

# Charter Halibut Limited Access Program

## Small Entity Compliance Guide

April 13, 2012



### NOAA FISHERIES SERVICE

#### Inside This Guide

Charter Halibut Limited Access Program	1
Program Description.....	1
Permit Types.....	2
Frequently Asked Questions.....	3
Glossary .....	7
Program Contacts .....	8

### Charter Halibut Limited Access Program

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. The charter halibut limited access regulations can be found under [50 CFR Part 300](#).

#### Program Description

The Charter Halibut Limited Access Program establishes new federal Charter Halibut Permits (CHPs) for operators in the charter halibut fishery in regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska). Beginning February 1, 2011, all vessel operators in Areas 2C and 3A with charter anglers onboard catching and retaining Pacific halibut must have a valid CHP onboard during every charter vessel fishing trip. CHPs must be endorsed with the appropriate regulatory area and number of anglers.

The National Marine Fisheries Service (NMFS) implemented this program based on recommendations by the North Pacific Fishery Management Council (NPFMC) to meet allocation objectives in the charter halibut fishery. This program provides stability in the fishery by limiting the number of charter vessels that may participate in Areas 2C and 3A. Vessel operators must meet minimum participation requirements to receive an initial issuance of CHPs. NMFS anticipates consolidation in the charter halibut fishery as operators who do not meet the qualification



An electronic version of this guide is online at:  
<http://www.alaskafisheries.noaa.gov/sustainablefisheries/halibut/sport.htm>

NOAA

criteria exit the fishery and the overall number of available CHPs decreases over time. The program goals are to increase the value of the resource, limit boats to qualified active participants in the guided sport halibut sector, and enhance economic stability in rural coastal communities.

NMFS is issuing charter halibut permits initially to qualifying applicants who were licensed by the Alaska Department of Fish and Game (ADF&G) and who, according to the Official Record, had at least five (5) logbook fishing trips recording halibut effort during one of the initial qualifying years (2004 or 2005) and recent participation year (2008). The sixty (60) day application period for the initial issuance of CHPs was February 4, 2010 through April 5, 2010. Any person denied a CHP, or whose interest is directly and adversely affected by a determination made by NMFS, may file a written appeal to the Office of Administrative Appeals (OAA). Regulations governing appeals and the OAA are on the NMFS website at [50 CFR 679.43](#).

A CHP limits charter operators to the regulatory area and number of anglers for which the permit is endorsed. Federal regulations require the charter vessel guide to report all charter halibut fishing trips that occur in Areas 2C and 3A in the ADF&G Saltwater Charter Logbook. Each CHP holder must ensure that the operator of any vessel fishing under a CHP complies with all program requirements. Complete regulations are published at [50 CFR 300.65, 300.66, and 300.67](#).

## Permit Types

There are five (5) different charter halibut permits available from NMFS.

### 1. Transferable Permits

Transferable permits establish a market-based system of access to the halibut

charter fishery after the initial allocation of permits. A person holding a transferable permit may transfer the permit to another person (individual or non-individual entity) by submitting to NMFS an [Application for Transfer of Charter Halibut Permit](#). NMFS will approve the transfer if (1) the receiver is a US citizen or 75%-owned U.S. business; (2) either party does not owe NMFS any fines, civil penalties, or other payments; and (3) the receiver would not exceed the excessive share limit (5 permits). A formal CHP transfer is a change of CHP holder as named on the permit and must be approved by NMFS. All CHP transfers are considered permanent; NMFS does not approve limited-duration transfers. The CHP holder named on the permit has control of transfer of the CHP. ([50 CFR 300.67\(i\)\(2\)](#))

### 2. Nontransferable Permits

Nontransferable permits allow a business with relatively low participation in the qualifying years to continue its operation while reducing potential harvesting capacity of the charter fishery over time. These permits may not be transferred to another person (individual or business) different from the one to which it was initially issued. Nontransferable permits are invalidated when (1) a permit holder dies or business entity dissolves; or (2) new shareholders or partners are added to a business. (This change in business structure creates a new business entity, which requires a permit to be transferred.) ([50 CFR 300.67\(j\)\(3\)](#))

### 3. Interim Permits

All permits issued to an applicant during the appeals process, including permits not in dispute, are interim and nontransferable. Interim permits expire when NMFS makes a final decision on the

appeal. ([50 CFR 300.67\(h\)\(6\)\(ii\) and \(h\)\(6\)\(iii\)](#))

