

M E M O R A N D U M

TO: Council, AP and SSC Members

FROM: Clarence G. Pautzke
Executive Director



DATE: April 4, 1988

SUBJECT: Halibut Management

ACTION REQUIRED

Information only.

BACKGROUND

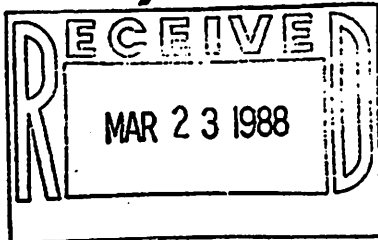
(a) Report on IPHC Annual Meeting

At its annual meeting January 25-28, 1988 in Sitka, the Halibut Commission adopted regulations for the 1988 season. Item C-7(a) is a copy of IPHC Information Bulletin No. 35 describing the management regime for this year. Item C-7(b) describes total landings and season length in the halibut fishery since 1979.

(b) Status of Council Regulations

On March 18, 1988 the National Marine Fisheries Service published in the Federal Register a Notice of Proposed Rulemaking [Item C-7(c)] for the halibut regulations the Council adopted at its December, 1987 meeting for Regulatory Areas 4C and 4E. The comment period ends April 14 and the regulations should be implemented by mid-May. The first opening in Area 4C is on June 20 and the first opening in Area 4E is on June 1.

Information Bulletin



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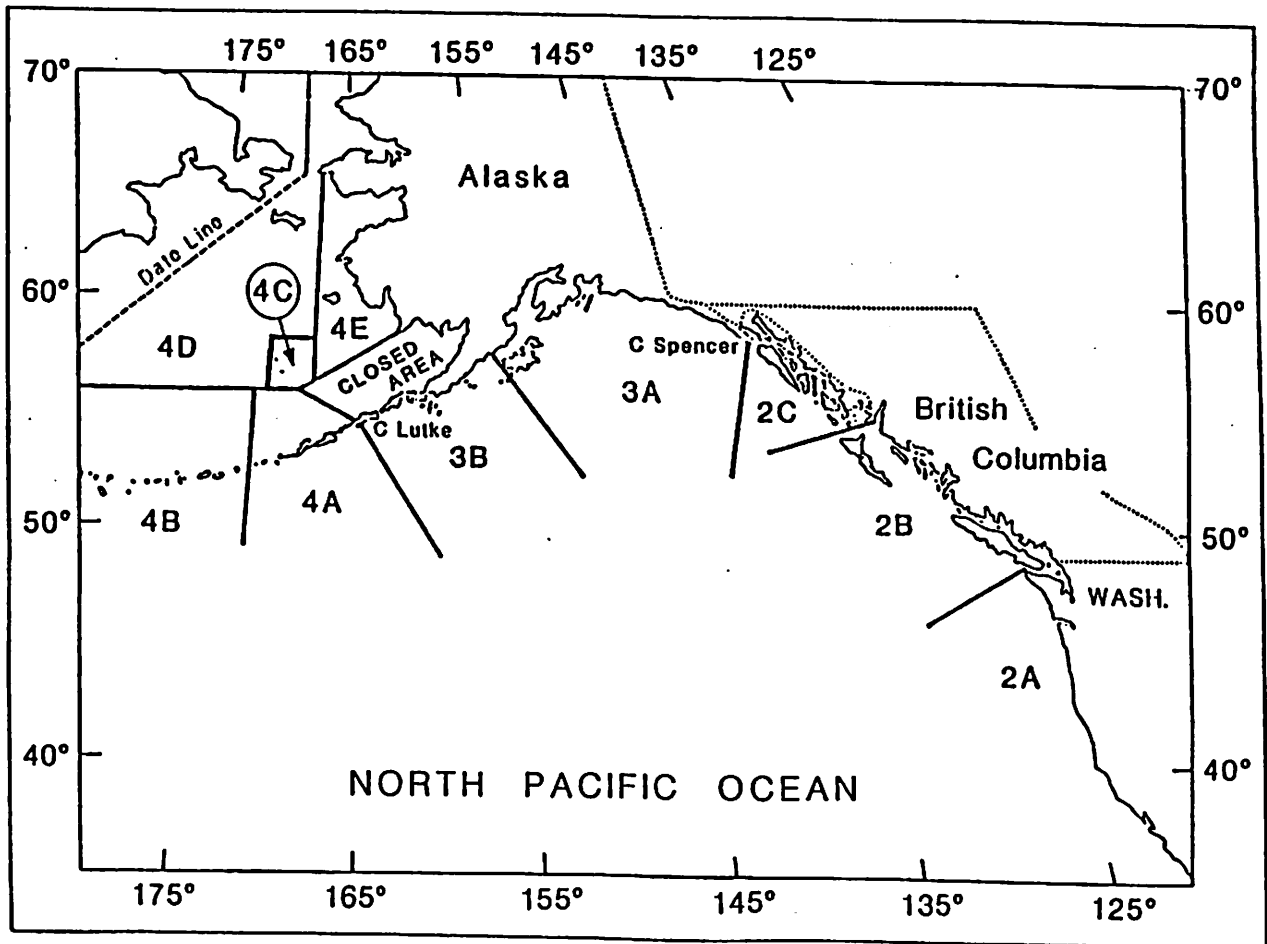
HALIBUT REGULATIONS FOR 1988

