

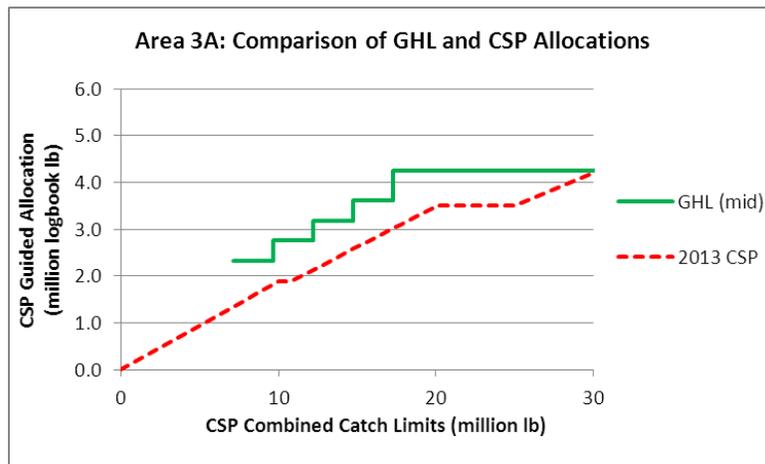
Debunking the Halibut Myth Buster

Pick an acronym to go with halibut Catch Sharing Plan (CSP): we suggest RTFM (Read the Fish Manual).

It's far too easy for a journalist to pick and choose facts in such a way as to distort reality.

In his recent editorial on the halibut split, Andrew Jensen of the Alaska Journal of Commerce claims that the North Council spent a year incorporating the majority of charter sector concerns into a new catch sharing plan (CSP). Jensen fails to note that allocation was the primary issue with the first catch sharing plan and that there were plenty of other issues identified during the first public comment period. In November 2011 NMFS sent a 48 page letter to the North Council outlining some but not all of the many issues that were identified¹. To our knowledge, only two issues, the management matrix and an accountability problem with rented fish, have been addressed in the revised CSP.

Allocation remains the primary issue with the new plan. Clouding this issue is the adoption of a new measuring stick for guided harvest. When all allocation alternatives are compared using the same metric, the revised CSP allocations are no better and in Southcentral Alaska are worse than the allocations under the original 2011 CSP. Under the proposed 2013 CSP, the Southcentral allocation is up to 30% less than the status quo Guideline Harvest Level (GHL) at all but the highest abundance levels. NMFS conveniently chose to omit graphical comparisons of the current GHL and proposed CSP allocations from the proposed rule and its analysis. Area 3A (Southcentral Alaska) comparisons are included below.



Halibut is a public trust resource. Commercial fishermen don't own any more or any less of this resource than any other American citizen; rather they hold permits to harvest their share of the catch that is not reserved for other purposes. The public should know that in 2009 the GHL was affirmed by

¹ http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/halibut/NMFS_CSP1111.pdf

the U.S. District Court to be a fair and equitable allocation². The charter industry strongly suggests that the proposed CSP allocation is far less than fair and equitable.

Mr. Jensen claims that the new CSP is a plan to equitably share the burden of conservation during times of low abundance, and to provide greater opportunity for both sectors at times of high abundance. In fact the graph shows that at combined catch limits of 20 through 25 million pounds, the guided allocation under the CSP in Southcentral Alaska is held constant at 3.5 million logbook pounds³, with commercial fishermen receiving all the rest. So much for greater opportunity for guided anglers in times of high abundance.

Mr. Jensen suggests that conservation burdens to date have been absorbed almost entirely by the commercial fleet. With an 80% chunk of the combined guided and commercial harvest, it makes perfect sense that the commercial sector should bear 80% of the burden of conservation. The guided recreational sector has no problem with sharing the conservation burden when the allowable catch drops. In fact it has done so in both Southeast and Southcentral Alaska, where the GHL has been reduced as biomass declined to the current levels of 788 thousand pounds and 2.734 million pounds respectively⁴. Because the harvest taken by guided anglers in recent years has remained below the reduced GHL in Southcentral Alaska, there has been no need to drop guided bag limits below 2 fish per day.