### 4. Military Charter Halibut Permits

Military Charter Halibut Permits are for any U.S. Military Morale, Welfare, and Recreation (MWR) program in Alaska operating a halibut charter vessel. The program must obtain a permit, which may be applied for through NMFS at any time at no cost. These permits are non-transferable, issued without angler endorsements, and may be used only in the regulatory area designated on the permit. NMFS reserves the right to limit the number of these permits. ([50 CFR 300.67\(l\)](#))

### 5. Community Charter Halibut Permits

Community Charter Halibut Permits (CCHPs) are issued at no cost to Community Quota Entities (CQE) representing communities that may not have a fully developed charter halibut fleet. A CQE may apply at any time through NMFS for CCHPs. A charter vessel operator who is using a CCHP is required to either begin or end the charter vessel fishing trip within the community designated on the permit. A CQE in Area 2C may receive a maximum of four (4) CCHPs to provide to an ADF&G licensed charter vessel operator. The operator must have a current ADF&G Saltwater Logbook in possession. A CQE in Area 3A may receive a maximum of seven (7) CCHPs. All CCHPs issued to a CQE will be non-transferable, designated for either Area 2C or 3A, and have an angler endorsement of six (6). CQEs may also receive CHPs by transfer but may not hold more than eight (8) permits in Area 2C and fourteen (14) permits in Area 3A. See [50 CFR 300.67\(k\)](#) and the glossary for more information on CQEs.



### Frequently Asked Questions

Following is a list of frequently asked questions to assist you in understanding the Charter Halibut Limited Access Program. For specific regulatory requirements, see regulations at: [50 CFR 300.65, 300.66, and 300.67](#); and annual management measures published in the Federal Register pursuant to 50 CFR 300.62. For more regulatory information, follow the links at <http://alaskafisheries.noaa.gov/regs/summary.htm>.

#### General Program Questions

##### 1. What is a charter halibut permit (CHP)?

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.

**2. When do I have to have a CHP?** Beginning February 1, 2011, 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.

**3. How can I find out who holds a CHP?** A list of issued CHPs with holders' names, business mailing addresses, and CHP endorsements is online: <http://www.alaskafisheries.noaa.gov/sustainablefisheries/halibut/sport.htm>

##### 4. I lost or damaged my CHP; how do I get a replacement?

To obtain a replacement for your CHP you must submit an [Application for Replacement of Certificates or Permits](#) OR a written request to Restricted Access Management Program, NOAA Fisheries Alaska Region, P.O. Box 21668, Juneau, Alaska 99802 (facsimile to (907) 586-7354). You must provide the CHP number(s) to be replaced, as well as the name printed on the CHP. The written request must be signed by the CHP holder or an authorized representative. If a representative is acting on behalf of the applicant, written authorization signed by the applicant must be submitted with the application.

**5. Will unguided sport anglers or subsistence fishermen need a CHP to catch and retain halibut in Area 2C or Area 3A?** No. Only operators of a vessel in Area 2C or 3A with charter vessel anglers onboard that are catching and retaining halibut are required to have a CHP.

**6. Do I need a CHP if my anglers catch and release halibut?** No. Effective February 1, 2011, it is prohibited to be an operator of a vessel with one or more charter vessel anglers onboard that are catching and retaining halibut without a valid CHP for the regulatory area in which the vessel is operating. However, IPHC regulations specify that any halibut brought aboard a vessel and not immediately returned to the sea with a minimum of injury will be included in the daily bag limit of the person catching the halibut. ([50 CFR 300.67\(a\)](#))

**7. I am a licensed guide; do I need a CHP onboard to take friends, family, or neighbors fishing even if they are not paying me?** It depends. A CHP is required to be onboard a vessel if both of the following conditions are met: (1) one or more persons onboard are catching and retaining halibut, and (2) a person onboard is providing sport fishing guide services. See the [Glossary](#) for definition of "sport fishing guide services." Each angler does not have to be individually compensating the person providing assistance. Compensation is also not strictly limited to a monetary exchange and can include a trade of goods or services in exchange for taking someone fishing. There might be some circumstances where reimbursement of expenses would qualify as compensation and other circumstances where it would not. NMFS will evaluate the specific circumstances of a fishing trip to determine if a charter vessel guide is receiving compensation to assist a person to take or attempt to take halibut while sport fishing.

