

# Unguided Halibut Rental Boat Registration

## Discussion Paper

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# Introduction

- In June 2017 Council requested that Council, NMFS, ADF&G staff develop paper to explore mechanisms to create registry for halibut rental boats – Presented to Council in December 2017
- In December 2017 Council requested expanded discussion paper with P&N
  - *The charter halibut sector in Areas 2C and 3A has more restrictive management measures than non-charter*
  - *Non-charter halibut harvest is not constrained by a sector catch limit*
  - *Council is concerned that differences in regulations and growth of unguided rental vessels may result in increased halibut harvest in the non-charter sector that may negatively impact other sectors*

# Introduction

## *Council intends to*

- *Establish a registration requirement for vessels affiliated with charter operations, remote lodges, or business that require annual saltwater fishing guide licenses*
- *Estimate halibut catch from this segment of the sector*
- *Intent is to identify and track these unguided vessels to better understand impacts of this portion of the sector to communities, halibut resource, and other stakeholders*
- *This information will help the Council determine whether additional management actions are necessary for this segment (unguided) of the fishery*

# Definitions

- Council defined guided sport fishing in 2014
  - *Assistance, for compensation or with the intent to receive compensation, to a person who is sport fishing, to take or attempt to take fish by being on board a vessel with such person, accompanying, or physically directing the sport fisherman in sport fishing activities during any part of a charter vessel fishing trip.*
- Unguided rental boats have been offered for many years for many activities, including sightseeing, wildlife viewing, fishing
- Anglers using rental boats are not guided, and able to access unguided daily bag limits

# Existing Vessel Registries

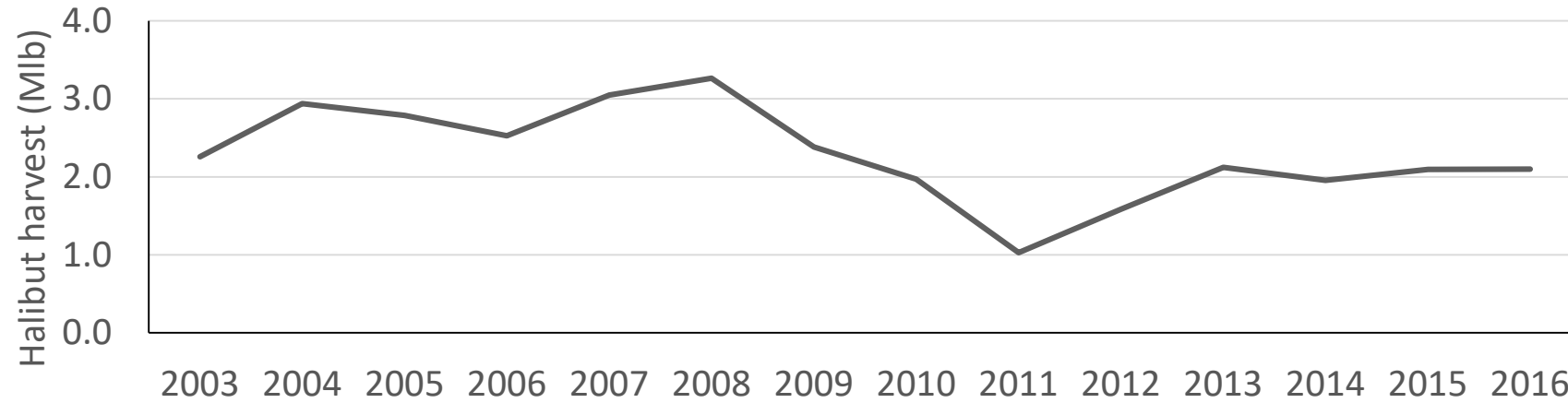
- US Coast Guard documents vessels at least 5 net tons
  - Generally 25 feet or larger
- Alaska Department of Fish & Game
  - Registers boats being used to provide sport fishing guide services
  - Also licenses business that conduct salt water sport fishing services (sunsets in 2018)
- State of Alaska Division of Motor Vehicles
  - All powered boats used on any water of the state within 3 miles of land
  - Includes vessels available for rent
    - 539 rental vessels available, including 249 in areas 2C (197) and 3A (52)
  - Also includes pleasure craft – 38,128 boats registered to 37,597 entities

