



Charter Halibut Task Force

P.O. Box 8500 Ketchikan, AK 99901 www.charterhalibut.org 1-877-588-8819

CONTACT:

Kimberly Tebrugge
Charter Halibut Task Force
Ph: 360-480-8117
kimberly@charterhalibut.org

FOR IMMEDIATE RELEASE

Alaska Recreational Anglers Win Battle for Two-Halibut Daily Limit

Washington, D.C. - June 20, 2008 - Judge Rosemary Collyer granted a preliminary injunction here today on a lawsuit eleven charter halibut fishermen filed June 2 against Secretary of Commerce Carlos M. Gutierrez. The preliminary injunction will remain until Judge Collyer rules on the merits of the case, most likely after the end of the summer fishing season. The judge's ruling means that recreational anglers fishing from charter boats in Southeast Alaska will now be able to fish under last year's bag limits, which permitted one halibut of any size and one halibut 32 inches or less per day.

"We are thrilled with the judge's decision," said Scott Van Valin, owner of El Capitan Lodge who is a co-founder of the Charter Halibut Task Force and lead plaintiff in the case. "An independent judge has recognized the considerable harm this one fish rule would have imposed on charter operators and the economy of Southeast Alaska and agrees that the Secretary may not have followed the rules. We look forward to a favorable ruling on the merits of the case as well."

This lawsuit is part of an ongoing allocation battle between the commercial fishing industry and charter operators over how much fish charter anglers will be allowed to catch. If guided recreational anglers are limited to one halibut a day rather than the historical two-halibut limit, the second fish would be allocated to the commercial halibut fishermen to catch. In contrast, a two-fish limit for charter anglers in Southeast Alaska would mean no change in the 6.21 million pound commercial quota for 2008 and would result in a reduction in the commercial quota in Area 2C for 2009 of approximately 250,000 pounds less than what the commercial fleet would be allocated under a one fish for charters scenario.

Charter fishing accounted for only 6.2 percent of the total halibut caught off the coast of Alaska over the last 10 years. By comparison, that is over 12 times less than the 75.8 percent that the commercial halibut fleet harvests, and less than half the 14.6 percent allocated for bycatch (halibut caught incidentally by commercial fisheries targeting other species of fish).

While 25% of commercial fishermen in Southeast Alaska have quota shares allowing them to fish in other parts of Alaska, the charter industry is tied to fishing along the coast of Southeast and Southcentral Alaska, because those areas have the infrastructure such as hotels, airports, restaurants necessary to support tourism and charter fishing.

"We're not asking for more fish to be harvested beyond what is healthy for the resource. But if Alaska wants to maintain the current tourism dollars that come from charter fishing, it requires allocating enough halibut harvest to allow anglers to try for two fish a day," said Ken Dole, co-founder of the Charter Halibut Task Force and managing partner of Waterfall Resort. "You aren't going to get the same number of anglers coming to Southeast Alaska when they could fish for two fish in Southcentral Alaska or Canada for the same price."

Charter fishermen along the coast of Southeast Alaska filed a lawsuit June 2 against Secretary of Commerce Carlos M. Gutierrez over a rule that changed the daily bag limit for anglers fishing from charter boats in Southeast Alaska from two halibut per day to one halibut per day. The suit alleges that the Secretary failed to comply with the fair and equitable allocation requirements of the Northern Pacific Halibut Act and also violated the Administrative Procedures Act. Court documents can be reviewed at <http://www.charterhalibut.org/id6.html>.

Secretary Gutierrez's support for the one halibut daily limit in Southeast Alaska goes against his ruling only a year ago. In June 2007, the Secretary vetoed a proposed one fish rule for Southeast Alaska because "a reduced bag limit would impose a considerable economic burden on the charter sector that could be mitigated by maintaining the traditional two-fish bag limit," according to 72 Fed. Reg. 30721 (2007), and that was only for six weeks of the season.



Charter Halibut Task Force

P.O. Box 8500 Ketchikan, AK 99901 www.charterhalibut.org 1-877-588-8819

For more information contact Kimberly Tebrugge, 360-480-8117, or visit www.charterhalibut.org.

###
