

## **PROPOSAL 278**

### **5 AAC 47.XXX. New section.**

Require reporting of sport fish harvest from rental vessels, as follows:

We propose the Board of Fisheries enact a new regulation (provided below) that will require catch records of all rented recreational vessels that engage in sportfishing activities. We are specifically proposing Halibut catch data be gathered with this new regulation, but we support catch data gathering for any other species that would provide valuable management information to the Department.

We also feel it is vital to require the Department to share any data gathered under this new regulation with the appropriate departments of the IPHC, NPFMC and NOAA on an annual basis.

### **5 AAC 47.XXX**

**New Section:** Sport fishing **rental vessel angler and operator** reporting requirements.

- (a) A sport fishing **rental vessel angler and/or operator** shall obtain and complete a State of Alaska, Department of Fish and Game, Division of Sport Fish, Saltwater **Rental vessel operator and angler** Logbook and Vessel Registration, adopted by reference if operating in salt water;
- (b) A logbook requires information necessary for the management and conservation of fishery resources and regulation of the **rental vessel** sport fishing industry, including:
- (1) the division of motor vehicles boat registration number, issued under 2 AAC 70, or United States Coast Guard documentation number, of the vessels that are used to provide sport fishing **rental vessel** services in salt water;
  - (2) the locations where the sport fishing **rental vessel** services were provided;
  - (3) the effort, catch, and harvest of sport fish by persons who are clients, of a business that conducts sport fishing **rental vessel** services;
  - (4) the name, address, telephone number and residency status of each **rental vessel angler**; and
  - (5) any other information the department determines is necessary for the management and conservation of the fishery resource or the regulation of the **rental vessel** sport fishing industry.
- (c) A **Rental vessel operator and/or a rental vessel angler shall** complete a logbook in the manner and at the location specified in the logbook and present the logbook for inspection as required in 5 AAC 75.075.
- (d) A person may not make a false entry in the logbook required in (a) of this section.
- (e) The operator of a business that rents a vessel covered by this section is responsible for reporting logbook information and returning the completed logbook of each sport fishing **rental vessel angler** by the business to the department in the manner and time frame specified in the logbook.
- (f) In this section, “logbook” includes:
- (1) a department issued paper copy booklet for recording **Rental vessel** sport fishing trip information; or
  - (2) a department issued eLogBook software program for electronic recording of **rental vessel** sport fishing trip information.

(g) a sport fishing **rental vessel operator/angler** may comply with subsection (a) of this section by obtaining and completing an eLogbook.

Definitions:

**Rental vessel** for purposes of **5 AAC 47.XXX** **means a vessel rented and used for sport fishing halibut.**

**Rental vessel angler** for purposes **5 AAC 47.XXX** **means a person, renting a vessel used for sport fishing halibut.**

**Rental vessel fishing trip** for purposes of **5 AAC 47.XXX** **means the time period between the first deployment of fishing gear into the water from a rental vessel by a rented vessel angler and the offloading of one or more rental vessel anglers or any halibut from that vessel.**

**Rental vessel operator**, for purposes of **5 AAC 47.XXX** **means the person in control of the rental vessel during a rental vessel fishing trip.**

**What is the issue you would like the board to address and why?** In recent years, there has been a large increase in the number of businesses in Southeast Alaska that rent sportfishing vessels to primarily Non-Residents, who utilize this arrangement to qualify for more liberal “Non-Guided” bag limits for Halibut. The Sitka Fish and Game Advisory Committee has received estimates that between 300 and 500 of these rental vessels are now operating in SE Alaska. We believe these anglers, that are part of this new and growing user group, are responsible for a very significant harvest of sportfish (specifically Halibut) that is currently not being taken into account by the IPHC, NPFMC, NOAA or the Alaska Department of Fish and Game (the Department) in their resource management responsibilities. There is currently no log keeping requirement for these vessels/anglers and, since the majority of these rented vessels operate from private docks or remote lodges, their harvest data is not captured by the Department’s creel census efforts. We realize that halibut are managed by the IPHC, NPFMC and NOAA versus the State. We also realize that the federal government regulates “Guided” versus “Non-Guided” anglers separately whereas the state routinely establishes different sport fishing bag limits for “Residents” versus “Non-Residents”. This definitely creates some potential jurisdictional issues for what we want to accomplish which is “quantify the harvest of sport fish by non-resident anglers fishing from rented vessels. While the Department may or may not have the authority to regulate catch of halibut, we believe they do have the authority to require catch reporting, similar to the reporting requirements for Sport Fishing Guide and Operators (5 AAC 75.076). The NPFMC took up this topic in 2017, 2018 and 2019 and, while agreeing on the need to get information on how many Un-Guided rental vessels are in operation and how many Halibut they are harvesting, they have so far failed to take any action. We respectfully submit that it is time for the Board of Fisheries to take a leadership role in this matter and establish new regulations to start gathering the needed management data.

**PROPOSED BY:** Sitka Fish and Game Advisory Committee

(HQ-F20-175)

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