resolve the problem, and agreed to Guiding Principles which included recognition of the importance of both sectors to coastal communities, recognition of the need for management to an allocation (the GHF at the time), protecting the commercial sector from growth in charter harvests, and a mechanism for transferring quota between sectors that balances the needs of all users.

http://www.fakr.noaa.gov/npfmc/current_issues/halibut_issues/stakeholder/April/Feb06MinFinal.pdf

The charter sector developed and fully approved the Catch Sharing Plan elements and options at the Stakeholder Committee and in testimony to the Council. The plan is the result of over 2.5 years of Committee work, with close participation and guidance by ADF&G, NMFS, IPHC and other agency staff.

6. The Council has already considered and rejected the main element of the new proposal to allow charter clients to fish under a 2 fish bag limit forever, with no management restrictions.

Although it was opposed by commercial longline representatives, the charter operators on the Stakeholder Committee passed a motion at one of their meetings to recommend that the Council approve a 2 fish bag limit with no management restrictions over the historical length of their season in any future charter management plans. This is essentially what the “new” proposal is asking for. This was presented to the NPFMC as a part of the Committee’s minutes. The NPFMC did not consider or support this recommendation from the charter operators at any of their meetings over the last several years, although they have had opportunities to do so.

7. The Council is in danger of losing the middle ground if it delays action and considers this new proposal from the charter sector.

Postponing final action to consider this or any other new proposal will confirm for a second or third time that the Council process is broken. No reasonable and intelligent citizen with a desire to find reasonable solutions to difficult resource management problems will view the Council process as a forum to contribute to the public good.

Postponing final action will instead create a Council environment in which only the most partisan and mercenary representatives of different user groups will remain to gouge each other and the Council, under the guise of fairness, irrespective of reasonable public policy solutions.

Sincerely,



Linda Behnken
Halibut Coalition

Copy: Mrs. Sarah Palin, Governor, State of Alaska
Senator Ted Stevens, U.S. Senate
Senator Lisa Murkowski, U.S. Senate
Congressman Don Young, U.S. House of Representatives