

IPHC Catch Limit Comment Form

Comment on Regulatory Area: 2C

Year: 2008

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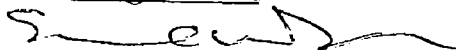
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1. What is your recommended catch limit or proposal?

The charter sector is concerned about the staff recommendation for Area 2C because the assumptions with respect to the charter sector harvest in the staff recommendation have an allocative impact. The staff recommendation assumes that the charter sector harvest in Area 2C will be held to 0.93 million pounds. This assumption is not a valid one based on existing US regulations with respect to charter harvest rules in Area 2C. According to the best available estimates from the Alaska Department of Fish and Game (ADF&G), which were provided to the IPHC on October 26, 2007, the existing US regulations for Area 2C resulted in a charter sector harvest for 2007 of 1.70 million pounds. The IPHC should use the ADF&G preliminary estimate in their calculations, and not an assumed number based on speculative application of a Guideline Harvest Level (GHL) that US regulatory authorities have specifically stated do not have any restrictive effect on charter harvests (see 72 Fed Reg 74258 "The GHLs do not limit the charter vessel fisheries."). In fact, the Secretary of Commerce published on December 31, 2007 a proposed rule¹ for charter sector harvest in Area 2C that proposes alternatives that range from maintaining the existing regulations that resulted in an estimated 1.70 million pound harvest in 2007 to a one fish daily bag limit that could reduce the Area 2C charter harvest to as little as 0.76 million pounds. The IPHC should not be pre-supposing the outcome of that regulatory process.

If the staff recommendation were recalculated using the charter sector harvest levels that are obtained under existing US regulations (the only ones the IPHC can rely upon being in effect), the staff catch limit recommendation would be reduced from 6.21 million pounds to 5.82 million pounds. Further, the application of the IPHC's "slow-up, fast down" (SUFD) algorithm buffers the impact on the commercial sector by adding back 2.29 million pounds in the staff recommendation. That additional 2.29 million pounds accrues only to the benefit of the commercial sector, while the charter sector is assumed to have their existing harvest level reduced from 1.7 million pounds to 0.93 million pounds. Basically, the staff assumption of a charter harvest of only

¹ NMFS 2007. *Pacific Halibut Fisheries; Guided Sport Charter Vessel Fishery for Halibut*. Proposed Rule. 72 Federal Register 74257 (December 31, 2007).