**8. May I harvest subsistence halibut on a charter vessel?** The owner of a vessel that is registered with the State of Alaska as a charter vessel may use that vessel to harvest subsistence halibut provided the owner has a valid Subsistence Halibut Regulation Certificates SHARC. Only the vessel owner and members of the vessel owner's immediate family may be onboard the vessel while subsistence halibut fishing. Only the vessel owner and members of the vessel owner's immediate family who hold a valid SHARC may fish for subsistence halibut from the charter vessel. ([50 CFR 300.66\(i\)](#))

**9. We charter for salmon but sometimes catch a halibut; are we now required to throw back halibut if we do not have a CHP onboard?** Yes. All charter vessel operators with anglers onboard that are catching and retaining halibut must have a valid CHP onboard the vessel, even if the catch is incidental.

**10. The ownership of my business changed; do I need to let NMFS know?** Yes. A CHP is no longer valid if an individual CHP holder dies or a business dissolves or changes. See the [Glossary](#) for definition of "change." NMFS must be notified



## Frequently Asked Questions

within 30 days of an individual's death and within 15 days of the effective date of change for the business entity. Notify NMFS in writing addressed to RAM Program Administrator, NOAA Fisheries, Alaska Region, P.O. Box 21668, Juneau, Alaska 99802. Depending on the conditions, permit divestiture also may be required. ([50 CFR 300.67\(j\)\(5\)](#))

### Application Process and Eligibility

**11. Who was eligible to initially receive a CHP from NMFS?** Any individual or business entity that (1) got an ADF&G Business Owner License authorizing logbook fishing trips, (2) participated in the fishery in one of the initial qualifying years (2004 or 2005), and (3) participated in the recent participation year (2008) was eligible to initially receive one or more CHPs. The applicant must have reported at least five (5) bottomfish logbook fishing trips in the qualifying years and at least five (5) halibut logbook fishing trips during the recent participation year. A person could also qualify as a successor-in-interest, if the qualifying individual died or business entity dissolved. ([50 CFR 300.67\(b\)\(1\)](#))

**12. I missed the application deadline for the initial issuance of CHPs. May I still apply for a CHP?** The deadline for submitting an Application for a Charter Halibut Permit was April 5, 2010. All late applications will be denied, with an opportunity to appeal the decision. Interim CHPs will not be issued for late applicants pending final agency action on any appeal. ([50 CFR 300.67\(h\)](#) and [\(h\)\(6\)\(i\)](#))

**13. How may I obtain a CHP if I did not meet the eligibility requirements for initial issuance of a permit from NMFS?** You may purchase or be gifted a transferable CHP from a current holder, or use a community CHP held by a CQE if you operate out of an eligible community. See [Permit Types](#) for more information on transferable CHPs and community CHPs. You must apply to NMFS, which must approve all transfers.

**14. How did NMFS determine my angler endorsement number for my CHP?** To determine angler endorsements, NMFS used the greatest number of clients reported in logbooks submitted timely to ADF&G for each vessel used for the qualifying years (2004 and 2005). Whatever your CHP angler endorsement, your ability to carry passengers or charter vessel anglers may be limited by other state or federal law.

### Using Charter Halibut Permits

**15. May I use more than one CHP on a vessel to take more anglers?** Yes. A vessel operator is able to "stack" CHPs to increase the number of charter vessel anglers onboard. For example, if a charter vessel operator is otherwise authorized to

carry 10 passengers, he or she may have two CHPs onboard, one with an angler endorsement of four (4) and one with an endorsement of six (6). The vessel operator may then have a maximum of ten (10) anglers onboard who are catching and retaining halibut.

**16. May two charter businesses fish from the same vessel?** Yes. Two businesses may fish off the same vessel as long as each business has a CHP and its own ADF&G Saltwater Charter Logbook issued to the business.

**17. Does the CHP limit the number of trips I may take per year?** There is no limit to the number of [charter vessel fishing trips](#) you may take per year. CHPs limit charter vessel operators to the area and number of anglers endorsed on the CHP.