The International Pacific Halibut Commission (IPHC) has recommended the following regulations for the halibut fishery for 1988 to the governments of Canada and the United States.

This bulletin is intended for information purposes only and is not a substitute for the detailed regulation pamphlet which will be printed and distributed as soon as the regulations have been approved by both governments.

Regulatory Areas

Regulatory Areas for the 1988 fishery are shown in the figure below and are unchanged from 1987.



Catch Limits

The Commission recommends a catch limit (in millions of pounds) for each regulatory area as shown in the table below. The Commission regards these as upper limits of allowable catch and except in Area 2A, the limits apply only to the commercial fishery. Further, the Commission does not regard Areas 3A and 3B, or Areas 4A and 4B, as separate areas. The Area 3A-3B and Area 4A-4B fishing seasons will be closed if the respective combined catch limits are taken.

Area	Catch Limit	Area	Catch Limit	Area	Catch Limit
2A	0.75*	3A	36.0	4A	1.9
2B	12.5	3B	8.0	4B	2.0
2C	11.5			4C	0.7
				4D	0.7
				4E	0.1

*Allocated between treaty Indians and non-Indian commercial and sport fisheries.

Allocation Regulations

The Commission adopted catch sharing plans developed for Area 2A by the Pacific Fishery Management Council and for Areas 4C and 4E by the North Pacific Fishery Management Council (NEFMC). Area 2A will be managed to provide a maximum total allowable catch for all user groups of 750,000 pounds. It is projected that the treaty Indian commercial fishery will catch 100,000 pounds, the non-Indian commercial fishery will catch 330,000 pounds and the non-Indian sport fishery will catch 270,000 pounds. An additional 50,000 pounds will be held in reserve and could be made available to the treaty Indian fishery which has a fixed season from March 1 to October 31. Area 4C will have a fishing period limit (trip limit) of 10,000 pounds until 50% of the catch limit is taken, after which the limit will increase to 20,000 pounds. A fishing period limit of 6,000 pounds will apply in Area 4E throughout the season, and vessels needing a clearance at Dutch Harbor or Akutan will not be allowed into Area 4E until 80% of the catch limit is taken.

Fishing Seasons

The Commission recommends commercial halibut fishing seasons consisting of a succession of open and closed periods as shown in the following table, or until the respective catch limits are taken. Fishing periods in Area 2A and 2B will open and close at 12 noon Pacific Daylight Time. All other Areas will open and close at 12 noon Alaska Daylight Time.

The Commission adopted a policy of flexibility in establishing and modifying fishing periods within season and, specifically, the June fishing period in Areas 2B, 2C, 3A, 3B, 4A, and 4B may be eliminated to ensure fishing in August or September.

Vessels intending to fish during a halibut fishing season in any area, except Area 4C or 4E, may not have setting gear in the water during the 72-hour period immediately before the opening of that halibut fishing season.

Layup Period

The Commission decided to establish fishing period limits in 1988 only when necessary to prevent exceeding the catch limit in a regulatory area, and in Areas 4C and 4E where allocation regulations were approved by the NPM. During any season when fishing period limits are imposed, boats that fish will not be allowed to also serve as a tender. Any fishing period limit may vary with overall vessel length.

Fishing Period Limits

The Commission recommends again in 1988 that commercial vessels fishing in Area 4 be required to obtain a clearance and hold inspection at Dutch Harbor or Akutan, Alaska, not more than 5 days prior to the opening date for the area to be fished, and not more than 5 days after the area has closed. Clearances will be available between 0600 and 1800 hours local time. Vessels obtaining a clearance to fish in Area 4C or 4E will not be given a clearance to fish in any other area on the same trip.

Clearances

* Date to be announced by the Commission.

