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INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA

AND THE UNITED STATES OF AMERICA

October 22, 2001

RECEIVED

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PFMC

Dr. Donald O. McIsaac, Executive Director
Pacific Fishery Management Council
7700 NE Ambassador Place
Portland, OR 97220-1384

RE: October/November meeting, Pacific Halibut Management

Dear Dr. Don:

The IPHC staff has reviewed the proposed changes to the Pacific Halibut Catch Sharing Plan. We have the following comments on the issues under consideration by Council in October:

First, two proposals seek to divide existing quotas or sub-areas into smaller units. In effect, these proposals create new quotas that will require additional catch monitoring on the part of the states to prevent quota over-runs. If these changes were adopted by the Council, the IPHC staff would like to review the subsequent monitoring plans developed by the states to ensure that conservation needs are met.

Second, a proposal seeks to use the IPHC charter vessel license as a vehicle for shifting allocation from the private boat fishery to the charter boat fishery in the Cape Flacon to Humbug Mountain all-depth fishery. We have serious concerns about the rationale for using the IPHC license for this purpose. The lack of sport charter license applicant verification compromises the use of the license for allocative purposes. Additionally, we have concerns about the manner in which the proposal seeks to split the catch limit by season but not by fishery. Procedures for managing catch limit overages or underages between seasons are also lacking. If the Council supports additional allocation among private and sport charter sectors, we suggest it consider other management tools or explicitly allocate the available catch limit between the sectors along the Oregon coast, rather than trying to use the unverified IPHC license to separate the fleets.

The IPHC charter license was designed primarily for informational rather than management purposes. No cross-checks are performed to verify whether the applicants are in fact legitimate or active charter operators. Commercial fishery license holders are verified through landings and fish tickets. Commercial licenses are used for management purposes in Area 2A to project expected catch through a tiered, vessel fishing-period limit.

The IPHC sport charter license is for guided sport vessels only. The IPHC regulations include the following definitions:

Section 2. Interpretation, paragraph (b) states a "charter vessel" means a vessel used for hire in sport fishing for halibut, but not including a vessel without a hired operator.

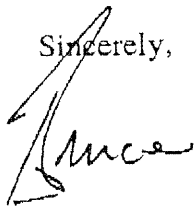
Section 3. Licensing Vessels, subsection (2) states that "A license issued for a vessel operating in Area 2A shall be valid only for operating either as a charter vessel or a commercial vessel, but not both." Therefore, a private, non-charter sport vessel cannot currently obtain any IPHC license without being in violation of the licensing regulations.

In summary, the IPHC staff does not believe the IPHC licensing system of sport users is an appropriate vehicle to allocate between the charter and private-operator sport user groups.

We have no comments on the change for the on-land possession limit for Oregon or the change in the opening date for Cape Falcon to Leadbetter Point sub-area.

Heather Gilroy from our staff will be attending the October meeting and can address any questions the Council may have about these comments.

Sincerely,



Bruce M. Leaman
Executive Director

cc: Commissioners
D. Bodenmiller, ODFW
M. Robinson, WDFW
Y. DeReynier, NMFS/NWR