# Halibut sport harvest in Alaska

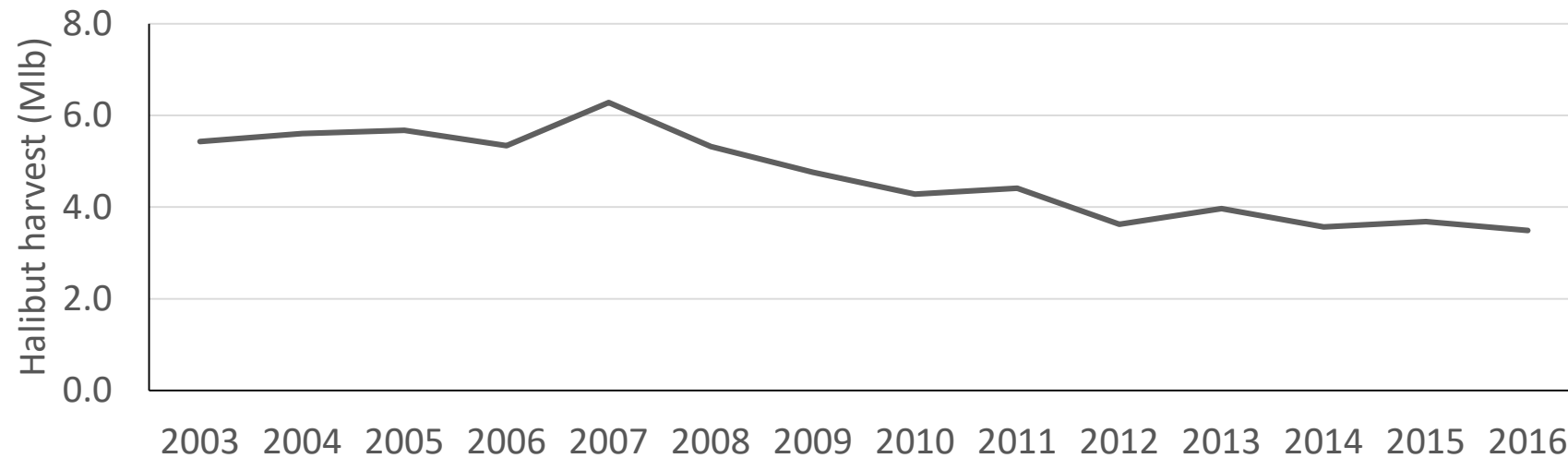
	Area 2C					Area 3A			
Year	Non-charter	Charter	Total	GHL/Quota		Non-charter	Charter	Total	GHL/Quota
2003	0.846	1.412	2.258	1.432		2.046	3.382	5.427	3.650
2004	1.187	1.750	2.937	1.432		1.937	3.668	5.606	3.650
2005	0.845	1.952	2.789	1.432		1.984	3.689	5.672	3.650
2006	0.723	1.804	2.526	1.432		1.674	3.664	5.337	3.650
2007	1.131	1.918	3.049	1.432		2.281	4.002	6.283	3.650
2008	1.265	1.999	3.264	0.931		1.942	3.378	5.320	3.650
2009	1.133	1.249	2.383	0.788		2.023	2.734	4.758	3.650
2010	0.885	1.086	1.971	0.788		1.587	2.698	4.285	3.650
2011	0.685	0.344	1.029	0.788		1.615	2.793	4.408	3.650
2012	0.977	0.605	1.583	0.931		1.341	2.284	3.626	3.103
2013	1.361	0.762	2.123	0.788		1.452	2.514	3.966	2.734
2014	1.171	0.783	1.954	0.761		1.533	2.034	3.567	1.782
2015	1.327	0.768	2.095	0.851		1.646	2.067	3.683	1.890
2016	1.308	0.792	2.100	0.906		1.528	1.964	3.492	1.814