4A		4B		4C		4E	
5/23-5/24	9/16-*	5/23-5/24	9/16-*	5/18-9/19	8/05-8/06	6/20-6/21	8/03-8/04
6/28-6/21	9/07-9/08	6/28-6/21	9/07-9/08	6/19-8/20	8/07-8/08	6/24-6/25	8/01-8/02
9/07-9/08	8/04-8/07	9/07-9/08	8/04-8/07	6/18-8/19	8/06-8/07	6/26-6/27	7/30-7/31
8/05-8/06	9/16-*	8/05-8/06	9/16-*	6/17-8/18	8/05-8/06	6/28-6/29	7/28-7/29
5/23-5/24	9/07-9/08	5/23-5/24	9/07-9/08	6/16-8/17	8/04-8/05	6/26-6/27	7/26-7/27
6/28-6/21	8/04-8/07	6/28-6/21	8/04-8/07	6/15-8/16	8/03-8/04	6/24-6/25	7/24-7/25
9/07-9/08	9/16-*	9/07-9/08	9/16-*	6/14-8/15	8/02-8/03	6/22-6/23	7/22-7/23
8/05-8/06	9/07-9/08	8/05-8/06	9/07-9/08	6/13-8/14	8/01-8/02	6/20-6/21	7/20-7/21
5/23-5/24	9/16-*	5/23-5/24	9/16-*	6/12-8/13	8/00-8/01	6/18-8/19	7/18-7/19
6/28-6/21	8/04-8/07	6/28-6/21	8/04-8/07	6/11-8/12	8/00-8/01	6/16-8/17	7/16-7/17
9/07-9/08	9/16-*	9/07-9/08	9/16-*	6/10-8/11	8/00-8/01	6/14-8/15	7/14-7/15
8/05-8/06	9/07-9/08	8/05-8/06	9/07-9/08	6/09-8/10	8/00-8/01	6/12-8/13	7/12-7/13
5/23-5/24	9/16-*	5/23-5/24	9/16-*	6/08-8/09	8/00-8/01	6/10-8/11	7/10-7/11
6/28-6/21	8/04-8/07	6/28-6/21	8/04-8/07	6/07-8/08	8/00-8/01	6/08-8/09	7/08-7/09
9/07-9/08	9/16-*	9/07-9/08	9/16-*	6/06-8/07	8/00-8/01	6/06-8/07	7/06-7/07
8/05-8/06	9/07-9/08	8/05-8/06	9/07-9/08	6/05-8/06	8/00-8/01	6/04-8/05	7/04-7/05
5/23-5/24	9/16-*	5/23-5/24	9/16-*	6/04-8/05	8/00-8/01	6/02-8/03	7/02-7/03
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9/07-9/08	9/16-*	9/07-9/08	9/16-*	6/00-8/01	8/00-8/01	6/00-8/01	7/00-7/01
8/05-8/06							

Halibut Licenses

All commercial and sport charter boats must have 1988 licenses issued by IPHC on board at all times. Those 1987 license holders that reported halibut landings will receive license renewal forms. All others intending to fish in 1988 must submit a license application to the Commission in Seattle. Application forms are available at local government fisheries offices. Applications will not be accepted over the telephone in 1988, and application forms not completely filled out will be returned for any missing information.

Processor Requirements

No person shall buy or receive halibut from a vessel that does not have an IPHC halibut license on board.

Fish Tickets

The IPHC license number must appear on all fish tickets showing purchase and receipt of halibut. It is illegal to enter an IPHC license number on a State or Provincial fish ticket for any vessel other than the vessel actually used in catching the halibut being reported.

Log Records

Vessel log records must be retained on the vessel for five days after halibut are off-loaded.

Crucifiers

Acting on a recommendation from the fishing industry, the commissioners have decided that automated hook extractors, commonly known as "crucifiers", will continue to be banned from use in halibut fishing in 1988. This apparatus may not be on board vessels while engaged in fishing for halibut. The Commission's decision was based on concern for the treatment of halibut below the legal size limit. The Commission recognizes, however, that poor treatment of sublegal halibut is not restricted to vessels using automated hook extractors and encourages all fishermen to use care when releasing small fish.

Other Commercial Regulations

Other regulations, such as the size limit, gear restrictions and closed areas will be the same as in 1987.

Management Problems

There are at least two major problems within the halibut industry. The first is the deteriorating quality of scientific data. Some vessels no longer keep detailed records of their fishing activities and in some cases, may falsify their records when engaging in illegal or unethical activities. A second problem is increased wastage within the longline fishery as a result of (1) prospecting prior to the fishing season (2) lost or abandoned gear and (3) poor handling of sublegal fish. Both problems are serious and may force the Commission to reduce catch limits below potential harvest levels to ensure against over-exploitation of the resource. The Commission requests cooperation and assistance from the industry in solving these problems.

The Commission noted that illegal fishing off the United States was of particular conservation concern. The Commission recommends severe penalties for vessels fishing for halibut either before or after designated fishing periods. These penalties include suspension or forfeiture of halibut fishing licenses.

