

COMMISSIONERS:

CLIFF ATLEO
 PORT ALBERNI, B.C.
 JAMES BALSIGER
 JUNEAU, AK
 RALPH G. HOARD
 SEATTLE, WA
 PHILLIP LESTENKOF
 ST. PAUL, AK
 LAURA RICHARDS
 NANAIMO, B.C.
 GARY ROBINSON
 VANCOUVER, B.C.

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

DIRECTOR
 BRUCE M. LEAMAN

P.O. BOX 95009
 SEATTLE, WA 98145-2009

TELEPHONE
 (206) 634-1838

FAX:
 (206) 632-2983

September 19, 2008

Mr. Eric Olson, Chair
 North Pacific Fishery Management Council
 605 West 4th, Suite 306
 Anchorage, AK 99501

Dear Eric:

The recent release of catch estimates for the 2007 recreational halibut fishery off Alaska by the Alaska Department of Fish and Game (ADF&G) shows that the harvest was approximately 0.5 million pounds higher than initially projected:

Sector	Projected for 2007 (Mlb)	Actual (Mlb)	Difference (Mlb)	Difference (pct)
Charter	1.701	1.918	0.217	+12.7
Private	0.844	1.131	0.287	+34.0
Total	2.545	3.049	0.504	+19.8

While the charter sector catch was up slightly from the catch in 2006 (1.8 Mlb), we note that the average weight declined from 19.9 to 17.5 lbs, possibly as a consequence of the size restriction on the second fish in the 2-fish bag limit, which NMFS imposed beginning in July, 2007. We also find the jump in the private sector catch, from 0.723 in 2006 to 1.131 in 2007 to be of increased concern insofar as it indicates 'leakage' from the charter to the private sector, as the former comes under increased regulation.

These results have implications for 2008. In past years we have used projections provided by ADF&G for the upcoming year. For 2008, we deviated from that practice because of the Council's decision to manage to the GHL through the imposition of a 1-fish daily bag limit. Thus, the GHL amount (0.931 Mlb) was used as the projected charter sector harvest for 2008. While the 2008 catch is currently unknown, the daily bag limit in 2008 was the same as that for 2007, when 1.9 Mlb were caught. Consequently, we expect the following to be more indicative of 2008:

Sector	Projected for 2008 (Mlb)	Actual (Mlb)	Difference (Mlb)	Difference (pct)
Charter	0.931	1.918	0.987	+106
Private	0.844	1.131	0.287	+34
Total	1.775	3.049	1.274	+72

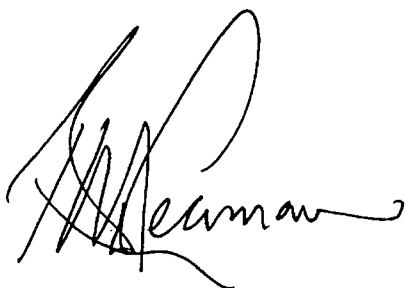
The court-mediated inability to implement the proposed 1-fish daily bag limit for 2008 will result in a charter fishery catch substantially higher than that projected by the IPHC when it approved catch limit regulations for 2008. These catch limit regulations incorporated an explicit recognition that the charter fishery catch would be controlled to the 0.931 Mlb specified in federal regulations. The regulations were accepted by the U.S. government and passed into federal law. The Commission relies on the ability of the U.S. government to enact compliance with accepted IPHC regulations, in order for the Commission to achieve its stock management goals.

The lack of compliance with GHM targets will exacerbate the present conservation problem in Area 2C. Estimates of exploitable biomass for Area 2C have decreased markedly in recent years and the lack of adherence by the charter fishery to the targets established by the Council in turn frustrates the ability of IPHC to meet its management targets. The increased charter catch will delay the rebuilding of the Area 2C resource, and increase the harvest rate well above the 20 percent level we believe is appropriate.

In the short term, the inability to enact control measures for the charter fishery presents the Commission with considerable uncertainty about the regulatory actions that it needs to contemplate for 2009. It is important that the Commission have a clear understanding of the charter fishery management actions that will be implemented by the United States for 2009 when it develops its own catch limit regulations for the coming year. The impressive historical record of the Council in achieving its catch limit targets for commercial fisheries has been the critical element in successful management of north Pacific fisheries. The Commission is hopeful that the Council will be successful in extending this commitment into the management of halibut recreational fisheries.

Both Gregg Williams and I will be in attendance at the October meeting, and can answer any questions on this material.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Leaman". The signature is fluid and cursive, with a large loop at the top and a long, sweeping tail.

Bruce M. Leaman
Executive Director

cc: IPHC Commissioners