Fisheries Allocation: “Avoid becoming a casualty.”

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...Where angels fear to tread.

A presentation for community leaders on allocation issues affecting constituents.

- Goal: Understand more about fisheries allocation, how decisions are made and the role of public comments.

- Not intended to advocate for any user group facing an allocation decision.

- Provide perspective and a balanced look at the topic of allocation.

- Brief look at the different world views between the existing commercial fishery and the new sport/charter industry.
Allocation: What does it mean?

- Divide the fish pie
- When it’s US against THEM, it’s easy.
  - US/Canada
  - Bristol Bay/Area M
- When it’s just US...it is much more difficult!
  - SE - Competition for Halibut and King Salmon
Current Allocation Examples

- **SE Enhanced Fisheries Production**
  - Ensures hatchery production benefits remain proportional to users

- **SE Coho allocation**
  - Ensures adequate Coho stocks move inside for spawning escapements and SE inside gill net and sport fisheries

- **SE King Salmon**
  - Distributes between all commercial and sport fisheries

- **Bristol Bay**
  - Gillnet and Set net
Why is it important to understand fisheries allocation processes?

- Fisheries play a vital role in our communities.
  - Socio-economic benefits of fisheries are enormous
  - Fisheries issues appear complex and contentious
- You may be asked to provide comments.
- Wading in uninformed can be hazardous
- Current SE allocation pending for halibut between the charter and commercial long line fisheries.
- 2008 B o F may revisit King Salmon
- Allocation decisions will affect the viability of the fisheries involved
Subsistence, Personal Use and Sport Fishing
Commercial Fisheries
Charter Fishing
# When Worlds Collide

## Commercial
- Established the historical catch levels
- Limited Entry and IFQ’s
- High capitalization cost. Slowly developed skill set = long term commitment
- Each fish counted at sale
- Real time catch statistics
- Accustomed to in-season management
- State Commercial management funded by Legislature

## Resident Sport
- Included with Charter
- No representation
- No allocation or area
- Creel survey
- Bag limits fluctuate with charter efficiency

## Charter
- New- must “take” from commercial quota to grow
- No experience with limits on participation, or mgt. responsibility
- Low capitalization (lodges) quickly acquired skill set = higher turnover
- Creel survey and log books enumerate catch
- One year delay in reporting catch
- Clients are not prepared for closures, bag limit reductions etc.
- Sport fish management federally funded. AK fisheries national resource
Who makes allocation decisions?

- **International Treaty Processes**
  - Pacific Salmon Commission
  - International Pacific Halibut Commission

- **Federal Management**
  - Subsistence USF&WS, USDA FS
  - North Pacific Fisheries Management Council

- **State Management**
  - AK State Board of Fisheries

All Commission, Council and Board members serve by appointment from the President, Secretary of Commerce, the head of the National Marine Fisheries Service, or the Governor of Alaska.
In March, 1985 the United States and Canada agreed to cooperate in the management, research and enhancement of Pacific salmon stocks of mutual concern by ratifying the [Pacific Salmon Treaty](https://www.pacificsalmoncommission.org/). Commitment made by Canada and the United States to carry out their salmon fisheries and enhancement programs so as to:

- prevent over-fishing and provide for optimum production, and
- ensure that both countries receive benefits equal to the production of salmon originating in their waters.

In fulfilling these obligations, both countries agreed to take into account:

- the desirability in most cases of reducing interceptions
- the desirability in most cases of avoiding undue disruption of existing fisheries, and
- annual variations in abundance of the stocks.
Pacific Salmon Commission

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  - annual variations in abundance of the stocks.
The International Pacific Halibut Commission (IPHC), originally called the International Fisheries Commission, was established in 1923 by a Convention between the governments of Canada and the United States of America.

Its mandate is research on and management of the stocks of Pacific halibut (*Hippoglossus stenolepis*) within the Convention waters of both nations.

The IPHC consists of three government-appointed commissioners for each country who serve their terms at the pleasure of the President of the United States and the Canadian government respectively.
The North Pacific Fishery Management Council (NPFMC) is one of eight regional councils established by the Magnuson Fishery Conservation and Management Act in 1976 (which has been renamed the Magnuson-Stevens Fishery Conservation and Management Act) to oversee management of the nation's fisheries.

With jurisdiction over the 900,000 square mile Exclusive Economic Zone (EEZ) off Alaska, the Council has primary responsibility for ground fish management in the Gulf of Alaska (GOA) and Bering Sea and Aleutian Islands (BSAI), including cod, pollock, flatfish, mackerel, sablefish, and rockfish species harvested mainly by trawlers, hook and line longliners and pot fishermen.

