Extension to a year-round directed commercial fishery and increase to annual rollover of quota

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PURPOSE

To outline considerations relating to the proposal to extend the season to a year-round directed commercial fishery and to increase the annual rollover of quota to a much higher annual percentage above the current 10% at the upcoming North Pacific Fisheries Management Council meeting, 15 May 2020.

> *NPFMC Agenda item C4: "This proposal requests amendment to allow the fishing period for the commercial Pacific halibut and sablefish fisheries be extended to a year-round fishery"*

TOPICS FOR CONSIDERATION – 2020 SEASON EXTENSION

Biological

The IPHC relies on managing the total mortality on the Pacific halibut stock each year via mortality limits (TCEY) and the use of a reference Spawning Potential Ratio (SPR) which accounts for the effect of all fishing mortality on the long-term reproductive output of the stock. At the relative levels of fishing intensity applied by the Commission, the stock and fishery do not rely on spawning of individual fish comprising the catch prior to harvest for sustainable reproduction. This is in contrast to management systems utilizing effort control (and not managing total mortality), or fisheries where exploitation rates exceed annual biological surplus unless spawning is allowed to occur.

Some fisheries also attempt to avoid specific disruption of spawning aggregations and/or differential harvest of large reproductive individuals which may be made more readily available during the spawning season. The directed commercial Pacific halibut fishery is already known to be primarily comprised of females; therefore, access to the spawning period is unlikely to result in changes to the sex-ratio. Further, IPHC research during the spawning season indicates relatively low catch rates of actively spawning individuals, providing no evidence that spawning would in fact be interrupted.

Conclusion: The best scientific information available suggests that there is no biological basis for assuming an increased risk to the stock by allowing a season extension to 31 December 2020.

Stock assessment and data availability

The IPHC's annual stock assessment is conducted in early November each year, based on the data collected in that calendar year, a projection of incomplete mortality estimates from various fisheries through the end of the calendar year and using interim data sources (logbooks and biological sampling) which are completed and updated the following year. Projecting additional mortality for the directed commercial fishery from mid-November through the end of December would result in some additional uncertainty, but likely not a substantial amount or major source of concern.

Conclusion: The stock assessment process can easily adjust to accommodate an extension to the 2020 directed commercial fishing season.

IPHC Fishery Regulations

The IPHC has the ability to rapidly modify its Fishery Regulations if they are minor in nature and do not require a detailed review of other regulations that may be impacted. In such a case, the IPHC is able to revise and publish its Fishery Regulations within 24 hours. However, the time required for the Contracting Parties' domestic regulatory agencies to review, approve, and publish Fishery Regulations typically takes five weeks (as indicated by relevant domestic agency staff). The IPHC Fishery Regulations, even if published within 24 hours, do not take effect until ratified and published by the Contracting Parties.

Conclusion: To accommodate a change in management measures, the IPHC would take less than 24 hours. However, relevant domestic Contracting Party agencies have indicated they need up to five weeks to publish revised Fishery Regulations. Domestic legal advice is required to determine if those processes could be shortened.

Contracting Party coordination

The IPHC works closely with Fisheries and Oceans Canada, National Oceanic and Atmospheric Administration (NOAA) Fisheries, and U.S.A. state agency staff to coordinate development and implementation of changes to annual fishery regulations.

Conclusion: To accommodate a continuous directed commercial fishing season through 31 December 2020, the IPHC would need to coordinate with domestic agency regulatory processes.

IPHC Secretariat expense

Increased costs: Year-round staffing in coastwide landing ports to allow for representative sampling of the directed commercial landings would be required at additional expense. It is also anticipated that additional Secretariat HQ staff time would be applied for year-round coordination of field Secretariat staff. The cost of this change could be estimated, and estimates updated with actuals. Many of these costs are now covered in Alaska by the relevant Contracting Party agency and these recovered costs may be updated and extended to the other Contracting Party. However, we are not yet able to confirm if the Contracting Parties are able to cover this added expense and do not yet have a budget estimate. At this time, the IPHC does not have sufficient funds to cover an expanded during port sampling program without the financial support of additional Contracting Party contributions.

Conclusion: To accommodate a continuous directed commercial fishing season through 31 December 2020, the IPHC would need to update its cost recovery/sharing agreements with each Contracting Party, which is currently being done. These costs will increase to meet this change in field logistical needs and we do not have assurance that the additional funds would be available. The IPHC is not currently in a position to fund these additional expenses within its current budgets.