Sport Regulations

The Commission recommends that the possession limit in the recreational fishery in Alaska be increased to two daily bag limits to accommodate multiple-day fishing trips. The recreational fishery in British Columbia and Alaska will open on February 1 and close on December 31. There will be no size limit in the recreational fishery in any area during 1988. To accomplish the catch sharing plan for Area 2A, the following recreational seasons and bag limits were recommended:

Area	Season	Daily Bag Limit
North Washington Coast ¹	May 1 - June 30	2 Fish
Puget Sound ²	March 1 - June 15	1 Fish
South Washington Coast	April 1 - Sept. 30	2 Fish
Oregon Coast	April 1 - Sept. 30	2 Fish

¹ Dividing line between coastal areas is the Queets River.

² Dividing line between north coast and Puget Sound is the Bonilla-Tatoosh line.

BY THE SUB-PANEL CONVENED IN SITKA DURING THE 1988 ANNUAL MEETING,
RESULTS OF CONTINUED MEETINGS HELD BY THIS GROUP IN SEATTLE, FEB 3-5

RECOMMENDATIONS:

With the understanding that the following procedures are only to be used for those fishery openings which are 'clean up' (not more than 24 hours) where the catching capacity of the projected fleet exceeds the remaining area catch limit, and that the following procedures will apply to such fishing opportunities during the 1988 fishing season:

- 1) that a system be used which has fishing period limits assigned to various vessel classes,
- 2) that these vessel classes be based on the overall length of the vessel as defined in 46 CFR 69.05-3 Definition of terms.
 - (a) Overall length, breadth and depth. (1) For single hull vessels:
 - (i) "Overall length" means the horizontal distance between the foremost part of the stem and the aftermost part of the stern (excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments).
- 3) that these vessel classes be described as follows:

class	length
A	0 to 25 feet
B	26 to 30 feet
C	31 to 35 feet
D	36 to 40 feet
E	41 to 45 feet
F	46 to 50 feet
G	51 to 55 feet
H	56 feet and up

- 4) that the fishing period limits for each class be determined so that each class limit is in proportion to historic average catch data for that class (disregarding deliveries under 200 pounds)
- 5) that for the 1988 clean-up fisheries, average catch data from the first and second fishing periods in Area 3A during 1987 be used to determine the proportions for fishing period limits for each class
- 6) that the IPHC issue window stickers containing the letters 'IPHC', the year '88', and the letter indicating the vessels class designation
- 7) Record your vessel's length overall as defined in 46 CFR 69.05-3 on your 1988 IPHC license application. This length overall will determine which vessel class you are placed in for any clean-up opening during the 1988 season. DO NOT SEND US YOUR VESSEL'S REGISTERED LENGTH. WE WANT YOUR LENGTH OVERALL, ONLY. It shall be unlawful to make any false statement on any IPHC license application.

2/5/88

Aggregated file based on IPHC recorded length and 1987 catch data for Area 3A, rounds 1 and 2. All deliveries under 200 pounds are disregarded.

Length	Number	Sum	Average	Adjusters
1-25	289	368,299	1,274	0.013
26-30	201	455,140	2,264	0.024
31-35	431	1,874,475	4,349	0.046
36-40	392	2,612,864	6,665	0.070
41-45	194	1,712,352	8,827	0.093
46-50	188	3,515,998	18,702	0.196
51-55	50	1,069,900	21,398	0.224
>55	341	10,885,975	31,924	0.335

The adjusters in the far right column are based on the average catch experienced during 1987 and will be used during the 1988 clean-up fishery ONLY. Adjusters for future fishing periods will be determined from up-to-date catch data and in consultation with the Industry Conference Board. Fishing period limits during 1988 will be in direct proportion to the adjusters shown in the far right column for each class.

TABLE 1

North Pacific Halibut Catch
1979-1987
U.S. & Canada

<u>Millions of lbs</u>	
1979	22.5
1980	21.8
1981	25.7
1982	29.0
1983	38.3
1984	44.9
1985	56.1
1986	69.6
1987	69.4

1988 Quota - U.S. & Canada
(millions of lbs)

74.15

TABLE 2

Length of Halibut Season 1979-1987 in
IPHC Areas 2C (Southeast Alaska) and 3A
(Central & Eastern Gulf of Alaska)

	<u>Area 2C</u> (Days)	<u>Area 3A</u> (Days)
1979	23	32
1980	10	20
1981	7	13
1982	5	11
1983	5	7
1984	3	5
1985	4	5
1986	3.5	4
1987	3	3

SOURCE: International Pacific Halibut Commission

restriction of 8.6 kilometers (5.3 miles) southwest to avoid a short-spacing to unoccupied and unapplied for Channel 229A at Wrightsville Beach, North Carolina, and to Station WZKB, Channel 232A, Wallace, North Carolina.