**18. How many halibut may my anglers catch and retain?** For up to date regulations and annual management measures, visit <http://www.alaskafisheries.noaa.gov/sustainablefisheries/halibut/sport.htm>. For 2012, the charter bag limit for Area 3A is two halibut of any size per day per angler. For Area 2C the daily bag limit is one halibut per charter vessel angler per calendar day that is less than or equal to 45 inches (114.3 cm) OR greater than or equal to 68 inches (172.7 cm) with the head on. In Area 2C, the filleted halibut carcass must be retained onboard the vessel until all fillets are offloaded.

**19. Can the halibut be processed onboard the vessel?** Each halibut may be cut into no more than 2 ventral pieces, 2 dorsal pieces, and 2 cheek pieces, with skin on all pieces. The regulatory standard does not require that all skin be left on all pieces. Each piece needs only enough skin naturally attached to visually confirm that the piece was from a halibut and not some other species. In Area 2C, the filleted halibut carcass must be retained onboard the vessel until all fillets are offloaded.

**20. May crew members still catch and retain halibut during a charter vessel trip?** It depends. As of January 1, 2012, Area 3A guides and crew members are able to catch and retain halibut during a charter vessel trip. Area 2C charter vessel guides and crew members are NOT allowed to catch and retain halibut. The number of lines used to fish for halibut in Area 2C must not exceed six (6) or the number of charter vessel anglers, whichever is less.

**21. May I have more passengers onboard than the angler endorsement allows if the extras are not fishing?** Yes. The charter halibut limited access program limits the number of anglers catching and retaining halibut and not the number of



## Frequently Asked Questions

passengers (however, passengers may be limited by other applicable law and regulation).

**22. If I have a CHP endorsed for four (4) anglers, but have six (6) anglers onboard, may I rotate my anglers so that all six (6) anglers get to fish for halibut so long as I'm never fishing more than four (4) anglers simultaneously?**

No. Effective February 1, 2011, it is prohibited to be an operator of a vessel with more charter vessel anglers onboard catching and retaining halibut than the angler endorsement number specified on the CHP(s) onboard the vessel during one trip. In this example, six (6) anglers are considered to be onboard and fishing even if all six (6) are not fishing at the same time. ([50 CFR 300.66\(s\)](#))

**23. May I charter halibut fish in Area 2C and 3A on the same trip?** No. Charter vessel anglers onboard a vessel may not catch and retain halibut in more than one regulatory area during a charter vessel fishing trip. ([50 CFR 300.66\(u\)](#)) Also note that each CHP is endorsed for only one area.

**24. My vessel broke down; may I use my CHP on any vessel?** A CHP may be used on any vessel if the CHP is endorsed for the regulatory area in which the vessel is operating and endorsed for at least the number of charter vessel anglers who are catching and retaining halibut on the vessel. (Other State of Alaska requirements may also apply.) However, a charter operator may NOT use one CHP split between two or more vessels simultaneously. See Question 34 for the federal requirements to record CHP information in an ADF&G Saltwater Charter Logbook.

### Transferable and Non-transferable CHPs

**25. May I lease my CHP to another business?** Regulations do not prohibit CHP holders from allowing another person to temporarily use their CHP. See Question 34 for the federal requirements to record CHP information in an ADF&G Saltwater Charter Logbook. If the CHP is transferable, the CHP holder identified on the card may formally sell, gift, or otherwise transfer the CHP to another person via a NMFS approval process. See Transferable Permits under [Permit Types](#) for information about transfers.

**26. My CHP says “nontransferable”; what does that mean?** See Nontransferable Permits under [Permit Types](#) on page 2.

**27. My CHP is “nontransferable”; does that mean I can only use it on my vessel?** See Question 24.

**28. How do I sell or gift my CHP to someone?**

A transferable CHP may be sold or gifted to anyone who—

- is a U.S. citizen or a U.S. business with a minimum of 75 percent U.S. ownership;
- does not owe NMFS any fines, civil penalties, or any other payments; and
- does not hold more than five (5) CHPs (unless the excessive limit share exception applies).