Fishery and market effects

There are many unknowns regarding extending the directed commercial fishery for Pacific halibut to include late-fall and winter months, as there are no historical data on such a fishery:

- The feasibility of winter fisheries is likely to vary substantially among IPHC Regulatory Areas and individual harvesters. Remote locations with more severe weather patterns

may have little access to winter fishing due to safety considerations. Smaller vessels may also be at a disadvantage relative to larger vessels during the winter months.
- Fish sales and processing capacity may also be limited and spatially heterogeneous during the winter months.
- Pacific halibut from Russian waters as well as Atlantic halibut (*Hippoglossus hippoglossus*) are already marketed during winter months; however, relative price and therefore fishery value effects on the IPHC-managed fishery are impossible to predict.

Despite these unknowns, individual harvesters would retain the option to fill quotas during traditional fishing periods. Therefore, logistical and market factors will likely lead to different levels of participation and relative importance of winter fishing to individual business plans. Because the IFQ sablefish fishery in Alaska shares season start and end dates with the Pacific halibut fishery, a year round season would provide additional fishing opportunity for that species, if such a link were maintained. This could be especially important as recent sablefish quotas have not been fully achieved due to the current season length. In Canadian waters, the winter integrated longline fishery could reduce discards of Pacific halibut as these fish could be legally retained. This may also reduce costs to these harvesters who currently must cover these discard mortalities with quota with no option to retain these fish to allow for compensation by selling them.

Conclusion: Fishery and marketing effects of an extension through 31 December 2020 are unknown; however, they are likely to be specific to individual fishing operations and IPHC Regulatory Areas and do not directly impact the IPHC.

SUMMARY

Fishing period extension to 31 December 2020. There are no substantive reasons to avoid an extension to a year-round directed commercial fishery, other than an unknown financial burden to the IPHC or Contracting Parties. If Contracting Parties were able to commit to covering any additional port sampling expenses as ad-hoc payments, then there would be no other reason to object. Allowing for directed commercial fishing through 31 December 2020, in order to accommodate the extraordinary circumstances experienced this season is feasible.

Roll-over of quota: The rolling over of unused quota from one fishing period to the next is not encouraged in a fishery that has an annual stock assessment based on real-time data reporting.

TOPICS FOR CONSIDERATION – INCREASED ROLLOVER OF 2020 QUOTAS

Biological and stock assessment

Currently, harvests that are projected but not completely taken are factored into the following year's mortality or fishery limits through the stock assessment and population dynamics themselves. In that manner, leaving Pacific halibut "in the water" in 2020 would have an impact on the yield available for 2021. A planned increase in quota carried over from the previous year would therefore be double-counting the carryover. Mortality that is projected for 2020 and not caught is not a simple 1:1 addition to the assessment, due to natural mortality, Pacific halibut movement, and updating of the stock trend.

Additionally, the biological benefits from one sector leaving allocation unfished would not necessarily flow to just that sector in 2021. Beyond the impact of the unfished Pacific halibut as incorporated into the stock assessment, a more explicit "rollover" of Pacific halibut from the directed commercial fishery in 2020 into directed fishery allocations in 2021 could be expressed

by either harvesting at a greater intensity in 2021 (but leaving the catch sharing allocations intact) or through an allocation shift among sectors.

If the rollover constitutes a change in catch sharing allocations, this would be addressed domestically by the Contracting Party and may be recommended by the Council and implemented by NOAA Fisheries through rule-making. IPHC mortality projections associated with adopted limits would be adjusted accordingly. If the roll-over is to be addressed by an increase in overall fishing intensity in 2021, the IPHC would need to consider this during the 97th Annual Meeting (AM097) in January 2021. Regardless of the methods used to achieve a rollover, it is presumed that this issue would be addressed after the directed fishery season ends and during the normal process for setting annual Pacific halibut mortality or fishery limits, which would provide a better understanding of the full extent of any unharvested Pacific halibut.

Conclusion: Any fishery roll-over approach would not increase the overall yield in 2021 relative to the reference level of fishing intensity; all yield will already be included in the assessment and management procedure results. To accommodate any roll-over, impacts on sharing agreements would need to be carefully considered by Contracting Party agencies and harvest rate options would be reviewed by the IPHC as part of its yearly process.

IPHC Regulations

The IPHC Regulations do not currently allow for any rollover. The current 10% rollovers allowed domestically by each Contracting Party work because mortality estimates are traditionally within 10% of the mortality limit and therefore do not represent a violation. Increasing the rollover by more than 10% would likely result in some violations to IPHC Regulations should fishing patterns remain similar to what they have been.

Conclusion: Management measures may be adjusted to accommodate changes in fishing behaviour recognizing that IPHC Regulations with adopted fishery limits still apply.

SUMMARY

Any fishery yield not harvested in 2020 will be included in 2021 projections regardless of roll-over. Any changes to domestic catch sharing arrangements may be considered, including roll-over options recognizing mortality limits and the resulting level of fishing intensity will be set by the IPHC at the 97th Session of the IPHC Annual Meeting (AM097) in January 2021.