DATES: Comments must be filed on or before April 29, 1988, and reply comments on or before May 16, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Mark J. Prak, Esq., Tharrington, Smith & Hargrove, P.O. Box 1151, 209 Fayetteville Street Mall, Raleigh, North Carolina 27602 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88-78, adopted February 11, 1988, and released March 8, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration of court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Mark N. Lipp.

Chief, Allotments Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-5958 Filed 3-17-88; 8:45 am]

CALLING CODE 6712-01-N

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 301

[Docket No. 80111-80111]

Pacific Halibut Fisheries

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule and request for comments.

SUMMARY: NOAA issues a proposed rule to implement certain allocative regulations governing fishing for halibut in the Bering Sea as recommended by the North Pacific Fishery Management Council (Council). The primary purpose and intended effect of this action is to provide economic protection for the developing Pacific halibut fisheries carried out by persons who land their total annual catch of Pacific halibut at ports within Regulatory Areas 4C and 4E. Such persons generally are those who live on the Pribilof Islands and in communities on the west coast of Alaska including Nelson and Nunivak Islands.

DATES: Comments on the proposed rule and its supporting documents, especially the environmental assessment and regulatory impact review/initial regulatory flexibility analysis (EA/RIR/IRFA), are invited until April 14, 1988.

ADDRESSES: Send comments to Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668. Copies of the EA/RIR/IRFA may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510, (telephone 907-271-2809).

FOR FURTHER INFORMATION CONTACT: Jay J.C. Ginter (Fishery Management Biologist, NMFS), 907-588-7229.

SUPPLEMENTARY INFORMATION: The fishery for Pacific halibut (*Hippoglossus stenolepis*) off the coasts of Alaska, British Columbia, Washington, Oregon, and California is governed by the Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and the Bering Sea (Convention) signed by the United States and Canada in 1953. The Convention is carried out by the International Pacific Halibut Commission (IPHC). In 1977, the Secretary of State, in cooperation with the Secretary of Commerce (Secretary), determined that the Convention was inconsistent with the purposes and policies of the Magnuson Fishery Conservation and Management Act

(Magnuson Act, Pub. L. 94-265). Consequently, the United States and Canada amended the Convention in 1979. The Northern Pacific Halibut Act of 1982 (Halibut Act, Pub. L. 97-176) was subsequently enacted to give effect to the 1979 Protocol.

Until 1987, all regulations governing the Pacific halibut fishery in the waters off Alaska were adopted by the IPHC and, for United States fishermen, recommended to the Secretary of State for approval and published at 50 CFR Part 301. However, section 5(c) of the Halibut Act provides for the appropriate Regional Fishery Management Council under the Magnuson Act to develop regulations, including limited access regulations, governing the U.S. portion of Convention waters and applicable to nationals or vessels of the United States, which are in addition to, and not in conflict with, regulations adopted by the IPHC.

In 1987, this provision was interpreted by NOAA to mean that regulations having domestic allocation of the Pacific halibut resource as their primary purpose will be developed by the Council with respect to Alaska and by the Pacific Fishery Management Council with respect to Washington, Oregon, and California.

To determine the need for domestic allocation of Pacific halibut, the Council solicited regulatory proposals from the general public, other agencies, and staff between August 15 and September 15, 1987. The Council received 73 proposals, which were reviewed and evaluated by the Council's Halibut Management Team (MT) and the Halibut Regulatory Amendment Advisory Group (RAAG). At its meeting on September 23-25, 1987, the Council reviewed the recommendations of the MT and RAAG and decided to consider only those allocative regulations adopted in 1987 by the IPHC for Regulatory Areas 4C and 4E. The previous allocative regulations at 50 CFR Part 301 are, therefore, proposed to be repromulgated (republished) with changes for 1988 through the Council process.

The MT prepared a draft EA/RIR/IRFA that assesses the potential environmental and economic effects of all regulatory alternatives considered by the Council in September 1987 as required by the National Environmental Policy Act, Regulatory Flexibility Act Executive Order 12291, and NOAA policy. A notice of availability of this document was published in the Federal Register on October 28, 1987 (52 FR 41485).

At its December 8-11, 1987, meeting, the Council considered public testimony

and the recommendations of its Advisory Panel and Scientific and Statistical Committee. The Council then voted to adopt preferred alternatives and solicit public comment on the proposed rule. The MT has revised the EA/RIR/IRFA accordingly (revised draft dated January 1988).

A description of and the reasons for the regulatory proposals that would be implemented by this action follow.