The Council also makes allocative and limited entry decisions for halibut, though the U.S. - Canada International Pacific Halibut Commission (IPHC) is responsible for conservation of halibut. Other large Alaska fisheries such as salmon, crab and herring are managed primarily by the State of Alaska.

State of Alaska is interested in management, similar to King Salmon Management plan.
The Alaska Board of Fisheries consists of seven members serving three-year terms. Members are appointed by the governor and confirmed by the legislature. Members are appointed on the basis of interest in public affairs, good judgment, knowledge, and ability in the field of action of the board, with a view to providing diversity of interest and points of view in the membership (see Alaska Statute 16.05.221).

The Board of Fisheries’ main role is to **conserve and develop the fishery resources** of the state. This involves setting seasons, bag limits, methods and means for the state’s subsistence, commercial, sport, guided sport, and personal use fisheries, and it also involves setting policy and direction for the management of the state’s fishery resources. **The board is charged with making allocative decisions, and the department is responsible for management based on those decisions.**

The Board of Fisheries meets four to six times per year in communities around the state to consider proposed changes to fisheries regulations around the state. The board uses the biological and socioeconomic information provided by the Alaska Department of Fish and Game, public comment received from people inside and outside of the state, and guidance from the Alaska Department of Public Safety and Alaska Department of Law when creating regulations that are sound and enforceable.
King Salmon Allocation Process

2007 Pacific Salmon Commission
346,000 Total Catch
1.69 Index

NPFMC
North Pacific Fisheries Mgt Council

Board of Fisheries

Seine 4.3%
14,878
Gillnet 2.9%
10,034
Troll 80%
256,870
Sport 20%
64,217
Why are allocation decisions necessary?

- New fishery growing into a fully allocated resource
- Prevent over fishing and ensure healthy fish populations
  - Allocation provides target numbers for managers
    - Adequate spawning stock - Halibut overfishing
    - Pass through stocks to Canada – Exceed Treaty quota for KS
- Provide stability to users and fisheries-dependent communities
  - King Salmon – Subsistence, Personal Use, Sport, Charter, Troll, Gillnet, Seine
  - Halibut - Subsistence, Personal Use, Sport, Charter, Long line, Troll
- It is very difficult for the users to voluntarily give up historical catch levels to make room for new industry.
- Decisions must be made and some sort of balance achieved.
What criteria inform allocation decisions?

TITLE III—NATIONAL FISHERY MANAGEMENT PROGRAM
SEC. 301. NATIONAL STANDARDS FOR FISHERY 16 U.S.C. 1851
CONSERVATION AND MANAGEMENT
(a) IN GENERAL.—Any fishery management plan prepared, and any regulation promulgated to implement any such plan, pursuant to this title shall be consistent with the following national standards for fishery conservation and management:

98-623
(1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.
(2) Conservation and management measures shall be based upon the best scientific information available.
(3) To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination.
(4) Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be
(A) fair and equitable to all such fishermen;
(B) reasonably calculated to promote conservation; and
(C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.
NPFMC National Standards

- Conservation and management measures shall prevent over fishing
- optimum yield
- best scientific information
- individual stock of fish shall be managed as a unit throughout its range,
- shall not discriminate between residents of different States
What criteria inform allocation decisions?

104-297
(5) Conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.
(6) Conservation and management measures shall take into account and allow for variations among, and contingencies in, fisheries, fishery resources, and catches.
(7) Conservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.

104-297, 109-479
(8) Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph(2), in order to

(A) provide for the sustained participation of such communities, and
(B) to the extent practicable, minimize adverse economic impacts on such communities.
NPFMC National Standards

• consider efficiency in the utilization of fishery resources; except that no such measure shall have economic allocation as its sole purpose.
• allow for variations, minimize costs
• take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph (2)
  (A) provide for the sustained participation of such communities, and
  (B) to the extent practicable, minimize adverse economic impacts on such communities.
104-297
(9) Conservation and management measures shall, to the extent practicable, (A) minimize bycatch and (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.

104-297
(10) Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.

Specific criteria also exists for development of restricted access programs like the Individual Fishing Quotas currently in place for commercial halibut fishing, and recently discarded as an option by the NPFMC after 13 years of work on that option for the charter halibut fleet.

NPFMC intends to manage based on a Guideline Harvest Level, or GHL. In 2006 the Harvest level for charter sport fishery was set at 125% of the average 2002-2004 catch. It was exceeded by 40% resulted in a 20% reduction to the long line IFQ shares.
What criteria inform allocation decisions?