# Halibut sport harvest in Alaska

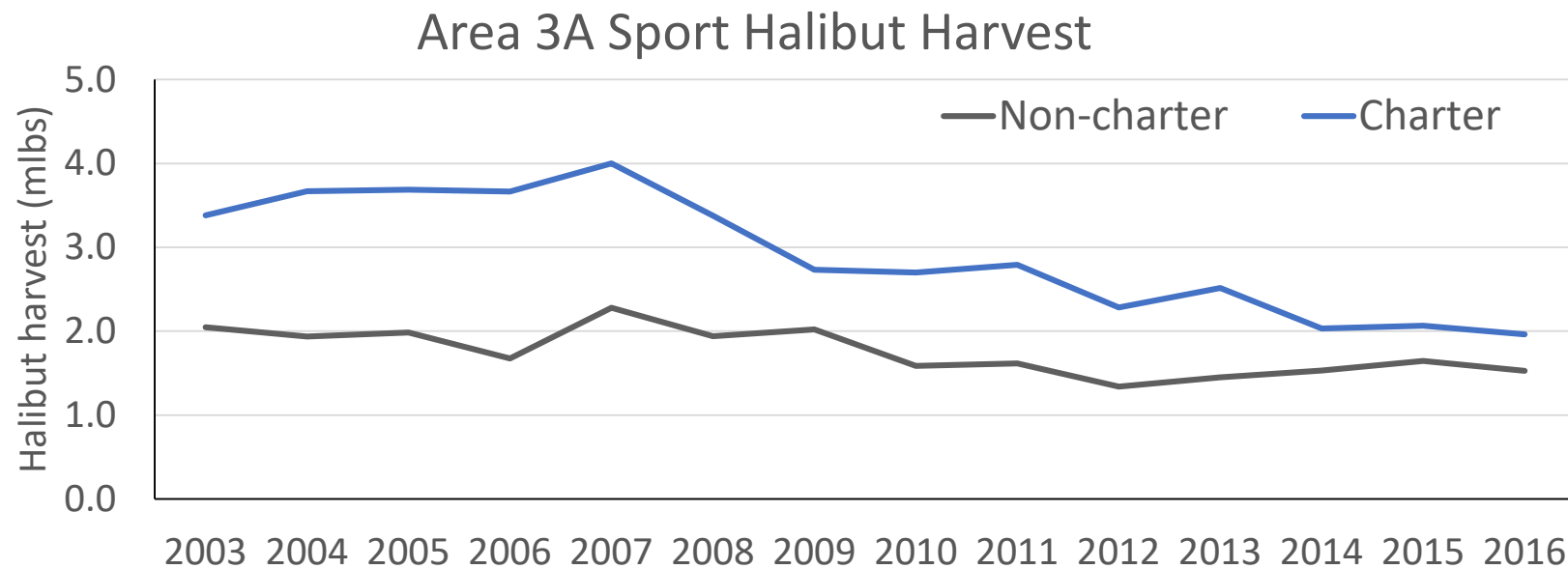
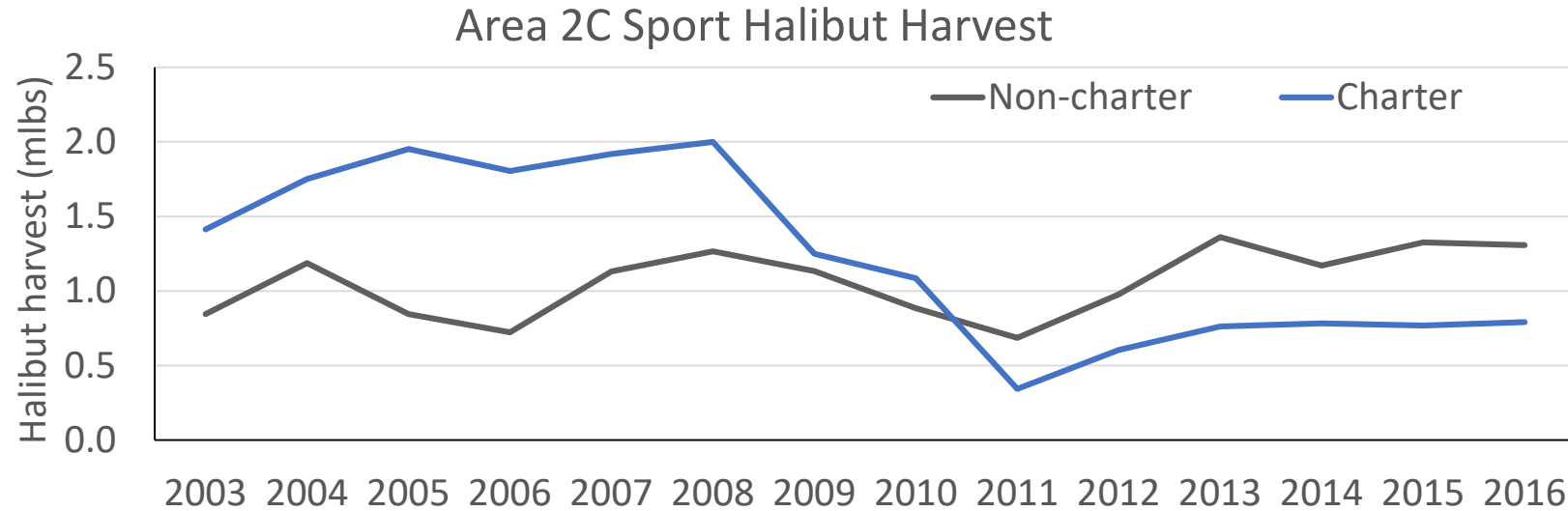
## 2C Sport Halibut Total Harvest