Mr. Jensen correctly asserts that from 2004 to 2010, guided harvest in Southeast Alaska exceeded allocation by 3.4 million pounds. However he omits the fact that in 2011, Southeast Alaska guided anglers left over half of their allocation in the water, reducing the cumulative total to 3.1 million pounds⁵, while Southcentral Alaska guided anglers left 2.8 million pounds of their allocation in the water between 2003 and 2011⁶. Mr. Jensen also managed to leave out the fact that for years, the IPHC implemented a policy called "Slow Up-Fast Down" (SUFDF) that buffered commercial catch limits whenever they changed. On years when the biomass was decreasing, SUFDF policy increased commercial catch limits, resulting in harvest that exceeded sustainable levels. Between 2006 and 2010 in Southeast Alaska, the commercial fishery harvested 7.7 million pounds over sustainable levels as a result of SUFDF. The overharvest was not deducted directly from the following year's harvest, but rather was buried in the annual biomass calculations. In 2011 the IPHC realized that their mistake was contributing to the decline in exploitable biomass and suspended the portion of SUFDF that resulted in the overharvest⁷.

Mr. Jensen incorrectly claims that charter overages are deducted from the following year's harvest and taken away from commercial fishermen at a time of the sharpest quota cuts in 30 years. In fact, beginning in 2007 and continuing through 2012, the IPHC substituted the GHL for guided removals,

² Van Valin v Locke, Case 1:09-cv-00961-RMC, Document 40, Filed 11/23/09. Available at: <http://alaskafisheries.noaa.gov/sustainablefisheries/halibut/charter/opinion112309.pdf>

³ <http://www.gpo.gov/fdsys/pkg/FR-2013-06-28/pdf/2013-15543.pdf> p 39151

⁴ <https://www.federalregister.gov/articles/2013/03/26/2013-06898/pacific-halibut-fishery-guideline-harvest-levels-for-the-guided-sport-fishery-for-pacific-halibut-in>

⁵ http://alaskafisheries.noaa.gov/npfmc/PDFdocuments/halibut/2C3A_adfg2011estimates0912.pdf

⁶ Ibid.

⁷ http://www.iphc.int/publications/bluebooks/IPHC_bluebook_2011.pdf p 151

lessening the impact of guided harvest overages by burying the overages in the annual biomass calculations, just like it did with SUFD.

When it comes to sustainable management of the resource, all sectors should be managed to their respective allocations, without policies that condone overharvest of the resource by one sector or another. Past overages of the GHL in Southeast Alaska are not the fault of guided anglers or the charter operators who take them fishing; they are the fault of the North Council and NMFS, who failed in their responsibilities to manage guided harvest within allocation.

The guided sector has no problem accepting an allocation that fully floats with abundance, but it has a big problem with gifting upwards of 30% of the guided allocation under the GHL to commercial fishermen in exchange for the privilege of renting it back. Unfortunately, in addition to being much less than the current GHL allocations, the CSP allocations don't fully float with abundance.

Until the IPHC announces annual catch limits late next January, no one knows for sure what the guided catch limits will be in Southeast or Southcentral Alaska. If catch limits decrease and angler effort is projected to remain steady or increase in Southcentral Alaska, then guided harvest restrictions of one sort or another are right around the corner. It is anybody's guess what the restrictions might be, but a one fish daily bag limit is certainly on the short list of options.

Mr. Jensen asserts that the CSP isn't about conservation, but rather allocation. The guided recreational sector agrees, but Mr. Jensen should know that Magnuson Stevens National Standard 5 prohibits fishery conservation and management measures from having economic allocation as their sole purpose⁸.

Mr. Jensen states that commercial percentages of the total yield have fallen while guided percentages have increased. Let's dispense with the smoke and mirrors and consider some nice and easy statistics: In 2013, guided catch limits in SE Alaska comprise 21% of the combined guided and commercial catch limits⁹. In SC Alaska, guided catch limits amount to 20% of the combined catch limits¹⁰. We think an 80% share of combined catch levels is enough for commercial fishers.

A fully footnoted version of this response is available on the Alaska Charter Association website. For more information on the halibut CSP, including links to the proposed rule and the accompanying analysis, please visit www.alaskacharter.org.

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⁸ <http://www.law.cornell.edu/uscode/text/16/1851>

⁹ <http://www.iphc.int/news-releases/312-nr20130204a.html> and <https://www.federalregister.gov/articles/2013/03/26/2013-06898/pacific-halibut-fishery-guideline-harvest-levels-for-the-guided-sport-fishery-for-pacific-halibut-in>

¹⁰ Ibid.