1. In § 301.5, a revised paragraph would be added that would prohibit fishermen that do not land all of their catch in Area 4E or the closed area from fishing in Area 4E until 80 percent of the Area 4E quota has been taken.

2. In § 301.9, the maximum catch per fishing period for Regulatory Area 4C would remain 10,000 pounds but would change to 20,000 pounds when 50 percent of the catch limit specified in § 301.8(a) was taken. In addition, a new maximum catch per fishing period for Regulatory Area 4E of 6,000 pounds would be specified.

3. The entire § 301.12 relating to vessel clearance and hold inspections, and § 301.15(h), which relieves a restriction on fishing with setline gear within 72 hours of a fishing period for persons who fish in Areas 4C and 4E would be repromulgated (republished) without change.

The principal reason for this action, and the specified objective of the Council, is to maintain the allocative effects of the previous IPHC regulations for both regulatory areas. Certain changes to the existing regulatory language are proposed, however. In § 301.5, a new paragraph is proposed that prescribes a time when persons who do not land their total annual catch of Pacific halibut within Regulatory Area 4E may begin fishing. This additional provision is designed to assure the allocative *status quo* for Area 4E. In § 301.9, a change in the catch limit per fishing period in Regulatory Area 4C also is proposed to further assure and support the distribution of the total catch limit for that area according to the distribution of catch experienced in 1987. The additional proposed catch limit of 6,000 pounds per fishing period in Regulatory Area 4E will serve to further protect fishermen who land their total annual catch of Pacific halibut in that area from competition with large vessels used by fishermen who land their halibut catch in other areas. This is particularly important during periods of poor weather that prevent the small vessels used by "4E fishermen" from fishing, but not the larger "non-4E" vessels.

Classification

This proposed rule is published under section 5(c) of the Halibut Act and may only be implemented with the approval of the Secretary. At this time the Secretary has not determined that this proposed rule is consistent with the Halibut Act and other applicable law. The Secretary, in making that determination, will take into account the data, views, and comments received during the comment period.

The Council prepared an environmental assessment in combination with a regulatory impact review and initial regulatory flexibility analysis for this regulatory amendment. A copy of the EA/RIR/IRFA may be obtained from the Council at the address above and comments on it are requested.

The Assistant Secretary, NOAA, determined that this proposed rule is not a "major rule" requiring a regulatory impact analysis under Executive Order 12291. This determination is based on the EA/RIR/IRFA. Based on the same document, the Assistant Secretary also concluded that this proposed rule, if adopted, may have significant effects on small entities. The economic impact of the proposed actions is a shift of potential income to local fishermen from non-local fishermen who choose to fish in Regulatory Areas 4C and 4E. The allocation protects local fishermen with fewer economic alternatives, who operate small vessels limited by severe weather conditions and have less access to markets. Non-local fishermen are expected to catch a smaller proportion of the halibut quotas for the two areas than without the proposed allocation; however, these fishermen may fish in other areas not subject to the allocation measures, use larger vessels that can be operated in a variety of weather conditions, and have more ready access to markets.

This rule contains no collection-of-information requirement subject to the Paperwork Reduction Act.

The Council determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal management program of Alaska. This determination has been submitted for review by the responsible State agencies under section 307 of the Coastal Zone Management Act.

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under Executive Order 12612.

List of Subjects in 50 CFR Part 301

Fisheries, Treaties, Reporting and recordkeeping requirements.

Dated: March 14, 1988.

James E. Douglas, Jr.,
Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR Part 301 is proposed to be amended as follows:

PART 301—[AMENDED]

1. The authority citation for Part 301 continues to read as follows:

Authority: 5 U.S.T. 5; T.I.A.S. 2909; 16 U.S.C. 773-773k.

2. Section 301.5 is amended by revising paragraph (f) to read as follows:

§ 301.5 Fishing periods.

(f) No person other than a person who lands his total annual halibut catch at a port within Area 4E, or within the closed area defined in § 301.7 of this part, may fish for halibut in Area 4E from any vessel until 80 percent of the catch limit for Area 4E specified in § 301.8(a) of this part has been taken.

3. Section 301.9 is revised to read as follows:

§ 301.9 Trip limits.

(a) Vessels fishing in Area 4C shall be limited to a maximum catch of 10,000 pounds of halibut per fishing period until 50 percent of the catch limit for Area 4C specified in § 301.8(a) of this part has been taken, and thereafter shall be limited to a maximum catch of 20,000 pounds of halibut per fishing period.

(b) Vessels fishing in Area 4E shall be limited to a maximum catch of 6,000 pounds of halibut per fishing period.

4. Section 301.12 is repromulgated (republished) without change as follows:

§ 301.12 Vessel clearance and hold inspection.

