



26 June 2017

IPHC CIRCULAR 2017-011

Dear Commissioners,

SUBJECT: REGULATORY PROPOSAL SUBMISSION AND REVIEW PROCESS 2017/18

In accordance with Rules 8.5 and 8.6 of the International Pacific Halibut Commission's (IPHC) Rules of Procedure (2017), the IPHC Secretariat have collated the following dates for stakeholder information purposes, when developing and submitting new, or amending existing, IPHC Regulations. It is our intention to publish the following details in several IPHC News Releases, thus ensuring we reach as many stakeholders as possible. Your feedback on the below process would be appreciated at your earliest convenience.

To improve transparency, we have indicted the process by which each proposal shall be considered. This Regulatory Proposal submission and review process also applies to catch limit proposals, which are in themselves, Regulatory Proposals and shall henceforth be referred to as Regulatory Proposals.

Please note that only formal submissions for new Regulations or amendments to existing Regulations should adhere to the process detailed below. Informal Statements by stakeholders should be submitted as an email to the following address, which will then be provided to the Commissioners as *Stakeholder Statements*: Statements@iphc.int at each Session.

IPHC Regulation proposal submission and review process:

IPHC INTERIM MEETING: 93rd Session of the IPHC Interim Meeting (IM093: 28-29 November 2017). **Regulatory proposal deadline:** 29 October 2017

Step 1: Submit your draft IPHC Regulatory proposal using the template available from the IPHC Interim Meeting website (in ms-word and pdf formats), and provided at Appendix I, to the IPHC Secretariat: Regproposal@iphc.int, **no later than 29 October 2017**. Proposals received after this deadline will not be considered at the Interim Meeting.

Step 2: The proposal shall be numbered and published to the IPHC Interim Meeting webpage, within 24 hours, by the IPHC Secretariat.

Step 3: The IPHC Secretariat shall review the proposal and develop an accompanying *Implementation Note*, detailing how the proposal could be implemented, as well as any complications. This may or may not include specific regulatory text additions or amendments.

Step 4: The Commission shall review the proposal in tandem with the *Implementation Note* at the Interim Meeting and provide an indication of whether additional information is required from the proposal author and/or the IPHC Secretariat, for further consideration at the upcoming Annual Meeting.

Step 5: The IPHC Secretariat shall contact each proposal author and indicate if the Commission has requested additional information.

IPHC ANNUAL MEETING: 94th Session of the IPHC Interim Meeting (AM094: 22-26 January 2018). **Regulatory proposal deadline:** 23 December 2017

Step 1:

- a) **Proposal considered at the Interim Meeting:** Any proposal considered at the Interim Meeting will automatically be considered at the Annual Meeting, either in its original form or as a revised proposal. The IPHC Secretariat will modify its *Implementation Note* based on any further amendments of the proposal made by the author. ‘OR’
- b) **Proposal not considered at the Interim Meeting:** Submit your draft IPHC Regulatory proposal using the template available from the IPHC Annual Meeting website (in ms-word and pdf formats), and provided at Appendix I, to the IPHC Secretariat: Regproposal@iphc.int, **no later than 23 December 2017**. Proposals received after this deadline will automatically be deferred until the next Interim Meeting (IM094 in November 2018).

Step 2: The proposal shall be numbered and published to the IPHC Annual Meeting webpage, within 24 hours, by the IPHC Secretariat.

Step 3: The IPHC Secretariat shall review the proposal and develop an accompanying *Implementation Note*, detailing how the proposal could be implemented, as well as any complications. This may or may not include specific regulatory text additions or amendments.

Step 4: The Commission shall review the proposal in tandem with the *Implementation Note* at the Annual Meeting.

NOTE: Although it is not mandatory to submit draft regulatory proposals to the IPHC Interim Meeting, it is highly encouraged as it will provide the Commissioners and IPHC Secretariat staff additional time to seek clarification if necessary.

IPHC Rules of Procedure (2017)

Regulatory Proposals

8.5 *New regulatory proposals or amendments to existing regulations (including catch limit proposals) shall be submitted to the Executive Director no less than 30 days before the date fixed for the opening of the Session at which they are to be considered. The Executive Director shall make the proposals available on the public access area of the IPHC website no later than one (1) business day after receipt.*

8.6 *The Executive Director shall not accept any new Regulatory Proposals or amendments to existing Regulations if received after the deadline stated in [Rule 8.5](#). Regulatory Proposals received later than 30 days in advance of the Session shall be deemed as Information Papers only.*

Yours sincerely

David T. Wilson, Ph.D.

Executive Director, IPhC

Attachments:

Attachment I: DRAFT: IPhC-2017/18 Regulation Proposal TEMPLATE



REGULATORY PROPOSAL 2018: TITLE TITLE TITLE TITLE**SUBMITTED BY: SPONSOR NAME, AFFILIATION, COUNTRY (DD MMMM 2017)**

Explanatory Memorandum

A description, including relevant background, on why this particular proposal is being brought to the table for the Commission's consideration.

- If it aims to revise an existing IPHC Regulation, then highlight the key changes and justify each.
- Indicated which IPHC Regulatory Areas may be affected.
- Provide a description of which sectors you expect this proposal will affect (positive and negative).
- Indicate which, if any, section of the IPHC Regulations would require modification.
- If possible, provide your suggestions for new or revised IPHC Regulation text, in the manner of the example below.

Section XX: Title title

Place current IPHC Regulation text here (email us for the original if required: Regproposal@iphc.int), then use tracked changes to indicate proposed modifications. For example, here is a proposed modification to the Fishing Periods (season dates), Section 8 of IPHC Regulations, to commence on 1st April and close on 1st November:

8. Fishing Periods

- (1) The fishing periods for each regulatory area apply where the catch limits specified in section 11 have not been taken.
- (2) Each fishing period in the Area 2A directed commercial fishery² shall begin at 0800 hours and terminate at 1800 hours local time on 28 June, 12 July, 26 July, 9 August, 23 August, 6 September, and 20 September, unless the Commission specifies otherwise.
- (3) Notwithstanding paragraph (7) of section 11, an incidental catch fishery³ is authorized during the sablefish seasons in Area 2A in accordance with regulations promulgated by NMFS. This fishery will occur between 1200 hours local time on ~~11-01 April~~March and 1200 hours local time on ~~7-01~~November.
- (4) Notwithstanding paragraph (2), and paragraph (7) of section 11, an incidental catch fishery is authorized during salmon troll seasons in Area 2A in accordance with regulations promulgated by NMFS. This fishery will occur between 1200 hours local time on ~~11-01 April~~March and 1200 hours local time on ~~7-01~~November.
- (5) The fishing period in Areas 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin at 1200 hours local time on ~~11-March~~01 April and terminate at 1200 hours local time on ~~017-~~November, unless the Commission specifies otherwise.
- (6) All commercial fishing for halibut in Areas 2A, 2B, 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours local time on ~~017-~~November.

² The directed fishery is restricted to waters that are south of Point Chehalis, Washington, (46°53.30' N. latitude) under regulations promulgated by NMFS and published in the Federal Register.

³ The incidental fishery during the directed, fixed gear sablefish season is restricted to waters that are north of Point Chehalis, Washington, (46°53.30' N. latitude) under regulations promulgated by NMFS at 50 CFR 300.63. Landing restrictions for halibut retention in the fixed gear sablefish fishery can be found at 50 CFR 660.231.