

# North Pacific Fishery Management Council

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## MEMORANDUM

TO: IPHC Commissioners

FROM: Dan Hull, Chairman  
David Witherell, Executive Director

DATE: December 21, 2017

RE: Update on Council actions at its December 2017 meeting

At the IPHC Interim meeting, we provided updates on actions related to the Council's Halibut Management Framework, a follow-up from the Joint IPHC/NPFMC meeting in June, and an update on management actions from the June and October meetings. The written report is posted here: <https://iphc.int/uploads/pdf/im/2017im/iphc-2017-im093-ar03.pdf> This memorandum was prepared to provide updates on recent actions related to halibut fisheries and halibut bycatch, taken by the Council at its December meeting under its management authorities pursuant to the Magnuson-Stevens Act and the Halibut Act.

### **Groundfish Harvest Specifications**

The Council approved harvest specification for the 2018 and 2019 groundfish fisheries in the Gulf of Alaska and Bering Sea/Aleutian Islands areas. One of the biggest changes this year was an 80% reduction in the overall catch limit (including state waters) for Pacific cod in the Gulf of Alaska due to a drastic decline in the stock. Scientific information suggests that this decline is the result of an unusually warm mass of water (the 'blob') that persisted from 2014 through 2016. The warm water increased the metabolism of cod while reducing available food, resulting in poor body condition and increased mortality. The warm water also impacted cod egg production and larval survival, greatly reducing recruitment during these years. The lower number of adult and juvenile cod will affect the population and fishery for several years to come. This reduction will negatively impact a large number of trawl and fixed gear fishermen, as well as fishing communities of the Western and Central GOA.

A reduction in the Pacific cod catch limit potentially frees up halibut PSC to be used in other fisheries. To balance the interests of trawl fishermen and the fishing community of Kodiak, with the interests of halibut fishermen and halibut conservation, the Council increased the catch limits slightly for arrowtooth flounder but retained last year's fishery and seasonal apportionments of halibut PSC. This will allow the trawl fishery an opportunity to catch additional arrowtooth to somewhat offset the loss due to Pacific cod, while still operating under restrictive seasonal deep-water species halibut PSC limits. It is anticipated that given these restrictions, some halibut PSC may go unused in 2018.

As part of the groundfish harvest specifications process, the Council also approved halibut discard mortality rates (DMRs) for 2018 and 2019, as listed in the table below.

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pelagic trawl	Catcher vessel	All	100
	Catcher/processor	All	100
Non-pelagic trawl	Catcher vessel	Rockfish Program	62
	Catcher vessel	All others	67
	Mothership and catcher/processor	All	84
Hook-and-line	Catcher/processor	All	10
	Catcher vessel	All	17
Pot	Catcher vessel and catcher/processor	All	7

### **Halibut charter management measures for Area 2C and 3A**

Each year, the Council makes recommendations to the IPHC on management measures for the halibut charter fisheries in Areas 2C and 3A, to keep the halibut mortality attributed to the charter fisheries from exceeding the allocations set forth in the NPFMC Catch Sharing Plan. Under the Catch Sharing Plan, the charter fishery is allocated a percentage of the combined catch limit (15.9% - 18.3% in 2C, and 14.0% - 18.9% in 3A), based on a series of tiers determined by the total combined catch limit.

The Council's Charter Halibut Management committee develops potential management measures for the next year, and these measures are analyzed by ADFG staff. The estimated halibut removals under each combination of management measures (taking into account the most recent season's data on harvest and average size fish) are compared to the catch amounts resulting from the reference spawning potential ratio (SPR) amounts produced at the IPHC interim meeting.

Although the charter allocations are not known when the Council makes its recommendations, the Council bases its recommendations on the allocations determined from the combined commercial-charter catch limits associated with maintaining the IPHC's reference level of SPR as identified in IPHC preliminary catch tables for Areas 2C and 3A. The Council recommendations may also include contingencies to accommodate IPHC adoption of higher or lower combined halibut catch limits.

