

INTERNATIONAL PACIFIC HALIBUT COMMISSION
CONFERENCE BOARD MINUTES
OF THE
SEVENTY-SECOND ANNUAL MEETING
Bellevue, Washington
January 22-25, 1996

IPHC CONFERENCE BOARD MEETING

January 22 - 25, 1996

AGENDA

- I Election of officers
- II Accreditation of Conference Board members
- III Selection of committee to draft by-laws for Conference Board
- IV Area changes
- V Opening and closing dates for the commercial fishery
- VI AI sablefish IFQ winter fishery
- VII Opening and closures for Area 2A
- VIII Return to quota of 1995 shortages
- IX Quotas by area recommendations
- X Review of U.S. IFQ program by Steve Meyer of NMFS Enforcement
- XI Industry proposals for 1996
- XII Staff proposals for 1996
- XIII Bycatch statement from the U.S. and Canada Conference Board

**INTERNATIONAL PACIFIC HALIBUT COMMISSION
CONFERENCE BOARD MINUTES**

of the

**SEVENTY-SECOND ANNUAL MEETING
Bellevue, Washington**

John Secord, Canadian
Robert Alverson, U.S. Chairman
John Bruce, Vice Chairman

ORGANIZATIONS PRESENT

CANADA

Annieville Halibut Association
Fishing Vessel Owners Association of BC
Native Brotherhood of BC
North Pacific Halibut Fisherman's Association
Northern Native Fishing Corporation
Pacific Coast Fishing Vessels Owners Guild
Pacific Longline Fisherman's Association
Pacific Trollers Association
Pacific Coast Blackcod Association
Sport Fishing Advisory Board
Sport Fishing Advisory Board - Charter Section
United Fishermen and Allied Workers Union

UNITED STATES

Alaska Trollers Association
Alaska Longline Fishermen's Association
Atka Fishermen's Association
Bristol Bay Economic Development Corporation
Coastal Villages Fishing Cooperative
Deep Creek Charter Boat Association
Homer Charter Association
Kachemak Bay Fisheries Association
Kake Tribal Corporation
Ketchikan Trollers Committee
Kodiak Vessel Owners Association
North Pacific Fishing Association
Norton Sound Economic Development Corp
Oregon Coast Charter Boat Association
Pacific Fixed Gear Association
Petersburg Charter Boat Association
Petersburg Vessel Owners
Recreational Fishing Coalition
Seafood Producers Coop
Seattle Deep Sea Fishermen's Union
Seattle Fishing Vessel Owners Association
Sitka Charter Boat Association
St. George Fishermen's Association
St. Paul Fishermen's Association
Valdez Charter Boat Association
Yukon Delta Fisheries Development Association
Washington State Charter Boat Association

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**REVIEW CONFERENCE BOARD VOTING ROSTER
AND APPROVE ANY NEW REPRESENTATIVES**

There were two new organizations that asked to be recognized. Paul Seaton on behalf of the Alaska Conservation Council asked to be recognized and was denied voting rights because he did not represent a harvester group. Gregg Fisk from Bristol Bay Economic Development Corporation was accepted as a voting member representing 12 fishermen with 36,000 pounds of halibut in Area 4E and 54,000 pounds of halibut in 4D. They had 52 fishermen that applied to fish for Bristol Bay Economic Corporation.

All present Conference Board members have been asked to resubmit a Conference Board Questionnaire (for Accreditation). This is an exercise to update information on current Conference Board participation.

A committee has been appointed to draft by-laws and establish a mission statement for the Conference Board. This committee will draft these by-laws in 1996 to be mailed or distributed to Conference Board members so the 1997 Conference Board meeting can be conducted with appropriate rules and regulations. The drafting committee includes from Canada, John Wilks and John Secord, and from the U.S., Bob Alverson and Erick Olsen.

The Conference Board would like to point out to the Commission that in 1995 we had 37 U.S. voting members compared to 27 this year. The number of Canadian members remained the same.

AREA CHANGES

The Conference Board has no recommendations for changes in regulatory areas.

OPENING AND CLOSING DATES

All Areas (with the exception of 2A)

The original motion was March 15 to November 15. Substitute motion was brought to the floor, which was March 1 to November 15. That substitute motion failed 23 to 2 with 6 abstentions and the original motion was voted on and passed by a vote of 18 in favor with 6 abstentions.

Rationale for this decision was based on migratory concerns from IPHC staff and processors not wanting deliveries during the holiday season after the 15th of November.

Area 2B

A motion was made and unanimously carried to adopt the same opening and closing dates as in 1995
- March 15 to November 15.

Area 2A

A group of Area 2A users met and recommended to the Conference Board a middle of July opening with 2,000 pound trip limits minimum for largest vessel class.

