



NOAA FISHERIES

Sustainable Fisheries Alaska Region

Pacific Halibut Catch Sharing Plan for Areas 2C and 3A Frequently Asked Questions and Small Entity Compliance Guide

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This Small Entity Compliance Guide satisfies the Small Business Regulatory Enforcement Fairness Act of 1996 that requires a plain language guide to assist small entities. If you are required to comply with the regulations, you should consult and rely on the actual regulatory text. We cite the Code of Federal Regulations (CFR) throughout this document, and provide citations for specific regulations for your reference. These regulations are available online at the electronic CFR (eCFR) [website](#),¹ which is updated more frequently.

Catch Sharing Plan regulations can be found under [50 CFR 300.65](#).

The regulations in the CFR take precedence if a discrepancy occurs between them and the information in this guide.

A summary of regulations pertaining to charter vessel anglers is available on the [NMFS website](#). Additional FAQs for the Charter Halibut Limited Access Program, Guided Angler Fish (GAF) Program, and IPHC annual management measures are also available on the [NMFS website](#). These guides summarize regulations for charter halibut fisheries in Alaska. If you are required to comply with the regulations, you should consult and rely on the actual regulatory text. Please refer to the annual management measures and regulations under 50 CFR 300 or contact NMFS at 907-586-7228 or 907-586-7225.

¹ Electronic Code of Federal Regulations: <http://www.ecfr.gov/>

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General Program Overview

1. What is the Catch Sharing Plan?

The Halibut Catch Sharing Plan (CSP) in International Pacific Halibut Commission (IPHC) Area 2C (Southeast Alaska) and Area 3A (South central Alaska) was adopted by the North Pacific Fishery Management Council and implemented by the NMFS in January 2014 (78 FR 75844, December 12, 2013). The Catch Sharing Plan (CSP) defines an annual process for allocating halibut between the charter and commercial halibut fisheries in Areas 2C and 3A. It establishes 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. The CSP describes a public process by which the Council develops recommendations to the IPHC for charter angler harvest restrictions (annual management measures) that are intended to limit harvest to the annual charter halibut fishery catch limit in each area. The CSP also authorizes limited annual leases of commercial individual fishing quota (IFQ) for use in the charter fishery as guided angler fish (GAF).

2. What happened to the guideline harvest levels (GHLs) for charter halibut fisheries in Areas 2C and 3A?

The catch sharing plan replaced the GHL method for setting catch limits for the charter halibut fisheries in Areas 2C and 3A. The CSP establishes sector allocations that vary in proportion with changing levels of annual halibut abundance.

3. Does the CSP change how the commercial fishery is managed?

The commercial halibut fishery continues to be managed under the Individual Fishing Quota or IFQ program. The primary changes to the commercial halibut fishery resulting from the CSP are in Areas 2C and 3A. The commercial fisheries in these management areas will now have an estimate of their discard mortality or "wastage" deducted from their allocations to calculate their catch limits. Additionally, commercial quota share holders may annually lease a limited amount of IFQ for use in the charter fishery as GAF. For all IPHC management areas, it is now prohibited to conduct commercial and sport fishing (including charter) for halibut from the same vessel on the same day.

4. What is a charter halibut permit?

A charter halibut permit, or CHP, is a federal permit issued to the owners of charter vessel businesses that catch and retain Pacific halibut. A CHP is required in Areas 2C or 3A and valid only for the authorized number of anglers on the permit. Beginning February 1, 2011, a valid CHP must be onboard the vessel during each charter vessel fishing trip. The CHP remains valid until amended, revoked, suspended, or superseded by a more recent version issued by NMFS. Any charter vessel operator in Areas 2C or 3A being compensated in any way and with anglers onboard catching and retaining halibut must have a valid CHP onboard with appropriate endorsements. More information about CHPs and the Charter Halibut Limited Access Program is available on the [NMFS website](#).

5. What is the annual process for setting IPHC Annual Management Measures?

Each year, through a transparent public process, the Council will review and recommend annual management measures for implementation in the charter halibut fishery. Each fall, 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. The Council will also consider 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 to its catch limit, 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 once accepted by the Secretary of State with the concurrence of the Secretary of Commerce. The annual management measures for the current year are available on the [NMFS website](#).

6. What is the Guided Angler Fish or GAF Program?

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. See the [GAF Program FAQs](#) and the [NMFS website](#) for more information.

Allocations, Catch Limits, and Separate Accountability

7. What is a combined catch limit, and how is it determined?

Each year, the IPHC will specify an annual combined catch limit (CCL) for Area 2C and for Area 3A for the upcoming fishing year. Each area's annual CCL 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 will divide the annual combined catch limits into separate annual catch limits for the commercial and charter halibut fisheries following the CSP's allocation formulas described below. The IPHC will multiply the CSP allocation percentages for each area by the annual CCL to calculate the commercial and charter halibut allocations in net pounds. See the Appendix to this FAQ document for more information.