(a) No person other than a person who lands his total annual halibut catch at ports within Areas 4A, 4B, 4C, 4D, 4E, or the closed area defined in § 301.7 of this part shall fish for halibut in Areas 4A, 4B, or 4D from any vessel, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing and before the unloading of any halibut caught in Areas 4A, 4B, or 4D.

(b) No person other than a person who lands his total annual halibut catch at a port within Area 4C may fish for halibut in Area 4C from any vessel, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing in each fishing

period that applies to Area 4C and before the unloading of any halibut caught in that Area.

(c) No person other than a person who lands his total annual halibut catch at a port within Area 4E, or the closed area defined in § 301.7 of this part may fish for halibut in Area 4E from any vessel, unless the operator of that vessel obtains a vessel clearance and hold inspection both before such fishing in each fishing period that applies to Area 4E and before the unloading of any halibut caught in that Area.

(d) The vessel clearance and hold inspection required under paragraphs (a), (b), and (c) of this section may be obtained only at Dutch Harbor or Akutan, Alaska, from a customs or fishery officer of the United States or a representative of the Commission.

(e) Vessel clearances and hold inspections required under paragraphs (a), (b), and (c) of this section prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0600 and 1800 hours, local time.

(f) No halibut shall be on board at the time of inspection required by paragraph (e) of this section.

(g) Vessel clearances and hold inspections required under paragraphs (a), (b), and (c) of this section after fishing in Area 4 shall be obtained within the 120-hour period after each of the openings in that Area, between 0600 and 1800 hours, local time.

(h) The vessel clearance and hold inspection required under paragraphs (b) and (c) of this section are not valid if the vessel has fished for halibut in

Areas 4A, 4B, or 4D after obtaining the clearance and inspection required for such fishing.

5. In § 301.15, paragraph (h) is repromulgated (republished) without change.

§ 301.15 Fishing gear.

(h) Notwithstanding paragraphs (f) and (g) of this section, the 72-hour fishing restriction preceding a halibut fishing period shall not apply to persons and vessels fishing for halibut during fishing periods in Areas 4C and 4E as described in § 301.4 (h) and (j) of this part.

[FR Doc. 88-5937 Filed 3-15-88; 11:07 am]

BILLING CODE 3510-22-M



Booth Fisheries Corporation
Western Division
814 Sixth Avenue South
Seattle, WA 98134-1304
(206) 623-1011

April 12, 1988

Mr. John Rowley
Fish Works!
Fishermen's Terminal
C-10 Building
Seattle, WA 98119

Dear John:

I am writing to you as a member of the North Pacific Fishery Management Council Advisory Panel. My concern is about the present method of regulating halibut fishing.

The present regulations result in periods throughout the season when no fresh halibut is available. Even more importantly, significant quantities of poor quality fresh and frozen halibut are produced by the existing regulations.

Booth Fisheries is the largest distributor of fresh and frozen seafood in the United States, serving both retail supermarkets and foodservice tablecloth restaurants. I am writing, not only on behalf of Booth Fisheries, but also on behalf of our extensive customer base, most of whom have expressed serious misgivings about the quality of fresh and frozen halibut that is available. Our customers are also concerned about the unevenness in the supply of fresh halibut during the summer season.

Please contact me if you have any questions about our position in this matter.

Sincerely,

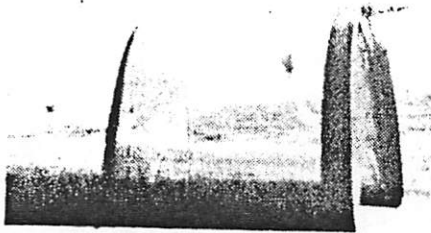
Thomas Hoffman
Vice President
Distributor Operations
Western Division

TH/jh

Alaska Fisherman

WATERFRONT NEWS BEAT

- June 1987



One-Day Halibut Fishery Nets 17.2 Million Lbs.

Longliners fishing the Gulf of Alaska and Southeast waters during the May 4-5 halibut opening landed a total of 17.2 million pounds, according to preliminary reports from the International Pacific Halibut Commission.

Harsh weather just prior to the opening in Area 2C (Southeast) kept many vessels inside and resulted in a catch of only 3.2 million pounds for the 24-hour fishery. With 8.3 million pounds left on the quota, the Commission had the option to open the area for 24 hours of fishing in both June and September, but decided instead to schedule a single 48-hour opening for June. According to an IPHC press release, managers were concerned that Area 3A might be closed by September, and the influx of boats would push the fall Southeast fishery over quota.