Fishermen felt that the vessel class designations for trip limits should remain the same as in 1995. This motion carried with 11 yes votes, no objections, and 12 abstentions.

Area 4 - Aleutian Islands Sablefish Winter Fishery

In September 1995 the North Pacific Council approved an extension for a year round Aleutian Island sablefish fishery. Additional provisions included 100% observer coverage and retention of halibut against quota share holdings. In October 1995 the Council requested that the IPHC consider allowing retention of halibut during the extended season.

Concerns of the Conference Board were:

- Changes in IPHC regulation mandating halibut retention during winter closure.
- Precedent setting for other local Canadian and U.S. groundfish fisheries.
- Unfair market advantage.
- Potential for increased participation due to the above concerns.

A motion was made to allow halibut retention. The Conference Board members felt there was a conflict between the NMFS regulations for the IFQ program requiring retention of halibut when QS is owned by harvesting vessel owners and the IPHC regulations prohibiting retention of halibut during winter closure, therefore the motion was withdrawn. However, to account for halibut bycatch mortality as required by the Council, the Conference Board felt that the observed discard mortality rate (12.5%) should be applied against QS holdings.

RETURN TO QUOTA OF 1995 SHORTAGES

In 1995 the IPHC set the total commercial halibut quota for Areas 2B, 2C, 3A, 3B, and 4 at 48.14 million pounds. This quota represented a reduction from 1994 harvest quotas of between 15 - 20%.

The total commercial catch for the 1995 season was 43.56 million pounds. This represents a shortfall of approximately 4.58 million pounds or 10% of the overall 1995 quota to not only the commercial harvest sector but also to the processing sector and the North American consumer. To the harvesters alone, this economic loss represents in excess of \$10,000,000 U.S. dollars.

A motion concerning Areas 2B, 2C, 3A, 3B, and 4 proposed that the Conference Board accept the IPHC recommendation that the 1996 commercial halibut quotas be set at the same levels as 1995 with the stipulation that 3,851,200 pounds of unharvested commercial quota remaining from the 1995 season be added to this quota and distributed equally throughout these regulatory areas. (This addback of unharvested quota will effectively increase the quotas in each regulatory area by 8%.) This is 82% of the unharvested quota for 1995. (The 18% difference represents natural mortality.)

This motion was defeated on the Canadian side 11 to 0 and on the U.S. side 13 to 11. The reason for defeat was that this motion set quotas in all areas at the 1995 level and did not allow any flexibility in the setting of quota area by area. The IPHC staff expressed concern that in spite of anecdotal information from the fleet and surveys about increased biomass the stock assessment models did not support an increase in quota. In light of this, some Conference Board members felt it would not be appropriate to increase quotas but to bank the fish for future years instead.

QUOTAS

There was a motion made to endorse the IPHC staff proposals for the 1996 quotas in all areas except Area 2B. An attempt was made at a friendly amendment which follows:

40% of the underage for 1995 by area be added to the 1996 quotas. This 40% equates to 1.9 million pounds divided out by areas.

| Area | Poundage Increase | Total Quota |
|------------|-------------------|----------------------|
| 2C | 477,816 | 9.48 million pounds |
| 3A | 769,105 | 20.77 million pounds |
| 3B | 198,321 | 3.9 million pounds |
| 4 Combined | 439,938 | 6.36 million pounds |

This amendment to the motion passed on the U.S. side with 17 yes, 5 no, and 3 abstentions. Some members of the Conference Board felt that the underage issue was not going to go away in the near future and that this issue would be more conservatively addressed by this 40% approach. It also addresses to some degree the mandate to harvest TACs by Magnuson Act regulations.

The Conference Board then voted on the original motion as amended. This motion passed on a vote of 17 in favor, 2 against, and 6 abstentions.

Area 2B

The Canadian Conference Board unanimously endorsed a motion to set the 1996 quota at 10.5 million pounds, an increase of 980,000 pounds from 1995. Concurrent with this was a request that yearly setline surveys in Area 2B be conducted by the IPHC to monitor its stock status. It was felt that the 1995 quota was conservatively set at 9.52 million pounds. Both anecdotal information by fishermen and IPHC survey CPUE data indicates more biomass in the area. It was also felt that because of the Canadian trawl bycatch reduction plan that there would be a further savings of halibut.

REPORT BY STEVE MEYER ON 1995 IFQ FISHERY

A report was received by Steve Meyer, National Marine Fishery Service on compliance and enforcement issues for the new IFQ, FMP in U.S. waters. In general, NMFS was satisfied with the first years trial run at enforcement. Mr. Meyer stated most fishermen were in compliance with the regulations. He stated his NMFS agents had been instructed to work with the industry to identify problem areas and to report those problem areas to staff at NMFS so solutions could be worked out. NMFS has been monitoring offloads overtly and covertly. NMFS also did special monitoring of tender operations and offloads with no apparent violations of the regulations. U.S. coastguard reported that the coastguard activity, i.e. rescues and calls for assistance were down substantially from the 1994 season. The coastguard suggested that fishermen being able to choose their fishing days was the reason for much safer harvest in 1995.