All CHPs may be sold privately or through a broker as long as the two parties submit a complete [Application for Transfer of Charter Halibut Permit](#) to NMFS. The sale is valid only after NMFS approves the transfer application. A transfer would not be approved if it is inconsistent with any sanctions resulting from federal fishing violations, if either party owes fees, or if the transfer would cause the recipient to exceed program caps. ([50 CFR 300.67\(i\)](#))

**29. How many CHPs may I buy?** Generally, you may hold up to five (5) CHPs. NMFS will not approve a transfer application that would result in the applicant receiving more than five (5) CHPs unless the applicant qualifies for an exemption to the limit as discussed in Question 28.

Businesses with multiple corporate interests are also limited to five (5) CHPs. Two entities are considered the same entity if one entity owns or controls ten (10) percent or more interest in the other entity. ([50 CFR 300.67\(j\)](#))

**30. May a person ever hold more than five (5) CHPs?**

Yes. At the start of the program, some initial recipients exceeded the excessive share limit and received more than five (5) CHPs. These “grandfathered” CHPs may be transferred to another recipient under ([50 CFR 300.67\(j\)\(4\)](#)) if —

- the CHPs are transferable;
- the transfer includes all transferable CHPs initially awarded to the initial recipient;
- the designated recipient does not already hold any CHPs; and
- the entire charter vessel business is also being transferred, including all assets such as vessels, lodges, and equipment.

**31. If I die, does my CHP go to my spouse or kids?**

It depends. Transferable CHPs may be transferred to an individual holder’s successor-in-interest providing that person does not hold five (5) or more CHPs. Non-transferable CHPs may not be transferred from the initial recipient to family members once the individual dies. If the non-transferable permit is in the name of a business entity, it may stay in that name provided there are no new shareholder(s) or partner(s) added. ([50 CFR 300.67\(i\) and \(j\)\(3\)](#))



### Reporting

**32. Does my ADF&G Saltwater Charter Logbook need to be onboard my vessel all of the time?** Yes. Effective February 1, 2011, federal regulations require all charter vessel operators in Area 2C or 3A with anglers onboard catching and retaining halibut to have an ADF&G Saltwater Charter Logbook onboard that identifies the vessel. ([50 CFR 300.66\(v\)](#))

**33. Who has to complete an ADF&G Saltwater Charter Logbook Sheet?** Federal regulations require charter operators to complete and submit a logbook sheet to ADF&G if (1) one or more persons onboard are catching and retaining halibut, and (2) a person onboard is receiving compensation to assist another person to take or attempt to take halibut while sport fishing. The charter vessel guide is responsible for complying with the federal charter halibut reporting requirements for each trip. The employer of the charter vessel guide is responsible for ensuring the charter vessel guide complies with the reporting requirements. In addition, in Area 2C the charter vessel angler must acknowledge the accuracy of the halibut retention information entered by the charter vessel guide by signing the ADF&G Saltwater Charter Logbook sheet. ([50 CFR 300.65\(d\)\(ii\)](#) and [\(d\)\(iv\)\(A\)](#))

**34. How should I record my CHP information in an ADF&G Saltwater Charter Logbook?** For each charter vessel fishing trip, federal regulations require operators to record the name of the CHP holder and the CHP number being used onboard the vessel in the ADF&G Saltwater Charter Logbook. ([50 CFR 300.66\(v\)](#)) This information should be recorded as follows:

1. Record the CHP number and name of the holder(s) on the front of the ADF&G Saltwater Charter Logbook issued for the vessel.
2. Record the CHP number on each ADF&G Saltwater Charter Logbook sheet completed for that trip. If you are using more than one CHP for the charter vessel fishing trip, check the box next to the CHP number on each logbook sheet to indicate that multiple CHPs were used and record each CHP number on a separate ADF&G Saltwater Charter Logbook sheet.

Charter vessel operators should consult the instructions for ADF&G Saltwater Charter Logbooks to determine other applicable reporting requirements.

**35. When does an ADF&G Saltwater Charter Logbook Sheet need to be completed?** Charter vessel guides must enter the charter vessel angler's license number and printed name in the ADF&G Saltwater Charter Logbook sheet before the charter halibut fishing trip begins. In addition, in Area 2C

each charter vessel angler catching and retaining halibut needs to sign the saltwater logbook sheet at the end of a charter halibut fishing trip. All reporting requirements must be complete by the end of the day or end of the charter vessel fishing trip, whichever comes first, and before any halibut are offloaded or anglers disembark from the vessel. ([50 CFR 300.65\(d\)\(2\)\(iv\)](#))

