



June 5, 2009

By fax: 907-586-7557

Ms Sue Salveson
Assistant Regional Administrator
Sustainable Fisheries Division, Alaska Region,
NMFS
P.O. Box 21668,
Juneau, AK 99802-1668.
Attn: Ellen Sebastian.

RE: 0648-AW92

Dear Ms Salveson:

I am the executive director of the Southeast Alaska Guides Organization, SEAGO, www.seagoalaska.org representing 26 guides and lodge owners with more than 100 active vessels. We are in support of the halibut limited access program however have several issues/recommendations relating the document submitted to the Federal Register (pp 18179-18191), on April 21, 2009.

- Under the section “Designation of transferable permits” there appears to be some ambiguous language as follows:
‘An applicant would receive a transferable permit for each vessel that made at least 15 trips in the applicant–selected year and at least 15 trips in the recent participation year. The rest of the applicant’s permits, if any, would be non–transferable permits.’

Under the proposed rule, NMFS would issue to an applicant the number of transferable permits equal to the number of vessels that made at least 15 logbook fishing trips or more in the applicant–selected year and at least 15 trips in the recent participation year.

Applicants that do not have the minimum of 15 logbook fishing trips in each period but qualify for one or more permit(s) with a minimum of five logbook fishing trips, would receive only non–transferable permit(s).

Hence, in the example above of an applicant with 23 logbook trips using three vessels, that applicant would receive three permits. Based on the 15–trip minimum criterion, however, this applicant would receive only one transferable permit and the other two permits would be non–transferable.’

As written, it appears to move the permit granting criteria from business owner to a specific vessel so those who replaced a boat between the “applicant-selected year” and the “recent participation period” would get a non-transferable permit (at best) regardless of whether they otherwise qualify for a transferable permit.



Further it is implied that if a vessel that received a non-transferable permit is sold with the intention to have it replaced, the permit would expire and the new vessel would not be allowed to assume the permit. We believe that a charter business owner should not be penalized for replacing a vessel.

- Under the section “Excessive share limit”, the Council recommends:
‘that a person should be prevented from holding more than five permits by transfer.’
and in the same section:
‘No approval would be granted for additional permits to be transferred to a person holding more than five permits under this exception.’
This provision effectively limits any charter owner from ever growing beyond five vessels or its current size. We understand the desire to limit consolidation of permits to only a few owners however this provision is overly restrictive. Further it would prevent a permit holder from selling to another entity that has any permits thus limiting market value. An alternative needs to be developed.
- Other miscellaneous items:
There is no mention of enforcement nor penalties for violations.
There is no time specified for NMPS to approve transfer of a permit. 30 days is suggested.

Thank you for your consideration of these issues.

Sincerely,

John A. Blair
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