Armed boardings were discussed. NMFS agents and U.S. coastguard personnel are armed because of the high incidence of armed resistance in our culture today.

INDUSTRY PROPOSALS

NORTHWEST FOOD STRATEGIES

A motion was made to endorse the NFSI proposal for limited retention of dead trawl-caught halibut landed shoreside. This motion limits participation to Unisea Seafoods, Westward Seafoods, and Alyaska Seafoods all located in Dutch Harbor, Alaska. Further, it was proposed that this program be limited to 50,000 pounds net weight for the 1996 sesason and be a one-year pilot program. There was a friendly amendment that this program be used to gather detailed bycatch information not previously available. This motion passed on the U.S. side 18 in favor, 0 no votes, 6 abstentions, and on the Canadian side 1 vote in favor and 11 abstentions.

The rationale for passing this motion was better accountability of bycatch. It was also felt that there was no justification for discarding these dead halibut when they could be used for social benefit in food bank programs. The Conference Board in no way endorses the retention of halibut bycatch by the trawl fishery and would much rather see these fish sorted at sea.

ALFA

ALFA's proposal was to exempt vessels under 26 feet and vessels unloading bycatch amounts of IFQ halibut (less than 500 pounds) from the 6 hour call-in notice required before unloading IFQ halibut. Their request is to reduce call-in requirements for the above vessels to 2 hours.

ALFA's second proposal was to allow cheeking of halibut by vessels licensed to process IFQ halibut and to establish a meat count to ensure cheeks are taken from legal size halibut.

The Conference Board made the recommendation without opposition that this ALFA proposal be forwarded to the IFQ implementation team established by the North Pacific Fishery Management Council.

FAITH FISHERIES INC. - FLETCHING

A Motion was made that only those IFQ shareholders that have Class A quota shares who are licensed to process should be allowed to fletch halibut at sea with these conditions:

- A. They be whole fletches from the halibut.
- B. That fletches must be 40 inches in length.
- C. That fish must be weighed and counted prior to fletching and that these weights be recorded in the groundfish log.
- D. These fletches must be weighed and recorded on a transfer log.

This motion was defeated on the U.S. side by a vote of 2 in favor, 13 against, with 8 abstentions. On the Canadian side there were 6 no votes and 6 abstentions.

Rationale: National Marine Fisheries Service felt this would increase workload for inspecting and sorting fletches. It would be a significant departure from what has been considered legal in the past and would increase the burden on already stretched enforcement resources. NMFS felt it would be difficult to determine the exact poundage to be applied to the IFQ. It was uncertain whether it was legal to land fletched halibut.

INDUSTRY REQUEST

The Conference Board requested a short, written biography of Commissioners and staff describing their positions, affiliations, and duties within the industry. This should be made available to industry participants at the next IPHC Annual Meeting.

STAFF PROPOSALS

IPHC recommendation for logbook. Conference Board supports the staff recommendation. No opposition.

Changes to clearance requirements in Area 4 as proposed by staff were supported by the Conference Board with no opposition. Additionally, check-in only for Area 4A be in Dutch Harbor, for Area 4B in Atka, and Areas 4C and 4D be either at St. Paul or St. George, and to clarify that there be no check-out provision. On the issue of vessels clearing for multiple area fisheries with an observer on board, due to NMFS enforceability issues the Conference Board had no comment on the staff proposal. (Conference Board was advised by NMFS that segregation of fish in the hold is not enforceable.)

CONFERENCE BOARD RESOLUTION

WHEREAS the North Pacific Fishery Management Council is now reconsidering the regulatory split of Bering Sea/Aleutian Islands Area (BSAI) cod TAC between fixed gear (longline and pot) and trawl gear; and

WHEREAS Canadian and American halibut fishermen have repeatedly asked for reduction of halibut bycatch and mortality in the groundfish fisheries off Alaska; and

WHEREAS halibut bycatch mortality in the BSAI trawl fishery for cod is the largest single source of trawl halibut mortality in that area, 45% of the 3,775 mt trawl Prohibited Species Cap (PSC); and

WHEREAS halibut mortality (PSC) allowed in the BSAI trawl fishery for cod has increased steadily over the last three years from 1,200 mt in 1994, to 1,550 in 1995, to 1,685 in 1996; and

WHEREAS assumed mortality rates for trawl caught halibut remains high at 63%; and

WHEREAS in 1995 hook-and-line fishermen reduced their assumed halibut mortality rate from 18% to 11.5% through an industry-sponsored careful release program; and

