



**REGULATORY PROPOSAL 2019**

**TITLE: CHARTER MANAGEMENT MEASURES IN IPHC REGULATORY AREAS 2C AND 3A**

**SUBMITTED BY:**

**UNITED STATES OF AMERICA**

**NOAA-FISHERIES**

**AFFILIATION: NMFS, ALASKA REGION**

**USA**

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*Explanatory Memorandum*

All Regulatory Areas  All Alaska Regulatory Areas  All U.S. Regulatory Areas

2A  2B  2C  3A  3B  4A  4B  4C  4D  4E

The North Pacific Fishery Management Council recommended the following management measures for charter Pacific halibut fisheries in IPHC Regulatory Areas 2C and 3A for application in 2019, in order to achieve the charter Pacific halibut allocation under the Council's [*Pacific*] Halibut Catch Sharing Plan:

Area 2C

- If the allocation is 0.81 million pounds: one fish per day with a reverse slot limit that allows retention of Pacific halibut less than or equal to 38 inches, or greater than or equal to 80 inches (U38:O80). No annual limit.
- If the allocation is above or below 0.81 million pounds, adjust the lower limit of the reverse slot limit up or down to keep the projected harvest within the allocation.

Area 3A

- Two fish daily bag limit.
- Retention of one fish of any size and a maximum size limit of 28 inches on the second fish
- One charter vessel fishing trip for CHP per day (use of each charter [*Pacific*] halibut permit is limited to one charter Pacific halibut fishing trip per boat in one calendar day)
- 4-fish annual limit, requirement to record retained Pacific halibut on the ADF&G fishing license or harvest record card.
- Prohibition on the retention of Pacific halibut on Wednesdays, all year.
- Adjust Tuesday retention closure according to Table 15 in the ADF&G analysis of proposed harvest regulations for 2019 to bring the projected harvest within the Area 3A allocation.

- If the allocation is above 2.023 million pounds, adjust the size of the second fish, up to a maximum of 30 inches, to keep the harvest within their allocation.

The Council selected these management measures at its December 2018 meeting, following review of the Alaska Department of Fish and Game (ADFG) analysis of proposed management measures for 2019 and after receiving input from the Charter Halibut Management Committee, which includes stakeholder representatives from both Areas 2C and 3A.

The ADFG analysis is available on the NPFMC website at:

<http://meetings.npfmc.org/CommentReview/DownloadFile?p=90e4701e-c32a-46ad-80c2-8b738e0cee1a.pdf&fileName=C1%20Analysis%20of%20Charter%20Mgmt%20Options%202C%203A%20for%202019.pdf>.

The Charter Halibut Management Committee minutes are attached for reference.

(Note that in the suggested regulatory text below, the allocation to each charter sector has been deleted, as that information is found elsewhere in the IPHC regulations.)

### *Suggested Regulatory Language*

#### **29. Sport Fishing for Pacific Halibut—IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, 4E**

- (1) ...
- (2) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 2C:
  - ~~(a) The total allocation, including estimated harvest and discard mortality (wastage), is 915,000 pounds (415.04 metric tons).~~
  - (a) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than one Pacific halibut per calendar day.
  - (b) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain any Pacific halibut that with head on is greater than 38 inches (96.5 cm) [may be adjusted according to Table 15 in the ADF&G analysis of proposed harvest regulations for 2019 to bring the projected harvest within the Area 3A allocation] and less than 80 inches (203.2 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail.
- (3) For guided sport fishing (as referred to in 50 CFR 300.65) in IPHC Regulatory Area 3A:
  - ~~(a) The total allocation, including estimated harvest and discard mortality (wastage), is 1,890,000 pounds (857.29 metric tons).~~
  - (a) No person on board a charter vessel (as referred to in 50 CFR 300.65) shall catch and retain more than two Pacific halibut per calendar day.
  - (b) At least one of the retained Pacific halibut must have a head-on length of no more than 28 inches (71.1 cm) [to be adjusted up to a maximum of 30 inches (76.2 cm) if the Area 3A charter allocation is above 2.023 million pounds] as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with mouth closed, to the extreme end of the middle of the tail. If a person sport fishing on a charter vessel in IPHC Regulatory Area 3A retains only one Pacific halibut in a calendar day, that Pacific halibut may be of any length.
  - (c) A charter halibut permit (as referred to in 50 CFR 300.67) may only be used for one charter vessel fishing trip in which Pacific halibut are caught and retained per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.
  - (d) A charter vessel on which one or more anglers catch and retain Pacific halibut may only make one charter vessel fishing trip per calendar day. A charter vessel fishing trip is defined at 50 CFR 300.61 as the time period between the first deployment of fishing

