

North Pacific Fishery Management Council
Pacific Halibut Catch Sharing Plan for Area 2C and Area 3A
December 2013

1. Purpose

The Halibut Catch Sharing Plan in International Pacific Halibut Commission (IPHC) Regulatory Area 2C and Area 3A was adopted by the North Pacific Fishery Management Council and implemented by the National Marine Fisheries Service (NMFS). The Catch Sharing Plan 1) defines an annual process for allocating halibut between the charter and commercial halibut fisheries in Area 2C and Area 3A, 2) establishes by regulation sector allocations that vary in proportion with changing levels of annual halibut abundance and that balance the differing needs of the charter and commercial halibut fisheries over a wide range of halibut abundance in each area, and 3) describes a public process by which the Council may develop recommendations to the IPHC for charter angler harvest restrictions that are intended to limit harvest to the annual charter halibut fishery catch limit in each area. The directed commercial halibut fisheries in Area 2C and Area 3A are managed under the Individual Fishing Quota (IFQ) Program pursuant to regulations at 50 CFR 679 subparts A through E.

2. Framework and Implementation

The Catch Sharing Plan constitutes a framework that shall be applied to the annual combined charter and commercial fishery catch limit for Area 2C and Area 3A, respectively, which is approved by the IPHC at its annual meeting. The framework shall be implemented in both IPHC regulations and domestic regulations (implemented by NMFS) as published in the *Federal Register*.

3. Specification of the Annual Combined Catch Limits

The Catch Sharing Plan anticipates that the IPHC would specify an annual combined catch limit (CCL) for Area 2C and for Area 3A at its annual meeting for the subsequent fishing year. Each area's annual combined catch limit in net pounds will be the total allowable halibut harvest for the directed commercial halibut fishery plus the total allowable halibut harvest for the charter halibut fishery under the CSP. The IPHC process for determining the annual combined catch limit under the CSP will be similar to the process it has typically used in the past for determining annual commercial catch limits. A notable exception is how each fishery's wastage will be deducted from the combined catch limit. This process is detailed in Figure 1 below.

the Catch Sharing Plan also anticipates that the IPHC also would divide the annual combined catch limits into separate annual catch limits for the commercial and charter halibut fisheries pursuant to the CSP's allocation formulas. The IPHC would multiply the CSP allocation percentages for each area by the annual CCL to calculate the commercial and charter halibut allocations in net pounds. Fishery-specific catch limits will be calculated by deducting separate estimates of wastage from the commercial and charter halibut allocations.