Fishing remained red hot in area 3B where longliners boated 12.7 million pounds of the 31-million-pound limit. IPHC assistant director Steve Hoag said it would have made things easier for the Commission if fishermen had taken less. The concentration of fishing power in 3B is making the fishery difficult to manage.

As it stands, Hoag said, there is great potential for the fleet to take 15 or 16 million pounds the second opener. With a total of 28 million pounds in two openings, he said, "no way would we open it [for a third]." If the total after two openings comes in at 25 million pounds, he's not sure what the Commission will do about further openings for Area 3B, since it ruled out the possibility of 12-hour fisheries this year. With most of the fleet concentrated in 3B, fishermen in 3A took only 1.3 million pounds of their 9.5-million-pound limit.

The IPHC has expressed concern about wastage from gear left on the grounds in recent years. Extensive interview this year at the docks revealed a gear loss of roughly 6 percent, according to Hoag's preliminary figures. That amounts to about a million pounds of halibut wasted during the first opener, he said.

The Commission wants to remind fishermen headed for Area 4 that hold inspections and vessel clearances must be obtained from ADF&G (telephone 582-1239) in Dutch Harbor. From August 8-25 only, inspections and clearances can also be obtained from state or federal officials in Akutan. Due to limited facilities and personnel, fishermen should be prepared for delays. □

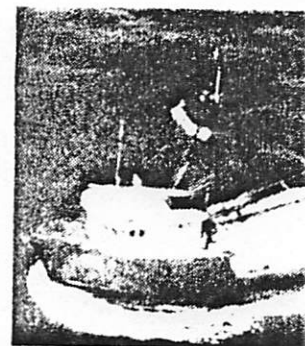
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On Friday May
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Kodiak Conter Crew

Jon Rowley

Properly handled halibut can be worth the price

The first of this season's halibut is coming into the market now, and though it's not inexpensive, it can be a "best buy" if it's been properly handled.

Pike Place Market fishmongers have fresh halibut steaks at \$3.49 to \$3.79 a pound. QFC is advertising halibut steaks at \$1.99.

Other seafood at the Market includes geoduck at \$1.89 a pound; tiny steamer clams at \$1.29 a pound; fresh, whole king salmon

BEST BUYS

at \$5.29 to \$5.39 a pound and Norwegian kings at \$5.99 a pound; fresh whole snapper at \$1.89 a pound; local mussels at \$1.29 a pound; Alaska crab at \$3.69 a pound; squid at \$1.99 a pound; and live crayfish at \$3.99 a pound.

There are all manner of steaks, ranging from swordfish at \$8.49 a

pound to monkfish at \$3.99.

In supermarket meat departments, look for frozen game hens at 79 cents a pound at both Safeway and QFC. Safeway has beef sirloin tip roast at \$1.89 a pound. QFC has corned beef briskets at \$1.39 a pound.

Tradewell is advertising pork rib chops at \$1.39 a pound, large packs of Washington-grown fryer legs at 69 cents a pound and cooked boneless hams for \$1.39 a

pound. Lucky has ground beef at 69 cents a pound and spareribs at \$1.39 a pound.

With the warming weather, produce departments are blossoming. Tradewell has strawberries at 98 cents a dry quart, corn on the cob from Florida at four ears for \$1 and locally grown rhubarb at 59 cents a pound.

Safeway is offering strawberries at 59 cents a pint, Yakima asparagus at 69 cents a pound,

romaine lettuce at 49 cents a pound and local cauliflower at 59 cents a pound.

Lucky has cucumbers at 25 cents each, mushrooms at 98 cents a pound and large avocados at 39 cents each.

QFC's best buys are head lettuce at 39 cents a pound, salad tomatoes at 49 cents a pound, radishes and green onions at four bunches for \$1 and local rhubarb at 49 cents a pound.

At the Market, broccoli is 39 cents a pound, small California zucchini is 49 cents a pound, fava beans are 99 cents a pound, green beans are 2 pounds for \$1, and sugar peas are \$1.50 a pound.

Market dealers report some weather problems in Yakima which may interrupt asparagus supply — both Yakima and California asparagus are running at \$1.19 a pound.

1985 →
1984 →
Production?

When the first fresh halibut is available each year, the frozen halibut remaining in cold storage from the previous season is often "dumped" on the market causing a very confusing price situation for consumers.

John Rowley

What about those halibut? One trader who said earlier that it was up to Lenten sales to clear out the freezers noted, "Lent was a bust." With 9 million pounds still on ice (compared to 2 million a year ago) and the wholesale price dropping steadily (large down from \$2.60 in January to \$2.35 in March), nobody's interested in buying more than they can use right now, he said. Quantity purchases don't make sense in a declining market, he noted in late March, and it looks like "drop city for the next month."

Alaska Fisherman's Journal

April '87