gear into the water by a charter vessel angler (as defined at 50 CFR 300.61) and the offloading of one or more charter vessel anglers or any Pacific halibut from that vessel. For purposes of this trip limit, a charter vessel fishing trip ends at 2359 (Alaska local time) on the same calendar day that the fishing trip began, or when any anglers or Pacific halibut are offloaded, whichever comes first.

- (e) No person on board a charter vessel may catch and retain Pacific halibut on any Wednesday, or on the following Tuesdays: [to be adjusted according to Table 15 in the ADF&G analysis of proposed harvest regulations for 2019 to bring the projected harvest within the Area 3A allocation].
- (f) Charter vessel anglers may catch and retain no more than four (4) Pacific halibut per calendar year on board charter vessels in IPHC Regulatory Area 3A. Pacific halibut that are retained as GAF, retained while on a charter vessel fishing trip in other Commission regulatory areas, or retained while fishing without the services of a guide do not accrue toward the 4-fish annual limit. For purposes of enforcing the annual limit, each angler must:
  - (1) maintain a nontransferable harvest record in the angler's possession if retaining a Pacific halibut for which an annual limit has been established. Such harvest record must be maintained either on the back of the angler's State of Alaska sport fishing license or on a Sport Fishing Harvest Record Card obtained, without charge, from ADFG offices, the ADFG website, or fishing license vendors; and
  - (2) immediately upon retaining a Pacific halibut for which an annual limit has been established, record the date, location (IPHC Regulatory Area 3A), and species of the catch (Pacific halibut), in ink, on the harvest record; and
  - (3) record the information required by paragraph 3(g)(2) on any duplicate or additional sport fishing license issued to the angler or any duplicate or additional Sport Fishing Harvest Record Card obtained by the angler for all Pacific halibut previously retained during that year that were subject to the harvest record reporting requirements of this section; and
  - (4) carry the harvest record on his or her person while fishing for Pacific halibut.

## **Attachments**

Attachment 1 Charter Halibut Management Committee Report of 3 December 2018



# North Pacific Fishery Management Council

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## Charter Halibut Management Committee

### REPORT

1-4 PM, December 3, 2018, Anchorage, AK

The Charter Halibut Management Committee met in Anchorage, AK on December 3, 2018 from 1 – 4 PM to review analysis of potential charter halibut management measures and recommend measures for implementation in 2019 in IPHC areas 2C and 3A.

Committee Members in attendance:

Andy Mezirow, Chairman	Stan Malcolm	Steve MacLean
Steve Zernia	Kent Huff	Mike Flores (ph)
Matt Kopec	Seth Bone	
Dan Donich	Denise May	

Members absent: Richard Yamada

Others in attendance:

Sarah Webster (ADF&G)	Yvonne Yang	Jim Martin
Jim Hasbrouck (ADF&G)	Tom Gemmell	Jamie O'Connor
Bob Powers (ADF&G)	Mel Erickson	Brian Ritchie
Forrest Braden	Lara Erikson (IPHC ph)	Karla Bush (ADF&G)
Natasha Hayden	Marian Ford	Kurt Iverson (NOAA)
Martin Schuster	Steve Keith (IPHC ph)	Kristen Labrecque