## 3A Sport Halibut Total Harvest

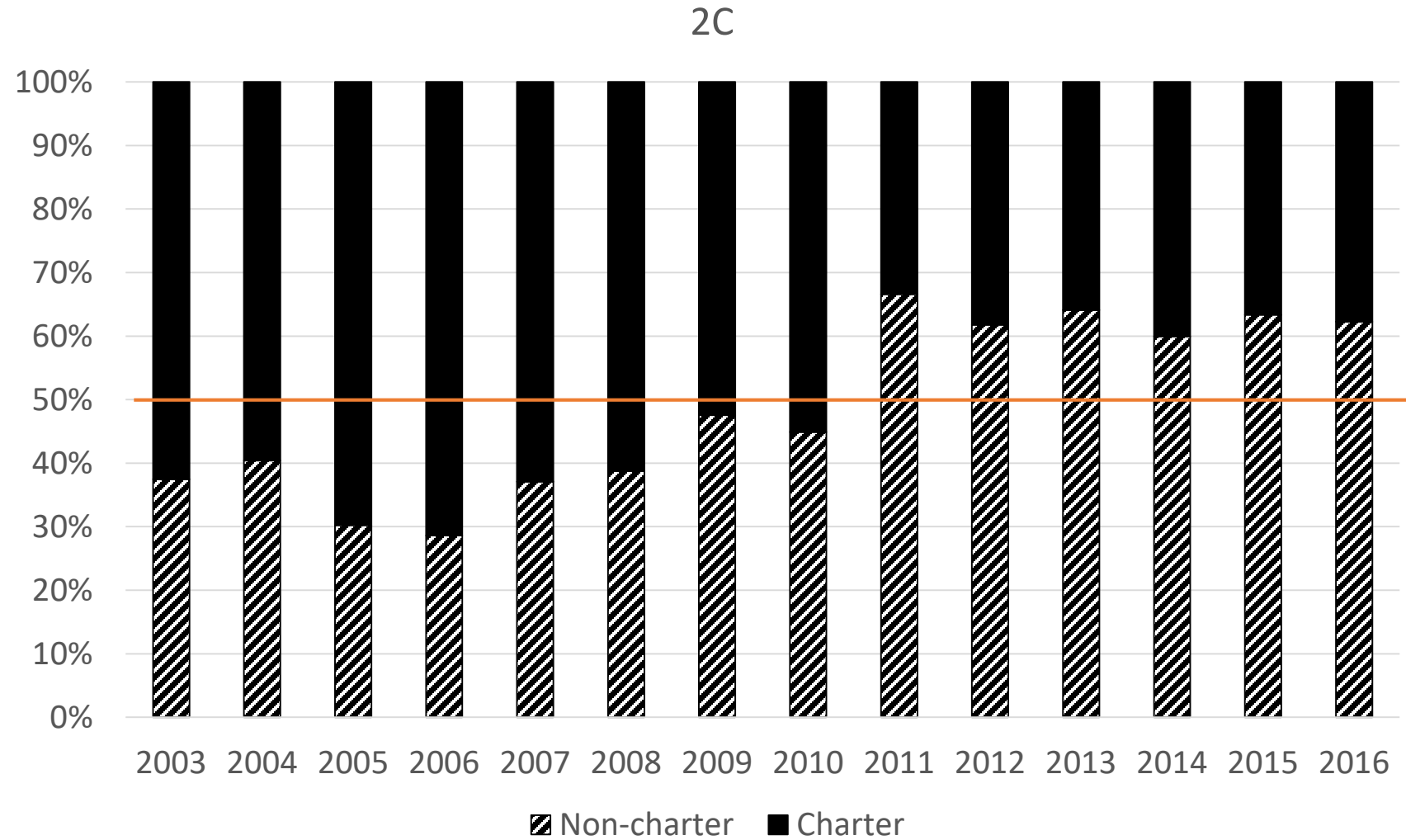


# Halibut sport harvest in Alaska



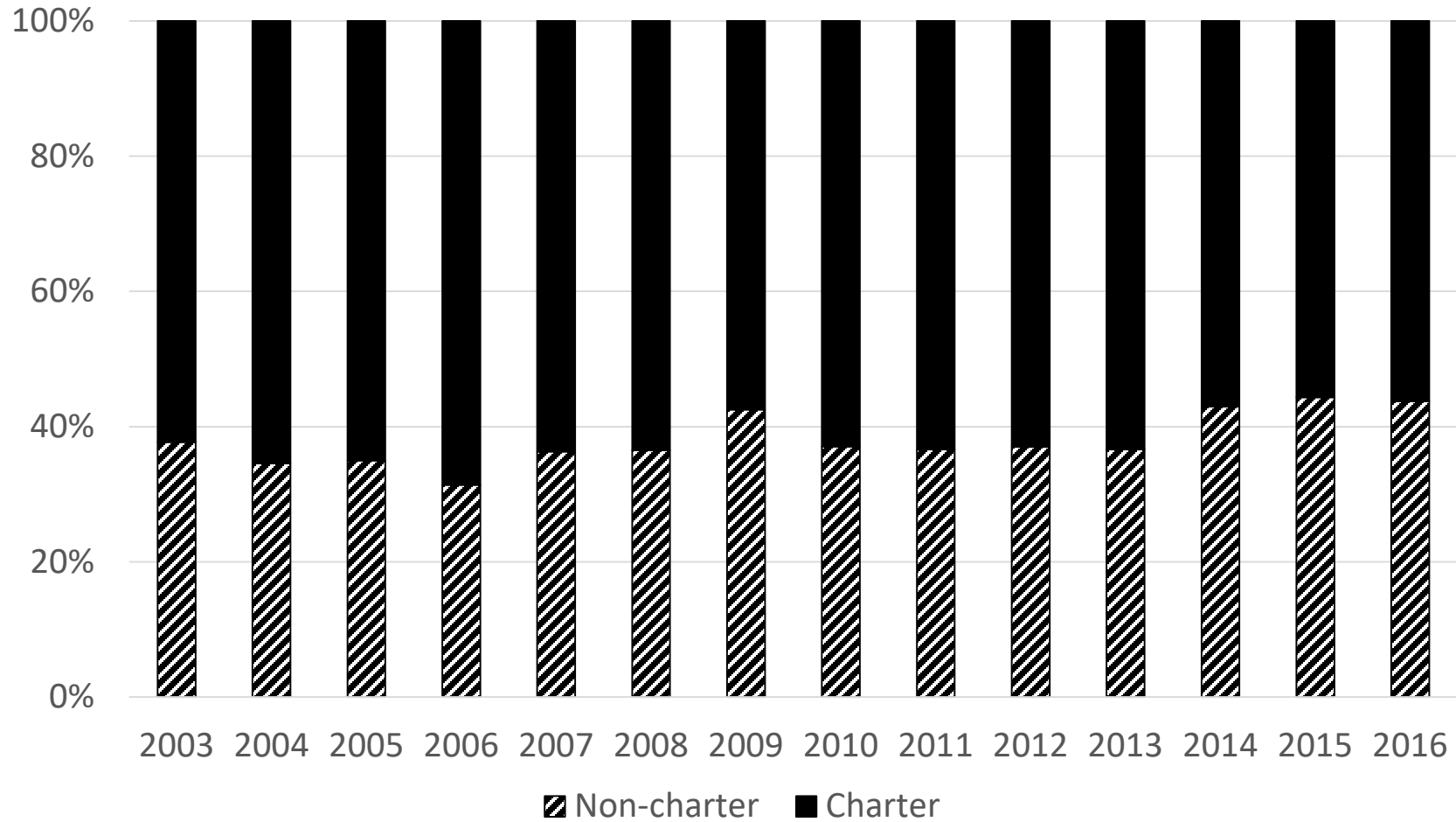


# Halibut sport harvest in Alaska



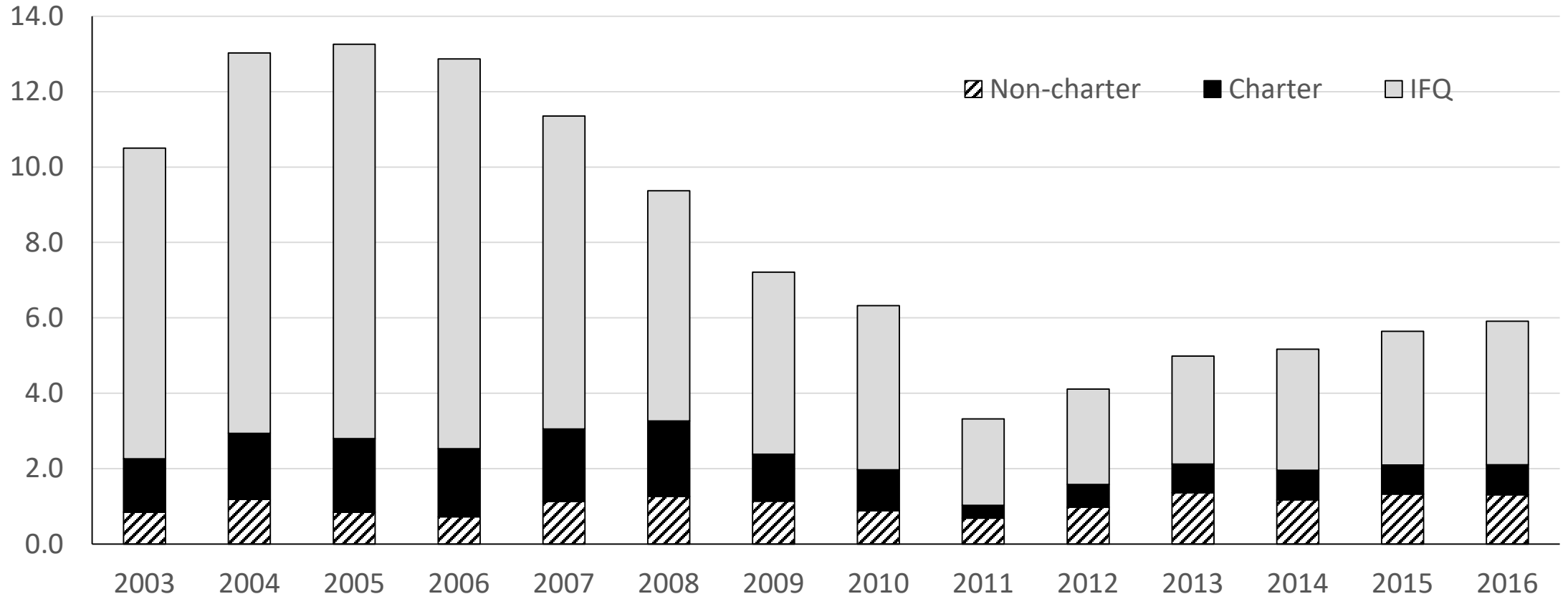
# Halibut sport harvest in Alaska

3A



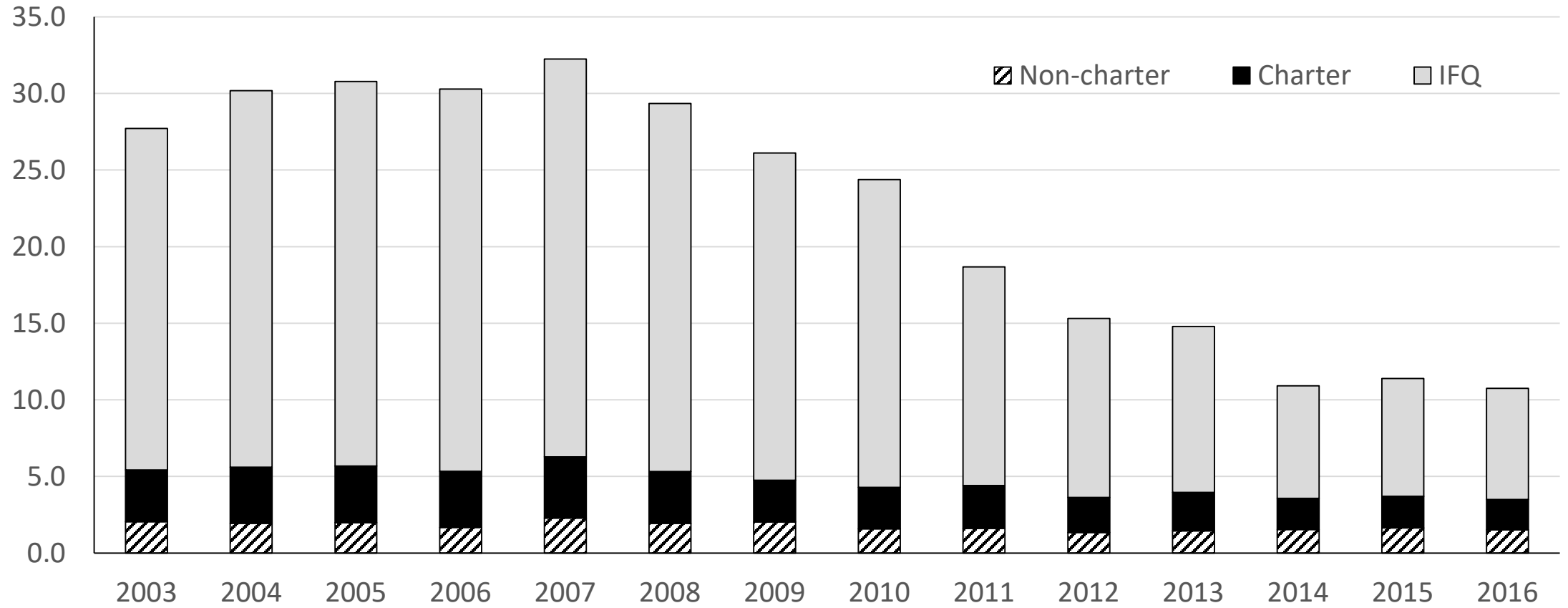
# Halibut sport harvest in Alaska

2C



# Halibut sport harvest in Alaska

3A



# Halibut sport harvest in Alaska - management

## Charter Halibut Permits

- Charter Halibut Permits (CHPs) required since 2011 for all charter halibut vessel fishing trips
- Business owners with CHPS must obtain a saltwater sport fishing operator license from ADF&G and register vessels
  - Statute to sunset at the end of 2018
- Business owners with CHPs must maintain and submit logbook sheets (or e-logbook) to ADF&G
- In 2018 Council action requires that CHPs be renewed annually

# Considerations for a new registry

- Appropriate agency to administer a registration
- Timeframe for registration
- Number of businesses or vessels associated with charter operations
- Steps necessary to estimate catch from rental boats
- Selective requirement focused on vessels affiliated with charter operations, remote lodges, or businesses that require saltwater service provider licenses