In December, the Council reviewed the ADF&G analysis of proposed management measures for charter halibut fisheries in Areas 2C and 3A and recommended the following management measures for application in 2018:

#### Area 2C

- If the charter fishery allocation is 0.69 million pounds: one fish per day with a reverse slot limit U35:O80. No annual limit.
- If the allocation is below 0.69 million pounds: one fish per day with a reverse slot limit U35:O80. Four-fish annual limit, or if necessary to remain within the allocation, three-fish annual limit.
- If the allocation is above 0.69 million pounds: one fish per day with a reverse slot limit. Adjust the lower slot limit as allowed to remain within the allocation, upper slot limit remains O80. No annual limit.

#### Area 3A

- Status quo measures: two-fish daily bag limit, including one fish of any size and 28-inch maximum size limit on one fish. Four-fish annual limit, one trip per Charter Halibut Permit per day, one trip per vessel per day, Wednesdays closed all year, three Tuesdays closed between July 24 and August 7.

- If the charter fishery allocation is 1.70 million pounds: Status quo measures plus close seven additional Tuesdays as outlined in Table 11 of the ADF&G analysis (June 19 – August 21).
- If the allocation is higher or lower than 1.70 million pounds: increase or decrease Tuesday closures to remain within the allocation, as described in Table 11 in the ADF&G analysis (shown below).

Number of Closed Tuesdays	Beginning and Ending Dates	Percentage reduction in harvest relative to status quo	Projected Harvest (no. Fish)	Projected Removals (Mlb)
3 (Status quo)	Jul 24 - Aug 07	0.0%	136,734	1.855
4	Jul 17 - Aug 07	-1.3%	134,986	1.830
5	Jul 17 - Aug 14	-2.5%	133,298	1.808
6	Jul 10 - Aug 14	-4.1%	131,068	1.777
7	Jul 03 - Aug 14	-5.5%	129,257	1.752
8	Jul 03 - Aug 21	-6.4%	127,977	1.736
9	Jun 26 - Aug 21	-7.6%	126,313	1.712
10	Jun 19 - Aug 21	-8.8%	124,686	1.689
11	Jun 19 - Aug 28	-9.5%	123,794	1.677
12	Jun 12 - Aug 28	-10.4%	122,449	1.659
13	Jun 05 - Aug 28	-11.2%	121,391	1.645
47 (all season)	Feb 01 - Dec 31	-13.2%	118,749	1.608

## **Charter Halibut Permit (CHP) Management**

### **Annual CHP Trip Limits**

The Council chose to take no action at this time on a proposal to establish annual charter halibut permit (CHP) trip limit categories. The proposal was suggested because the amount of effort expended in the fishery is one of the contributing factors to the overall charter halibut harvest. Therefore, increased effort can contribute to increasingly restrictive management measures. The proposal was an attempt to reduce the level of unused and underutilized (latent) capacity in the halibut charter sector, in order to have more control over the level of effort (in terms of trips or angler-trips taken).

However, the analysis, public testimony, and further discussion highlighted that the extent of unused and underutilized CHPs makes it difficult to project and ultimately control the level of effort in the fishery. Most of the other factors that influence the amount of effort in the charter halibut sector (e.g., seasonal tourism trends, ocean and weather days, angler demand, etc.) are outside of the Council’s control (expect for annual management measures), and this may impede the use of CHP trip limits as an effective input control.

While concerns were expressed about increasingly restrictive charter halibut management measures, and charter businesses’ desire for more stability and personalized choice in responding to the factors influencing management measures, Council members stated this proposed tool might not be responsive to these concerns. Particularly at low levels of halibut biomass, even if the action was successful at “freezing” the level of effort the fishery, management measures could continue to become more restrictive. Thus, participants could have restrictive management measures and have the negative distributional impacts associated with diminished flexibility in the number of halibut trips they take each season.

Council members stated that they believed that the possibility of having more control in levels of effort, would not out-weigh the risks and potential inequities that this action would cause. For instance, the action would not be effective capping effort unless a business that wanted to increase the number of halibut trips it took in a season, could not do so. While this could might produce the benefit of relaxed management measures (relative to what they would have been with increased effort) for all operators, it would have negative distributional impacts on certain charter businesses. In particular, this would affect new entrants that have recently purchased a CHP and have not had time to build up history, those business that may have scaled back or diversified operations due to increasingly restrictive management measures and are now capped at those levels, and businesses that have had unlucky circumstances during a qualification period (e.g., unfavorable ocean and weather conditions, vessel issues, health or family concerns for captain and crew), resulting in less activity than they might have had. Thus, the Council felt the proposed action ran the risk of limiting entry and removing flexibility and business opportunity for some operations, without necessarily being able to provide businesses with stability and more personalized choice in response to the dynamic halibut resource.

