

JAN 26 2010



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

Mr. Eric A. Olson
Chairman
North Pacific Fishery Management Council
605 West 4th Avenue
Anchorage, AK 99501

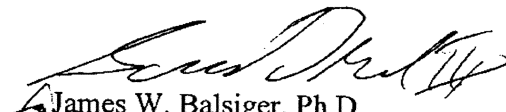
Dear Mr. Olson:

Thank you for your letter expressing the concern of the North Pacific Fishery Management Council (Council) about the potential for the guided sport (charter) halibut fishery in Area 2C (Southeast Alaska) to exceed its guideline harvest level (GHL) in 2010.

The Secretary of Commerce has general responsibility to carry out the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and the Bering Sea (Convention) and the Northern Pacific Halibut Act of 1982 (Halibut Act), by adopting regulations as may be necessary to carry out the purposes and objectives of the Convention and the Halibut Act. However, the development of regulations that allocate or assign halibut fishing privileges among U.S. nationals or vessels is within the authority of the Council. The Council's development of such regulations through analysis of alternatives provides maximum public participation and transparency. We recognize the Council's history of and commitment to managing fishery and sector removals to specified allocations. The Council's proposed catch share plan (CSP) for the commercial and charter halibut fisheries is the next step in responding to the ongoing conservation and management of these fisheries. The review of this proposed program and associated rulemaking is a priority for NMFS staff resources so that the CSP may be implemented by 2012. We plan to provide the Council a status report on any CSP implementation issues and a schedule for its implementation at the Council's April 2010 meeting.

If the Council believes that further restricting the halibut charter fleet is necessary during the next 2 years while the proposed CSP is reviewed and rulemaking completed, we would support Council action to develop and recommend specific harvest restrictions that would reduce the charter halibut harvest to the GHL. This strategy could delay the implementation of the CSP, but that would be a policy choice of the Council. Thus, while we intend to focus NMFS staff resources on implementation of the proposed CSP and not on an independent development and imposition of further restrictions on the charter halibut fishery in Area 2C, we will work with the Council in developing such restrictions if the Council wishes to proceed in that direction. We continue to believe that the best approach is for the Council and NMFS to work together toward long-term solutions for addressing allocation, management, and ultimately conservation goals for the halibut fisheries.

Sincerely,


James W. Balsiger, Ph.D.
Acting Assistant Administrator
for Fisheries

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