8. What are the allocation formulas for Area 2C?

The Catch Sharing Plan established three allocation tiers for Area 2C as shown in the table below. 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 % and the charter halibut fishery allocation is 18.3% 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. 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% and the charter halibut fishery allocation is 15.9% of the Area 2C annual 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%

9. What are the allocation formulas for Area 3A?

The Catch Sharing Plan established five allocation tiers in Area 3A as shown in the table below. 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% and the charter halibut fishery allocation is 18.9% 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% and the charter fishery is allocated 17.5%. 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% and the charter halibut fishery allocation is 14% of the Area 3A annual 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%

10. What happens if the charter halibut harvest exceeds the CSP allocation? Where and how are overages in charter harvest accounted for?

Once the charter harvest restrictions are established for a fishing season, there will be no inseason changes or early season closures. An overage by the charter or commercial sector in a year does not affect the other sector in that same year. An overage by any sector affects all users in the subsequent year by increasing fishery removals that result in a lower estimated initial biomass. The IPHC assessment considers an overage as a removal higher than that fishery's catch limit. That higher removal in a fishing year means that biomass is incrementally lower at the end of that year than it would be otherwise. Underages have a similar effect on biomass but in the opposite direction, i.e., biomass estimation for the subsequent year begins at a higher level than it would otherwise, and all sectors will benefit from this.

11. What is "discard mortality"?

Discard mortality is another term for "wastage" and refers to the fish that die after they are discarded. In the commercial fishery, wastage includes undersized halibut (regulatory discards) that die after release and halibut of all sizes that die on lost or abandoned gear. Wastage in the charter fishery includes released fish that die as a result of stress or injuries sustained from hooking, hook removal, and handling. Wastage rates vary with the type of gear used, handling and release methods, water temperature, hook type, and size of the fish, among other factors.

12. What is “separate accountability”?

Separate accountability means that each fishery’s wastage is deducted from its respective allocation to obtain its catch limit. In other words, only the commercial sector’s allocation is reduced by wastage in the commercial fishery, and only the charter sector’s allocation is reduced by wastage in the charter fishery. Under the CSP, separate fishery accountability for wastage does not change the allocation percentages for each fishery. Instead, each fishery’s allocation is reduced by an estimate of its wastage to obtain the fishery’s catch limits.

13. How is wastage factored into the catch limits for the charter sector?

Estimates of the amount of fish that is wasted in the charter fishery, i.e., the percentage that die from catch and release, were included in the analysis and selection of management measures. Wastage estimates differ by management area because there will be different mortality rates associated with different management measures (harvest restrictions). For example, more fish will be caught and released under a reverse slot limit than if no size restrictions were in place, resulting in a higher wastage estimate.

14. Will reducing wastage increase the catch limit?

Separate accountability provides an incentive to reduce sector wastage to increase catch limits. Wastage estimates for each sector will be based upon the best available information. Decreasing wastage could result in less restrictive management measures.

15. How is wastage for GAF calculated and from which sector’s allocation will this wastage be deducted?

There will not be a wastage estimate specifically for GAF; only a single wastage estimate for the charter halibut fishery in each area. ADF&G requires that charter vessel guides record the number of halibut kept and the number released in the saltwater charter logbook. Under the CSP, guides will also be required to record in the logbook the number of GAF harvested. The number of halibut released in pursuit of GAF will not be differentiated from the number of halibut released in pursuit of non-GAF halibut kept by charter vessel anglers. Charter halibut wastage will be deducted from the charter sector’s allocation to obtain the charter catch limit.

16. What other restrictions on charter halibut fishing were implemented by the Catch Sharing Plan?

The Catch Sharing Plan included five additional restrictions that became effective January 13, 2014.

- The prohibition on retention of halibut by skipper and crew on a charter vessel fishing trip in Area 2C was extended to also include Area 3A.
- Individuals who hold both a charter halibut permit and commercial halibut IFQ are prohibited from fishing for commercial and charter halibut on the same vessel during the same day in Area 2C and Area 3A.
- Individuals who hold both a charter halibut permit and a Subsistence Halibut Registration Certificate are prohibited from using both permits to harvest halibut on the same vessel during the same day in Area 2C and Area 3A.
- Charter vessel operators are 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.

- The logbook signature requirement for charter anglers in Area 2C is extended to include charter anglers in Area 3A.

17. How is charter harvest estimated?

Alaska Department of Fish and Game saltwater charter logbooks are 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. See [Resources for Charter Halibut Permit Holders](#) on the NMFS website for ADFG sport halibut harvest estimates.

For More Information

If you are required to comply with charter halibut fishery regulations in Alaska, you should consult and rely on the actual regulatory text. Please refer to the [IPHC annual management measures](#) and regulations in the Electronic Code of Federal Regulations at [50 CFR 300](#), or contact NMFS directly.

For more information about the CSP, GAF, and the annual management measures, please see our [website](#) or contact:

Office of Sustainable Fisheries
NOAA Fisheries, Alaska Regional Office (Juneau)
907-586-7228

For questions about your Charter Halibut Permit or GAF permit accounts, please see the website, or contact the NMFS Restricted Access Management Program at RAM.Alaska@noaa.gov, or call toll free 800-304-4846 option 2, or 907-586-7202 (Juneau),

To check account balances or submit an electronic GAF report, login to [eFISH](#).

To correct mistakes in your electronic GAF reports, you may call the NOAA Data Clerks in Anchorage at 1-800-304-4846 (option #1) or (907) 586-7163.

Appendix

Diagram of IPHC process for setting annual catch limits for the charter and commercial sectors in Area 2C and Area 3A.