**36. When does an ADF&G Saltwater Charter Logbook Sheet need to be submitted?** ADF&G Saltwater Charter Logbook sheets from trips that happen the first Monday in April through December 31 must be submitted to the ADF&G no later than 14 calendar days after the Monday of the fishing week in which the halibut were caught and retained. Logbook sheets for January 1 through the first Sunday in April must be submitted no later than the second Monday in April. ([50 CFR 300.65\(d\)\(1\)\(i\)](#))

**37. Do the rules and reporting requirements vary for different Areas?** Yes. The information that is required to be reported for Area 2C varies from the information required for Area 3A. The bag limit is also different between the two Areas 2C and 3A. CHP holders must comply with federal law. In addition, all CHPs may be limited or superseded by other federal or state laws, including but not limited to United States Coast Guard or state restrictions on the number of passengers that a vessel may have onboard, or State of Alaska laws limiting the number of anglers that may fish on a vessel during one trip. Charter vessel operators should consult these agencies for information on other applicable regulations.

**38. How does a CQE use CCHPs?** The NPFMC intended for CQEs to use CCHPs to benefit the community they represent. The CQE designates a charter operator to use the CCHP issued to the CQE to take clients charter halibut fishing, similar to any other business. The CQE determines who it may retain to conduct the charter operation, subject to program requirements. There are a variety of ways the CQE could use the CCHP as long as the charter trip either begins or ends in the CQE community. For example, the CQE may contract with a licensed business owned by a resident of the community, or may purchase a vessel and hire an operator to conduct charter operations. The CQE may also contract with a charter operator that is not a resident, but require that the charter business operate out of the represented community.

**39. What should I record in the Guided Anger fish (GAF) fields on the ADF&G Saltwater Charter Logbook sheet?** NMFS proposed regulations that if adopted, would implement a catch sharing plan and authorize an opportunity to retain halibut in addition to, or instead of, halibut retained under charter angler daily harvest limits in Area 2C and Area 3A.

However, implementation of the catch sharing plan has been delayed for the duration of the 2012 season. Therefore, please disregard the instructions to record the “Guided Angler Fish (GAF) Number” and the number of “GAF Halibut” kept, and do not record any information in these fields.

## Monitoring and Enforcement

**40. I lost my original CHP but have a copy of it onboard the vessel, is that legal?** No. Regulations require that an operator of a vessel must have a valid CHP onboard, which means an original and current CHP. A copy or facsimile of a CHP or an original of an old version that has been superseded would not meet the requirements.

**41. Can enforcement personnel board my vessel to inspect my halibut catch, logbook, and/or license?** Yes. Any officer authorized to enforce the Northern Pacific Halibut Act may board and inspect any fishing vessel subject to the provisions of the Act. You must present the ADF&G Saltwater Charter Logbook when requested by an authorized officer. (Other State of Alaska requirements may apply.) In addition, authorized officers may enter, search, or inspect shoreside facilities in which halibut are processed, packed, or held.

## Glossary

A complete list of definitions relevant to this management program can be found at [50 CFR 300.61](#) or [300.67\(f\)](#).

**Angler Endorsement:** the maximum number of charter vessel anglers that may catch and retain halibut onboard the vessel. It is the number of *authorized anglers* on your CHP.

**Change (ownership):** NMFS considers a change in business structure, such as new shareholders or partners, to be a new business entity and requires CHPs to be transferred to the new entity. For a CHP holder, “change” also occurs when the individual dies or business entity dissolves. “Change” invalidates a non-transferable CHP.

**Charter halibut permit (CHP):** a permit issued by NMFS to owners of charter vessel businesses, bearing endorsements for operating in Areas 2C or 3A, and for the number of charter vessel anglers authorized to catch and retain Pacific halibut during a charter vessel fishing trip.

**Charter vessel angler:** a person, paying or nonpaying, using the services of a charter vessel guide.

**Charter vessel fishing trip:** the time period between the first deployment of fishing gear into the water from a vessel after any charter vessel angler is onboard and the offloading of one or more charter vessel anglers or any halibut from that vessel.

**Charter vessel guide:** a person who holds an annual sport guide license issued by ADF&G; or a person who provides sport fishing guide services.