WHEREAS pot vessels fishing for cod achieve even lower halibut bycatch and mortality rates; and

WHEREAS decline in BSAI crab stocks will cause many pot fishermen to move into the cod fishery; and

WHEREAS the increased use of fixed gear in the BSAI cod fishery would save a significant amount of halibut; and

WHEREAS there is enough longline and pot gear available to harvest a significantly larger portion of cod TAC; and

WHEREAS implementation of such a program would require no expensive and problematic regulations focusing on individual vessels; it is hereby

BE IT RESOLVED that the Conference Board respectively requests the Commission to recommend to the North Pacific Fishery Management Council and the National Marine Fisheries Service that the portion of the BSAI cod TAC allocation to fixed gear be increased substantially.

BE IT FURTHER RESOLVED that the reduction of halibut mortality in the Bering SEA/Aleutian Island cod fishery would be used directly to lower Bering Sea/Aleutian Island halibut mortality caps.

CONFERENCE BOARD BYCATCH STATEMENTS

1996 DRAFT UNITED STATES BYCATCH POLICY RESOLUTION

The Commission,

RECALLING its July 22, 1991 recommendations of the Special Bycatch Meeting of the International Pacific Halibut Commission for the Parties to reduce halibut bycatch mortality;

RECOGNIZING the efforts of both countries to reduce bycatch while preserving each country's ability to harvest its groundfish resources;

RECOGNIZING that no solution has been found by either country to address the bycatch issue;

NOTHING that the United States has taken extraordinary conservation and management measures to minimize halibut bycatch through such management actions as:

- implementing an extensive industry funded observer program;
- disseminating information on halibut catch rates to the fleet;
- directly reducing groundfish catch quotas;
- requiring a detailed record-keeping and reporting program;
- establishing halibut bycatch limits;
- implementing gear restrictions;
- establishing time/area closures for groundfish fisheries;
- implementing vessel incentive program;
- implementing mandatory careful release measures for incidentally caught halibut;
- cooperating on industry initiatives to address bycatch;
- closing down numerous fisheries when bycatch caps have been reached; thus foregoing groundfish economic opportunities; and
- implementing a sablefish and halibut Individual Fishing Quota (IFQ) program beginning in 1995;

NOTING that if groundfish resources were fully harvested, bycatch and bycatch rates would have been much higher without these bycatch management measures. While bycatch was reduced during 1991-1993 through various measures, it increased in 1994 due to difficulties in managing high pressure fisheries over 1993. Since 1994, management regimes have been adopted to reduce bycatch mortalities to levels that would approximate those of 1993.

NOTING also that the foregone revenue of groundfish that could have been harvested, if not for bycatch management measures, has reached \$80 million in some years;

RECOGNIZING that long-term solutions to bycatch reduction are not yet realized despite the numerous conservation and management measures which have been implemented.

OBSERVING with approval that the U.S. Congress is currently amending the Magnuson Fishery Conservation and Management Act which may include such bycatch reduction measures as:

- establishing a system of fees to provide an incentive to reduce bycatch;
- allocating preference to fishing and processing practices within each gear group that result in the lowest levels of discards;
- requiring full retention, to the maximum extent practicable, by fishing vessels and full utilization by processors;
- establishing a system of fines, caps, or other incentives to reduce the incidental harvest of regulatory discards; and
- requiring 100 percent observer coverage on all fishing vessels which can safely accommodate an observer and at all fish processing plants;

RECOGNIZING that the Government of Canada has initiated the following bycatch reduction regimes in the prosecution of its fisheries:

1. Closure of the trawl fishery because of bycatch constraint
2. Proposed bycatch caps in the trawl fishery in two of the three regulatory areas in 1996
3. Proposed 100% observer coverage and 100% portside monitoring in 1996;

NOTING that the forecasts of halibut abundance through the end of the decade indicate a continuing decline in stock biomass, coupled with a sharp decline in recruitment that make bycatch reduction an even more important issue;

NOTING that while methodologies to reduce bycatch while harvesting groundfish at optimum yield may be available, the legal and programmatic bases may not be;

NOTING that bycatch reduction programs take time to implement;

RECOMMENDS that the Commission convene a special meeting in 1996 to:

1. review the status of bycatch reduction programs and opportunities based on recent legislation,

2. review formulas used to compensate for bycatch losses for appropriateness relative to areas where bycatch actually occurs in, and
3. further develop bycatch reduction programs.

The Canadian Conference Board notes that National Marine Fishery Service continues to ignore its own regulation by allowing the landing of halibut as a prohibited species at shoreside plants. We demand accountability, i.e. size, weight, number of fish, and total weight for these illegal landings. Furthermore, we recommend that an appropriate schedule of fines be adopted to discourage this practice.