- Consider adapting “hunting outfitter” definition

# Appropriate Agency

## State of Alaska

- Existing registry for saltwater sport fishing services business and sport fishing guide boats with ADF&G
  - + According to ADF&G, an incremental change to require owners of saltwater sport fishing services businesses to register rental boats
  - + Businesses already receive ADF&G logbooks, additional logbooks can be required for rental boats
  - Incomplete registry, does not apply to businesses without saltwater sport fishing services license
  - Rapidly increasing complications to expand registry to include other businesses
  - May require regulations approved by SOA Board of Fisheries
  - Multi-day rentals make daily logbook entries difficult

# Appropriate Agency

## Federal

- US Coast Guard documents vessels at least 5 net tons on navigable waters of US or US EEZ
  - Vessels less than 25 feet are not likely to be included
- NMFS existing registry of Charter Halibut Permit holders
  - + Incremental change to require CHP holders to register rental boats
  - + CHP holders already receive logbooks, additional logbooks for rental boats can be required
  - Incomplete registry does not include businesses without CHPs
  - NOAA may not have authority to regulate business not engaged in fishing
  - Scope of registry (area, type, etc.) and enforcement concerns
  - Multi-day rentals make daily logbook entries difficult



# Appropriate Agency

## Third-party registry

- Third party such as Pacific States Marine Fisheries Commission may be able to design and implement a registry
  - + Council and NMFS could identify scope, application, and data needs
  - + May be easier and more cost effective
  - + May be able to use ADF&G logbooks
  - NOAA may not have authority to regulate businesses not engaged in fishing
  - May not be easier and more cost effective
  - Multi-day rentals make daily logbook entries difficult
  - If ADF&G logbooks are not available, requires two-logbook system
  - Vessels used as both charter and rental
  - Requires contracting, etc.

# Registration Timeframe

Time frame depends on a number of factors to be decided by the Council

- Mechanism for registry
  - + Adaptation of existing registry
  - New registry
- Data needs
  - + Longer timeframe at the cost of less precise data
  - More precise data may require annual renewal
- Cost
  - Startup and recurring costs to agency that implements registry
- Impact to business owners
  - + Multi-year timeframe is less onerous to business owners
  - Annual renewal provides more data at higher cost to business

# Registration Costs

- Any registry would impose some burden on responsible agency
- Startup costs and recurring costs to maintain registry
- Additional costs for catch accounting

NOT AN ESTIMATE FOR REGISTRY COSTS but...

- RAM estimated \$300K to provide for annual renewal for CHPs
- Estimating catch may be more costly than establishing registry

# Number of vessels

Difficult to estimate the number of vessels available for rent for many reasons

Alaska DMV database provides most reliable estimate

- 249 rental boats registered by businesses in 2C and 3A
  - Includes some boats that may not be used to harvest halibut
  - Misses some boats that may be rented but are registered as “pleasure craft”
  - Misses some boats that may be rented registered by individuals
- Some of the 47 businesses with rental boats also hold CHPs
- Also likely that some CHP holders also own rental boats registered to another business
- Some boats available for charter on one day and rental the next

# Estimating catch from rental boats

Catch from unguided rental boat anglers is accounted for in ADF&G Statewide Harvest Survey