**Charter vessel operator:** the person in control of the vessel during a charter vessel fishing trip.

**Community Quota Entity (CQE):** a nonprofit organization that (1) did not exist prior to April 10, 2002; (2) represents at least one eligible community that is listed below; and (3) has been approved by the Regional Administrator ([50 CFR 679.2](#)). A nonprofit may apply at any time and is required to submit an annual report to NMFS. Communities currently eligible to form a nonprofit to receive a community CHP under ([50 CFR 300.67\(k\)\(2\)](#)) are listed below:

*Area 2C:* Angoon, Coffman Cove, Edna Bay, Hollis, Hoonah, Hydaburg, Kake, Kasaan, Klawock, Metlakatla, Meyers Chuck, Pelican, Point Baker, Port Alexander, Port Protection, Tenakee Springs, Thorne Bay, Whale Pass.  
*Area 3A:* Akhiok, Chenega Bay, Halibut Cove, Karluk, Larsen Bay, Nanwalek, Old Harbor, Ouzinkie, Port Graham, Port Lyons, Seldovia, Tatitlek, Tyonek, Yakutat.

**International Pacific Halibut Commission (IPHC):** A public international organization established in 1923 by a convention between the United States and Canada, originally called the International Fisheries Commission. The IPHC is responsible for conservation of Pacific halibut in waters off Canada and the United States.

**National Marine Fisheries Service (NMFS, a.k.a NOAA Fisheries):** Responsible for managing the fisheries and enforcing regulations under authority of the Secretary of Commerce and the National Oceanic and Atmospheric Administration (NOAA). NMFS is the permitting body that maintains the Official Record.

**North Pacific Fishery Management Council (NPFMC):** is responsible for allocating resources to fisheries programs. NPFMC and NMFS work together to manage federal fisheries off Alaska; NPFMC makes recommendations to NMFS, and NMFS approves, implements, and administers them.

**Official Record:** the information prepared by NMFS on participation in charter halibut fishing in Areas 2C and 3A that NMFS used to implement the Charter Halibut Limited Access Program and evaluate applications for CHPs.

**Sport fishing guide services:** assistance, for compensation, to a person who is sport fishing, to take or attempt to take fish by being onboard a vessel with such person during any part of a charter vessel fishing trip. Sport fishing guide services do not include services provided by a crew member.

## Program Contacts

For exact regulatory language please refer to the NOAA Fisheries web address:

<http://alaskafisheries.noaa.gov/sustainablefisheries/halibut/sport.htm>

### Questions about NMFS Permits or Application Process

NOAA Fisheries (NMFS),  
Restricted Access Management (RAM)  
1-800-304-4846 (press 2) or 907-586-7344, Fax 907-586-7354  
Email: [ram.alaska@noaa.gov](mailto:ram.alaska@noaa.gov)  
Applications are available at:  
<http://alaskafisheries.noaa.gov/sustainablefisheries/halibut/sport.htm>

### Questions about Enforcement

NOAA Office of Law Enforcement  
Alaska Region  
PO Box 21767  
709 W. 9th Street, Room M09C  
Juneau, AK 99802-1767  
907-586-7225

### Questions about the Regulatory Process

NOAA Fisheries (NMFS),  
Sustainable Fisheries Division  
1-800-304-4846 (press 3) or 907-586-7228  
Website: [www.alaskafisheries.noaa.gov](http://www.alaskafisheries.noaa.gov)

### Questions about Harvests

Alaska Department of Fish and Game, Division of Sport Fish  
Email: [sflweb@fishgame.state.ak.us](mailto:sflweb@fishgame.state.ak.us)  
907-465-4270, 907-465-4180  
Website: <http://www.sf.adfg.state.ak.us/statewide/>  
1255 W. 8th Street  
P.O. Box 115525  
Juneau, AK 99811-5526



### About this guide:

This is a summary of regulations governing the Charter Halibut Limited Access Program and is not the complete list of limitations and prohibitions specific to this program. See [50 CFR 300.65](#), [300.66](#), and [300.67](#) and [annual management measures](#) published each year in the Federal Register, pursuant to 50 CFR 300.62, for actual regulatory requirements. This summary only provides information on the charter halibut limited access program and does not provide information on the requirements of the International Pacific Halibut Commission, United States Coast Guard, or State of Alaska regulations governing the halibut fisheries. Charter vessel operators should consult these agencies for information on other applicable regulations.