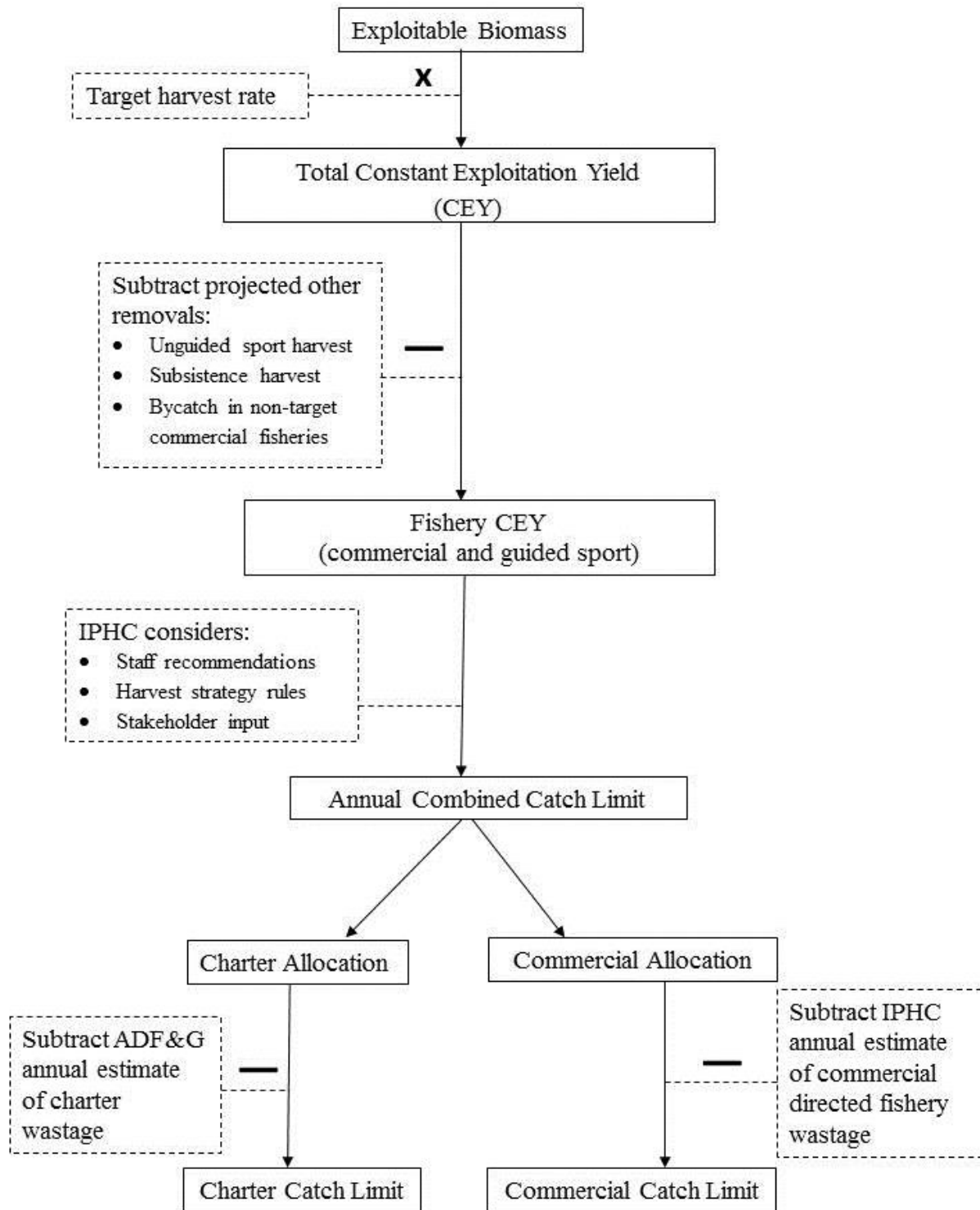


Figure 1. Process for Setting Annual Combined Catch Limits, Charter and Commercial Allocations, and Charter and Commercial Catch Limits for Area 2C and Area 3A under the Catch Sharing Plan.

The Catch Sharing Plan established three allocation tiers for Area 2C as shown in Table 1. When the IPHC sets an annual CCL of less than 5,000,000 lb in Area 2C, the commercial halibut fishery allocation is 81.7 percent and the charter halibut fishery allocation is 18.3 percent of the annual CCL. When the IPHC sets the annual CCLs at the second tier, between 5,000,000 lb and 5,755,000 lb, the allocation to the charter halibut fishery is a fixed 915,000 lb, to smooth the vertical drop in the poundage allocation that would occur without this adjustment. The commercial halibut fishery is allocated the Area 2C CCL minus the 915,000 lb fixed allocation to the charter halibut fishery. When the IPHC sets the annual CCL at the third tier, greater than 5,755,000 lb, in Area 2C, the commercial halibut fishery allocation is 84.1 percent and the charter halibut fishery allocation is 15.9 percent of the Area 2C annual CCL.

Table 1. Area 2C Catch Sharing Plan (CSP) Allocations to the Charter and Commercial Halibut Fisheries Relative to the Annual Combined Catch Limit (CCL)

Area 2C annual combined catch limit for halibut in net pounds (lb)	Charter halibut fishery CSP allocation (% of annual combined catch limit)	Commercial halibut fishery CSP allocation (% of annual combined catch limit)
0 to 4,999,999 lb	18.3%	81.7%
5,000,000 to 5,755,000 lb	915,000 lb	Area 2C CCL minus 915,000 lb
5,755,001 lb and up	15.9%	84.1%

The Catch Sharing Plan established five allocation tiers in Area 3A as shown in Table 2. For Area 3A, when the IPHC sets the annual CCLs at the first tier of less than 10,000,000 lb, the commercial halibut fishery allocation is 81.1 percent and the charter halibut fishery allocation is 18.9 percent of the Area 3A annual CCL. For Area 3A annual CCLs between 10,000,000 lb and 10,800,000 lb, the allocation to the charter halibut fishery is 1,890,000 lb. The commercial halibut fishery is allocated the Area 3A CCL minus the 1,890,000 lb fixed allocation to the charter halibut fishery. When the CCL is greater than 10,800,000 lb and less than 20,000,000 lb, the commercial halibut fishery is allocated 82.5 percent and the charter fishery is allocated 17.5 percent. When the CCL for Area 3A is set at greater than 20,000,000 lb and less than or equal to 25,000,000 lb, the charter halibut fishery receives a fixed 3,500,000 lb allocation. The commercial halibut fishery allocation equals the CCL minus 3,500,000 lb. Finally, at CCLs greater than 25,000,000 lb, the commercial halibut fishery allocation is 86 percent and the charter halibut fishery allocation is 14 percent of the Area 3A annual CCL.