- However, proportion of catch from rental boats is not known
- Collecting these data would require substantial modifications
  - Likely to have substantial impacts to data evaluation protocols

## ADF&G Charter Logbook

- + Records catch (retained and discarded) for all freshwater and saltwater charter
- + Guide responsible for collecting data
  - No guide on unguided trips
- + E-logbook now available
- Only applies to charter operations

# Estimating catch from rental boats

Logbooks for unguided anglers fishing with sport fishing service licensed businesses

- + Incremental step to require businesses with sport fishing services licenses to require logbooks for their rental boats
- Not all rental boats are owned by businesses with sport fishing service licenses
- + Business owner responsible for recording data and submitting to ADF&G
- No way for business owner to inspect catch (or know number released) on multi-day trips
- Enforcement concerns
  - Required for all sport fishing (e.g., salmon trips) or for halibut trips only?
  - When does a trip become a halibut trip?
  - Two logbook system for vessels used as both charter and rental

# Estimating catch from rental boats

## Requiring logbooks for all recreational anglers

- + Council and NMFS could determine necessary data
- ADF&G strong opposition to 2-logbook scenario
  - Guided and unguided anglers have different logbooks and different requirements
- Responsibility for recording and submission with business owner or angler?
- Information restricted to halibut or includes other species?
- Requirement for all trips or only for halibut trips?
  - When does a trip become a halibut trip?

# Estimating catch from rental boats

## Third-party catch accounting system

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# Guides, Outfitters, Transporters

State of Alaska defines *hunting* guides, outfitters and transporters

- Guide means to provide, for compensation, services, equipment or facilities to a hunter in the field by a person who accompanies or is present with the hunter in the field
- Outfit means to provide, for compensation, supplies, services, or facilities by a person who does not accompany and is not present in the field
- Transporters provide, for compensation, carriage of hunters, equipment, or harvested animals to, from, or in the field.

# Fishing Outfitters?

Businesses that provide rental boats could be considered outfitters

- + Council could require businesses to register rental boats
- What authority does NMFS have to regulate businesses not engaged in fishing?
- To which businesses does the “outfitter” label apply?
  - All businesses with rental boats?
  - Those whose clients have opportunity to fish for halibut?
  - Those whose clients have the intention to fish for halibut?
- Enforcement concerns
- + Logbooks could be required for Fishing Outfitters
- Subject to the same 2-logbook concerns

# Conclusions

Purpose and Need proposes differences in regulation and growth in unguided rental boat harvest poses negative effects to other sectors.

- No apparent trend in unguided sport halibut harvest since 2003
- Substantial declines in guided sport and IFQ harvest

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Both Federal and state vessel registrations exist

- USCG documentation for vessels > 5 net tons
- Alaska DMV rental and pleasure craft registrations
- ADF&G licenses saltwater sport fishing services and registers boats used to provided guide services
- Incremental change to register rental boats with saltwater sport fishing service license

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NMFS requires CHPs for charter halibut businesses

- Incremental change to register rental boats with CHP renewal

# Conclusions

## State of Alaska DMV Registry

- On May 25, 2018 contained:
  - 249 rental vessels registered by 47 businesses in IPHC areas 2C and 3A
  - 38,128 pleasure craft
  - 249 rental boats is reasonable estimate of number of rental boats available

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## Unguided halibut harvest accounted for in Statewide Harvest Survey

- Does not record how anglers accessed fishery
- Any change in SHS would likely result in substantial changes to data analyses

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## Logbooks for unguided anglers

- Could collect data required by the Council and NMFS to estimate harvest
- May be complicated by 2-logbook requirement opposed by State of Alaska



# Conclusions

The Council and NMFS could consider businesses that provide rental boats as “Fishing Outfitters”

- Does NMFS have authority to regulate businesses not offering fishing services?
- State of Alaska may or may not change their regulations to recognize “fishing outfitters”
- Logbooks could be required for rental boats from outfitters
  - Could provide the Council with estimates of harvest
  - May be problem with 2-logbook scenario
  - Concerns about multi-day charters – no way to examine daily harvest
  - Questions about scope of logbook, responsibility for logbook
- Concerns about enforcement

# Conclusions

## Next steps:

- Does information indicate that differences in regulation and the growth of the rental boat segment of the unguided sector is causing negative impacts to other sectors?
- Would a registry of rental boats provide the information that the Council is seeking?
- Are current registries (USCG, State of AK) suitable for the Council's purpose?
- What mechanisms should the Council consider to estimate catch from the rental boat segment of the unguided sector?