### RQE Ownership Caps

The Council chose to postpone an action that considered increasing the CHP ownership caps for a future recreational quota entity (an RQE). Current Federal regulations limit individuals and entities from holding more than five CHPs (with some exceptions). The proposed action would allow an RQE to purchase and hold up to 30 percent of the CHPs in each Area 2C and Area 3A. The intent behind this action is to allow the RQE to influence effort in the charter halibut fishery by temporarily removing capacity from the charter fleet (through the purchase of CHPs) and selling it back into use in times of high halibut abundance. The Council chose to postpone this action, stating that the creation of RQEs has not yet been approved by the Secretary of Commerce, let alone having an RQE established or funded in either area. One Council member stated that while some support was expressed for this capability, he felt it unwise to dedicate resources to pursuing this change until it was at least clear that an RQE would be functional.

### Self-guided halibut rental boats

The North Pacific Fishery Management Council received public testimony in June requesting that the Council consider ways to address data gaps in self-guided halibut sport fishing in regulatory areas 2C and 3A. Currently, some unknown number of entities are offering opportunities for clients to rent small boats to fish for halibut without a registered guide aboard. This allows the clients to harvest halibut at the unguided limit of two halibut of any size per day, rather than area-specific size and number limits set for guided anglers. Because we are unable to determine the number of entities offering self-guided fishing, or the number of vessels that are available for rent, the impact of these operations is not known.

At the December meeting, the Council identified a purpose and need statement and directed staff to develop a discussion paper further exploring an unguided rental boat registration requirement. The Council took this action in response to a preliminary report that identified concerns that the Council would need to address in order to move forward on consideration of a registry for self-guided halibut rental boats in Alaska. The purpose and need statement identifies that the Council is concerned that differences in regulations between the charter and non-charter sectors may result in increased halibut harvest in the non-charter sector, which may negatively impact other sectors. To address this, the Council intends to establish a registration requirement for vessels affiliated with charter operations, remote lodges, or businesses that require annual saltwater fishing guide licenses, and to estimate halibut catch from this segment of the sector. The discussion paper will provide focused consideration of several components of how to set up a selective registry and to whom it would apply. Registration information will help the Council determine whether additional management measures are necessary for this segment of the fishery.

## **Response to IPHC Requests**

### **IPHC Proposal IPHC-2017-IM093-PropC3**

At the Interim meeting, the IPHC was presented with a proposal from the public to require logbook-style record keeping and reporting requirements for unguided anglers fishing from self-guided rental boats. The IPHC requested that the Council and IPHC staff coordinate on reviewing this proposal, and requested the Council perspective on this issue. Accordingly, the NPFMC Halibut Charter Management Committee scheduled a review of IPHC proposal IPHC-2017-IM093-PropC3 and recommended that the Council not address this proposal until after the 2018 IPHC annual meeting (if necessary). At this point, the Council is moving ahead with development of a registration requirement for self-guided rental boats (as described in the previous section) for collecting catch and effort data from this sector, rather than through individual angler logbooks.

### **IPHC staff request to revise meeting dates**

At the Interim meeting, we were alerted to a possible conflict with meeting dates in 2019 for the December Council meeting (currently scheduled for the week of December 2) and the Interim IPHC meeting (currently scheduled for December 3-4). The IPHC staff requested that the Council consider shifting our dates to accommodate their meeting. In response to this request, the Council has agreed to delay the start of the Council meeting by a day, so that the Council meeting would begin on Thursday December 5. This would potentially allow staff and members of both bodies to fly to Anchorage the evening of the 4<sup>th</sup> and attend both meetings. To provide additional travel time, the IPHC could also consider shifting the IPHC Interim meeting a day earlier (i.e., December 2 and 3).