



Change to charter management measures (IPHC Regulatory Areas 2C and 3A)

PREPARED BY: IPHC SECRETARIAT (13 MAY 2020)

PURPOSE

To outline considerations relating to the proposal(s) for changes to charter management measures for IPHC Regulatory Areas 2C and 3A at the upcoming North Pacific Fisheries Management Council meeting, 15 May 2020.

[NPFMC Agenda item B2](#): “This proposal requests amendment to the established 2020 charter halibut management measures for 2020 in Areas 2C and 3A, and also the establishment of a mechanism to rollover any unfished allocation from the 2020 season into 2021.”

	Current management measures	Proposed management measure changes <i>To be put in place when travel restrictions are lifted</i>
Area 2C	<ul style="list-style-type: none"> One-fish daily bag limit with a reverse slot limit; halibut that is 40 inches or less or 80 inches or more (U40/O80) 	<ul style="list-style-type: none"> One-fish daily bag limit with a reverse slot limit; halibut that is either 45 inches or less or 80 inches or more (U45/O80)

	Current management measures	Proposed management measure changes <i>To be put in place until travel restrictions are lifted</i>
Area 3A	<ul style="list-style-type: none"> A two-fish bag limit, one fish of any size, and one fish with a 26-inch size limit An annual limit of four fish Prohibition on halibut retention by charter vessel anglers on all Tuesdays and all Wednesdays 	<ul style="list-style-type: none"> A two-fish bag limit, with no size restrictions on either halibut No annual limit Retention of halibut is allowed on all days of the week

The second request pertains to charter harvest in 2021, and requests a mechanism be established to roll over any unused 2020 charter allocation in Area 2C and 3A to supplement 2021 catch limits. At the 2020 International Pacific Halibut Commission (IPHC) meeting, the IPHC recommended the combined catch limit for the commercial and charter halibut fisheries to be 4,260,000 lb for Area 2C and 9,050,000 lb for Area 3A. Applying the Catch Sharing Plan (CSP) allocations in Tables 1 through 4 of the subpart E of 50 CFR part 300, the charter fishery was allocated 780,000 lb for Area 2C and 1,710,000 lb for Area 3A. This proposal requests that the difference between these 2020 allocations and the estimated realized yield from the charter halibut fishery in 2020 be made available for the 2021 season.

TOPICS FOR CONSIDERATION

Mortality accounting

The IPHC’s annual stock assessment is conducted annually in early November, based on the data collected in that year and the estimated mortality that occurred (including projections through the end of the calendar year). Mortality estimates are compared to mortality limits set by the Commission at its annual meeting; changes in management measures should ensure the previously set mortality limits are not exceeded.

Conclusion: Management measures can be adjusted to accommodate changes in fishing behaviour recognizing that adopted fishery limits still apply. However, roll-over of allocation from one fishing period to the next is not encouraged.

IPHC 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 change in management measures, the IPHC would need to coordinate with domestic agency regulatory processes, which takes time and would likely not be responsive enough to match the timelines proposed, particularly for IPHC Regulatory Area 3A. An expedited process from the IPHC is 24 hours. Advice from Canada and the U.S.A. is required regarding their Fishery Regulation amendment process for which the IPHC Secretariat is not an expert.

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 annual 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 roll-over. 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 recreational charter allocation for these Regulatory Areas in 2020 into recreational charter allocations in 2021 could be expressed by either harvesting at a greater intensity in 2021 (but leaving the catch sharing allocation 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 rollover is to be addressed by an increase in overall fishing intensity in 2021, the IPHC would need to consider this during our annual meeting. Regardless of the methods used to achieve a rollover, it is presumed that this

IPHC-2020-B2

issue would be addressed after the recreational charter 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 annual process.

SUMMARY

Fishery Regulation amendments: The IPHC is able to modify and publish minor revisions to its Fishery Regulations within 24 hours. However, they do not take effect until Contracting Parties ratify and publish the new regulations.

Roll-Over: Any fishery yield not harvested in 2020 will be included in 2021 stock assessment projections regardless of a roll-over. Changes to recreational charter management measures in IPHC Regulatory Areas 2C and 3A are a Contracting Party concern, with the IPHC Regulations currently providing a responsive vehicle for application and adherence to domestic catch sharing arrangements. Mortality limits would remain unchanged and still apply. 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. The IPHC is generally not in favour of rolling over unused quote from one fishing period to the next.