Under the Catch Sharing Plan, the commercial and charter halibut fisheries are separately accountable for their discard mortality or “wastage,” such that each fishery’s wastage will be deducted from its respective allocation to obtain its catch limit (see Figure 1).

Table 2. Area 3A Catch Sharing Plan (CSP) Allocations to the Charter and Commercial Halibut Fisheries Relative to the Annual Combined Catch Limit (CCL).

Area 3A annual combined catch limit for halibut in net pounds (lb)	Charter halibut fishery CSP allocation (% of annual combined catch limit)	Commercial halibut fishery CSP allocation (% of annual combined catch limit)
0 to 9,999,999 lb	18.9%	81.1%
10,000,000 to 10,800,000 lb	1,890,000 lb	Area 3A CCL minus 1,890,000 lb
10,800,001 to 20,000,000 lb	17.5%	82.5%
20,000,001 to 25,000,000 lb	3,500,000 lb	Area 3A CCL minus 3,500,000 lb
25,000,001 lb and up	14.0%	86.0%

4. Annual Process for Setting Charter Management Measures

Each year the Council will review an analysis of potential charter management measures for the Area 2C and Area 3A charter halibut fisheries for the upcoming fishing year. This will allow the Council and public to engage in a transparent process for considering both stakeholder input and the most current information regarding the charter fishery and its management. After reviewing the analysis and considering public testimony, the Council will identify the charter halibut management measures to recommend to the IPHC that will most likely constrain charter halibut harvest for each area within its allocation (including reductions for discard mortality), while considering impacts on charter operations. The IPHC will consider the Council recommendations, along with the analysis upon which those recommendations were based, and input from its stakeholders and staff. The IPHC then will adopt either the Council's recommendations or alternative charter halibut management measures designed to keep charter harvest in Area 2C and Area 3A to the allocations specified under the Catch Sharing Plan. These measures are necessary to limit the combined commercial and charter harvest in Area 2C and 3A within each area's combined catch limit. NMFS will publish in the *Federal Register* the charter halibut management measures for each area as part of the IPHC annual management measures accepted by the Secretary of State with the concurrence of the Secretary of Commerce.

The Council's Scientific and Statistical Committee has reviewed the methodology used to determine the Council's recommendations and will review any changes to the methodology.

5. Guided Angler Fish

The Catch Sharing Plan authorizes supplemental individual transfers of commercial halibut IFQ as guided angler fish (GAF) to qualified charter halibut permit holders for harvest by charter vessel anglers in Areas 2C and 3A. Using GAF, qualified charter halibut permit holders may offer charter vessel anglers the opportunity to retain halibut up to the limit for unguided anglers when the charter management measure in place limits charter vessel anglers to a more restrictive harvest limit.

NMFS will issue GAF in numbers of halibut. NMFS will post the conversion from IFQ pounds to GAF for Area 2C and Area 3A for each fishing year on the NMFS Alaska Region website. NMFS will post the conversion factor for the current fishing year before the beginning of the commercial halibut fishing season each year.

An IFQ holder is eligible to transfer halibut IFQ as GAF if he or she holds at least one unit of halibut QS and has received an annual IFQ permit authorizing harvest of IFQ in either the Area 2C and Area 3A commercial halibut fishery. A charter halibut permit holder is eligible to receive IFQ as GAF if he or she holds one or more charter halibut permits in the management area that corresponds to the IFQ permit area from which the IFQ would be transferred. Holders of military charter halibut permits and Community Quota Entities holding community charter halibut permits also are eligible to receive IFQ as GAF. For transfers between IFQ and GAF, the IFQ holder and charter halibut permit holder receiving GAF are required to submit an application to NMFS.

Upon completion of the transfer between IFQ and GAF, NMFS will issue a GAF permit to the holder of a charter halibut permit. The GAF permit will be assigned to the charter halibut permit specified by the GAF permit holder at the time of application. The GAF permit holder may offer GAF for harvest by charter vessel anglers on board the vessel on which the operator's GAF permit and the assigned charter halibut permit are used.

Charter operators will be required to possess GAF in their GAF permit accounts prior to allowing charter vessel anglers to retain halibut as GAF. Transfers cannot occur after the fish have been caught. The GAF permit holder also will be required to have the GAF permit and the assigned charter halibut permit on board the vessel on which charter vessel anglers retain GAF, and to present the permits if requested by an authorized enforcement officer. GAF permit holders will be required to retain all GAF permits and GAF permit logs for two years after the date of issuance and to make them available for inspection upon request of an authorized enforcement officer.

NMFS will issue a revised GAF permit to the GAF permit holder each time during the year that it approves a transfer between IFQ and GAF for that GAF permit. Each GAF permit will be assigned to only one charter halibut permit in Area 2C or Area 3A, specified on the application for transfer between IFQ and GAF. That assignment cannot be changed during the year. Once GAF is transferred to a charter halibut permit holder and assigned to a specified charter halibut permit, it may not be transferred to another charter halibut permit holder.