- AK State Board of Fisheries
  - Sustained Yield Mandated by State Constitution
  - Subsistence Priority takes precedence
  - Allocation Criteria established by the State Legislature
- AS16.05.251 Paragraph E
State Allocation Criteria

1) The history of each personal use, sport, and commercial fishery;

2) The characteristics and number of participants in the fisheries;

3) The importance of each fishery for providing residents the opportunity to obtain fish for personal and family consumption;

4) The availability of alternative fisheries resources;

5) The importance of each fishery to the economy of the state;

6) The importance of each fishery to the economy of the region and local area in which the fishery is located;

7) The importance of each fishery in providing recreational opportunities for residents and nonresidents.

Note that all seven (7) criteria do not necessarily apply in all allocation situations, and any particular criterion will be applied only where the board determines it is applicable.
What is the role of public comments?

- The NPFMC and State Board of Fisheries publish all proposed actions and seek comments of the impacts of proposed regulatory changes and allocation decisions to inform the decision making process.

- Comments are submitted within specified windows of time and made part of the public record.

- Comments establish a rationale and basis for decision making.
The IPHC Commission noted that Guideline Harvest Levels (GHL) approved by the NPFMC for the charter/guided recreational halibut fishery in Areas 2C (southeast Alaska) and 3A (central Gulf of Alaska) were exceeded in recent years, substantially so in Area 2C (over 40% higher than the GHL in 2006). Commission staff initiated dialogue with the NPFMC to determine what control measures would be enacted by the Council to constrain harvest to the GHLs in 2007.

The NPFMC indicated that, although it is committed to management of this fishery to the GHL limits, it would not be able to complete analyses and develop a regulatory framework to effect control of this fishery until 2008. The Commission, with the support of its advisory bodies, therefore passed a regulation for a one-fish halibut bag limit for sport guided charter fishing in Area 2C from June 15 - July 31, 2007 and for Area 3A from June 15 - 30, 2007.

These bag limit regulations will be effective until the implementation by the U.S. government of domestic regulations to achieve halibut mortality reductions consistent with those that would be achieved by the IPHC recommendations. The Commission takes this action with some reluctance but believes the action to be necessary, given the magnitude by which the charter/guided catches exceeded the GHL limits and the belief that such over harvesting puts at risk the achievement of IPHC management goals for the halibut stock.” – from the IHPC website
Halibut Allocation Process

International Pacific Halibut Commission

North Pacific Fisheries Management Council
Guideline Harvest Level

- Sport / Charter 1,432,000 POUNDS
- Subsistence
- Long line IFQ’s

Area 2C SE Alaska
What comes next?

After the allocation the real work of managing the fishery begins

- Tools can include:
  - Moratorium, limited entry (IFQ’s out)
  - Daily bag and/or season limits
  - Captain and crew don’t fish
  - Available alternate target species
  - Local area management plans
    - Time, area, gear
ALTERNATIVE 2. IMPLEMENT MEASURE(S) TO REDUCE CHARTER HALIBUT HARVESTS TO THE AREA 2C GUIDELINE HARVEST LEVEL OF 1,432,000 POUNDS

Option 1. 1 trip per vessel per day
Option 2. no retention of halibut catch by skippers and crew
Option 3. annual catch limits of:
   i) 4 halibut
   ii) 5 halibut
Option 4. 1 fish bag limit for:
   i) June
   ii) July
   iii) August
   iv) entire season
Option 5. trophy size limit for second fish of:
   i) 45 inches
   ii) 50 inches
   iii) 55 inches
   iv) 60 inches

Option 6. season closure date of:
   i) August 15
   ii) August 31
   iii) September 15
Option 7. day of the week closure:
   i) Monday
   ii) Tuesday
   iii) Wednesday
   iv) Thursday
   v) Friday
   vi) Saturday
   vii) Sunday
Option 8. minimum size limit of 32 inches.
How to determine if my organization should comment

- Think carefully about what is at stake for your organization or community

- Consider which members/sectors of the organization/community will be strengthened/alienated by comments
What kind of comments have the most value for decision makers?

- **Honest assessment of impacts of the decision**
- **Clearly articulated community vision for the future**
- **Match your comments to the criteria of the agency**
- **Conservation and sustainability of the fish stocks is paramount.**
  - Assess the health of fish stocks in your area. Make note of changes or trends.
- **Assess the Socio-Economic impacts**
  - Economic impacts: Gain or loss of local taxes, revenues etc.
  - Local economic dependence or diversification.
  - Social impacts:
    - Impacts on users
    - Historical, current and future culture of the community
- **Timeliness of the decision**
  - Relationships between users