### 2019 Charter Halibut Management Measures

Ms. Sarah Webster (ADF&G) presented the results of the analysis of management measures for charter halibut fisheries in Areas 2C and 3A for 2019. After review and discussion of the analysis, the committee recommended the following management measures:

#### In Area 2C

**If the allocation is 0.81 MIb: Status Quo. One fish bag limit, with a reverse slot limit allowing the harvest of one fish less than or equal to 38 inches or greater than or equal to 80 inches.**

**If the allocation is above or below 0.81 MIb adjust the lower limit of the reverse slot limit up or down to keep the projected harvest within the allocation.**

#### In Area 3A

**Two fish daily bag limit with a 28-inch maximum size limit on one fish, four-fish annual limit, one trip per vessel per permit per day, Wednesday closure all year and:**

**Adjust Tuesday closures according to Table 15 in ADF&G analysis of proposed harvest regulations for 2019 to bring the projected harvest within the Area 3A allocation. If the allocation is above**

**2.023 million pounds, adjust the size of the second fish, up to a maximum of 30 inches, to keep the charter harvest within their allocation.**

**The committee notes that they have chosen precautionary management measures in the past to keep their harvest within their allocation and note that for the 2018 management measures they recommended more closed days than were ultimately put in regulation. The committee encourages the Council and IPHC to continue to act conservatively to keep the Area 3A charter harvest within their allocation.**

**Rationale:**

Area 2C representatives noted that Status Quo regulations project a harvest that is slightly above the projected allocation, but feel that the projected overage is due to an optimistic estimate of angler effort. Area 2C representatives feel that the smaller lower limit of the reverse slot limit imposed in 2018 will result in reduced bookings for 2019, and report that bookings for 2019 are below bookings for 2018 at the same point last year. Additionally, restrictions in king salmon fishing, while not analyzed in the current analysis, will exacerbate continuing halibut harvest restrictions to further drive bookings down. For these reasons the Area 2C representatives feel that status quo management measures will keep the area 2C charter halibut sector within their allocation for 2019. Area 2c representatives also point out that management measures adopted in the past have resulted in harvests that did not meet the full allocation in most years.

Area 3A representatives note that a 28% increase in Area 3A distributed mortality may not be a realistic outcome of the January IPHC meeting. Continued large fluctuations in distributed mortality and management measures that attempt to address these fluctuations, either up or down, are not good for business planning. Area 3A representatives feel that although restricting the upper limit of the maximum size of the second fish may result in some halibut “left in the water”, management measures requested for analysis did not include a second fish larger than 30 inches, and recognize that the charter halibut fishery in Area 3A has been over their allocation in recent years. Therefore, it is reasonable to limit the Area 3A charter catch to 2.088 million pounds, the maximum projected catch with no closed Tuesdays and a 30-inch limit on the second fish.

**Other issues:**

Chairman Mezirow addressed public comment received and posted on the Council agenda.

The committee approved the following proposal:

**The Charter Halibut Management Committee requests that the Council consider revising the Halibut Catch Sharing Plan to reduce the halibut harvest limits for non-guided anglers when halibut abundance reaches a certain level. The intention is that any halibut savings would not be redirected to other halibut sectors (charter, directed, or PSC) but remain in the water as a conservation measure.**

**\*POST-MEETING AMENDMENT\***

After publication of draft minutes, and at the request of the committee chairman, the proposal above should be modified to indicate that the modification to the Halibut Catch Sharing Plan would apply only to unguided anglers in Area 2C. Unguided anglers in Area 3A would not be affected by any modifications to the Halibut CSP.

The Committee discussed disparity in the published halibut length/weight tables from the IPHC and length and weight recorded from various halibut derbies in Alaska and published world records. Mr. Steve Keith (IPHC) noted that the IPHC has initiated a study to examine the halibut length and weight relationship with the intention to revise those tables, if necessary, in the future.

The committee discussed the possibility of considering charter halibut management measures on an extra-annual timescale, such as using a 3-year rolling average. No additional action was recommended.

**Public Comment:**

Mr. Tom Gemmell provided public comment.