Unused GAF may be returned to the IFQ holder by two methods: 1) a voluntary return that can be requested in August and that will be completed on or after September 1, and 2) an automatic return 15 days before the end of the commercial halibut fishing season. On and after the automatic return date, unused GAF will no longer be authorized for use in the charter fishery in the current year. Applications for transfer of IFQ to GAF will not be accepted during the one month prior to the automatic return date, to ensure that all GAF transactions are completed before the automatic return date. No application is required for the automatic return of unused GAF. NMFS will return any remaining unharvested GAF to the IFQ holder from whom it was derived. On or as soon as possible after the voluntary or automatic GAF return dates, NMFS will convert GAF in number of fish to IFQ in net pounds using the conversion factor for that year and return the converted IFQ to the IFQ holder's account.

The Catch Sharing Plan includes three restrictions on GAF transfers. First, IFQ holders in Area 2C will be limited to transferring up to 1,500 lb or 10 percent, whichever is greater, of their initially issued annual halibut IFQ for use as GAF. In Area 3A, IFQ holders may transfer up to 1,500 lb or 15 percent, whichever is greater, of their initially issued annual halibut IFQ for use as GAF. Second, no more than a total of 400 GAF will be assigned during one year to a GAF permit assigned to a charter halibut permit that is

endorsed for six or fewer anglers. And third, no more than a total of 600 GAF will be assigned during one year to a GAF permit assigned to a charter halibut permit endorsed for more than six anglers. This rule does not limit the amount of GAF transfers for military charter halibut permits. Community Quota Entities (CQEs) that hold quota share are allowed to transfer IFQ as GAF. The limits on these transfers depend on whether the GAF permit holder is a CQE, an eligible community resident, or a non-resident.

The Catch Sharing Plan includes new recordkeeping and reporting requirements for GAF in the Alaska Department of Fish and Game (ADF&G) saltwater charter logbooks, in addition to saltwater charter logbook reporting requirements. The logbook will continue to be used as the primary reporting method for operators in the charter halibut fishery. The person to whom ADF&G issued a saltwater charter logbook is required to retain and make available for inspection by authorized enforcement personnel the completed original logbooks for two years following the charter vessel fishing trip. The CSP also requires GAF permit holders to record information on the GAF permit; separately report retained GAF by 11:59 p. m. (Alaska local time) on the last day of the fishing trip in which GAF were retained using a NMFS-approved electronic reporting system; record the electronic reporting confirmation number on the GAF permit log; and retain the GAF permits and GAF permit logs for two years.

Charter guides are required to mark retained GAF by removing the tips of the upper and lower lobes of the caudal (tail) fin. Additionally, the charter vessel guide are required to retain the carcass showing caudal fin clips until the halibut fillets are offloaded so that enforcement can verify the length and that the fish was retained as GAF. For each halibut retained as GAF, charter vessel guides will immediately record on the GAF permit log the date and total halibut length in inches. GAF permit holders landing GAF on private property will be required to allow enforcement personnel access to the point of landing.

Commercial IFQ holders are responsible for all cost recovery fees on IFQ equivalent pounds harvested for their IFQ permit(s) and also for net pounds transferred and harvested as GAF that originated from their IFQ account(s). NMFS will levy IFQ cost recovery fees on all net pounds of halibut harvested as IFQ in the commercial fishery and as GAF in the charter fishery.

6. Other Restrictions

The Catch Sharing Plan includes five additional restrictions. First, the prohibition on retention of halibut by skipper and crew on a charter vessel fishing trip in Area 2C is extended to also include Area 3A. Second, individuals who hold both a charter halibut permit and commercial halibut IFQ will be prohibited from fishing for commercial and charter halibut on the same vessel during the same day in Area 2C and Area 3A. Third, individuals who hold both a charter halibut permit and a Subsistence Halibut Registration Certificate will be prohibited from using both permits to harvest halibut on the same vessel during the same day in Area 2C and Area 3A. Fourth, charter vessel operators will be required to indicate the date of a charter vessel fishing trip in the saltwater charter logbook and to complete all of the required fields in the logbook before the halibut are offloaded. And fifth, the logbook signature requirement for charter anglers in Area 2C will be extended to include charter anglers in Area 3A.

7. Charter Harvest Estimation

Alaska Department of Fish and Game saltwater charter logbooks will be used as the primary data source to estimate the number of halibut harvested in the charter halibut fishery following each charter halibut fishing season and to project the number of halibut harvested in the charter fishery in the following year.