



**IPHC Fishery Regulations:**

**Mortality and Fishery Limits (Sect. 5), and In-Season Actions (Sect. 6)**

**(In-season reallocation of recreational limits in IPHC Regulatory Area 2A)**

**PREPARED BY: UNITED STATES OF AMERICA (NOAA-FISHERIES) (18 DECEMBER 2023)**

Directed Commercial  Recreational  Subsistence  Non-directed commercial  All

All Regulatory Areas  All Alaska Regulatory Areas  All U.S. Regulatory Areas

2A  2B  2C  3A  3B  4A  4B  4C  4D  4E

**PURPOSE**

To make a clarifying modification to IPHC Fishery Regulations, Section 5 (Mortality and Fishery Limits) and Section 6 (In-Season Actions) reflective of changes to the Catch Sharing Plan (CSP) that allocates the IPHC Regulatory Area 2A Pacific halibut catch limit.

**EXPLANATORY MEMORANDUM**

At its November 2023 meeting, the Pacific Fishery Management Council adopted changes to the CSP that allocates the IPHC Regulatory Area 2A Pacific halibut catch limit. The changes include in-season process to provide more sharing the IPHC Regulatory Area 2A non-treaty sport allocation between states (California, Oregon, and Washington). The proposed regulatory language provides clarification reflective of the changes to the CSP.

[Appendix A](#) provides details on the suggested regulatory language.

**RECOMMENDATIONS**

That the Commission:

- 1) **NOTE** regulatory proposal IPHC-2024-AM100-PropB2, which makes a clarifying modification to IPHC Fishery Regulations, Section 5 (Mortality and Fishery Limits) and Section 6 (In-Season Actions) reflective of changes to the Catch Sharing Plan that allocates the IPHC Regulatory Area 2A Pacific halibut catch limit.

**APPENDICES**

[Appendix A](#): Suggested regulatory language.

**APPENDIX A**  
**SUGGESTED REGULATORY LANGUAGE**

**5. Mortality and Fishery Limits**

(1) The Commission has adopted the following distributed mortality (TCEY) limits:

| IPHC Regulatory Area                         | Distributed mortality limits<br>(TCEY) (net weight) |                      |
|--|---|----------------------|
|  | Tonnes (t)  | Million Pounds (Mlb) |
| Area 2A (California, Oregon, and Washington) |   |                      |
| Area 2B (British Columbia)                   |   |                      |
| Area 2C (southeastern Alaska)                |   |                      |
| Area 3A (central Gulf of Alaska)             |   |                      |
| Area 3B (western Gulf of Alaska)             |   |                      |
| Area 4A (eastern Aleutians)                  |   |                      |
| Area 4B (central and western Aleutians)      |   |                      |
| Areas 4CDE (Bering Sea)                      |   |                      |
| <b>Total</b>                                 |   |                      |

(2) The fishery limits resulting from the IPHC-adopted distributed mortality (TCEY) limits and the existing Contracting Party catch sharing arrangements are as follows, recognizing that each Contracting Party may implement more restrictive limits\*\*:

| IPHC Regulatory Area   | Fishery limits (net weight) |                       |
|--|-----------------------------|-----------------------|
|  | Tonnes (t)                  | Million Pounds (Mlb)* |
| Area 2A (California, Oregon, and Washington)                             |                             |                       |
| Non-treaty directed commercial (south of Pt. Chehalis)                   |                             |                       |
| Non-treaty incidental catch in salmon troll fishery                      |                             |                       |
| Non-treaty incidental catch in sablefish fishery (north of Pt. Chehalis) |                             |                       |
| Treaty Indian commercial   |                             |                       |
| Treaty Indian ceremonial and subsistence (year-round)                    |                             |                       |
| Recreational – Washington**  |                             |                       |
| Recreational – Oregon**  |                             |                       |
| Recreational – California**  |                             |                       |
|  |                             |                       |
| Area 2B (British Columbia) (combined commercial and recreational)        |                             |                       |
| Commercial fishery   |                             |                       |
| Recreational fishery   |                             |                       |
|  |                             |                       |

| IPHC Regulatory Area  | Fishery limits (net weight) |                       |
|---|-----------------------------|-----------------------|
|   | Tonnes (t)                  | Million Pounds (Mlb)* |
| <b>Area 2C</b> (southeastern Alaska) (combined commercial and guided recreational)    |                             |                       |
| Commercial fishery (includes 3.41 Mlb landings and 0.15 Mlb discard mortality)        |                             |                       |
| Guided recreational fishery (includes landings and discard mortality)                 |                             |                       |
|   |                             |                       |
| <b>Area 3A</b> (central Gulf of Alaska) (combined commercial and guided recreational) |                             |                       |
| Commercial fishery (includes 7.84 Mlb landings and 0.58 Mlb discard mortality)        |                             |                       |
| Guided recreational fishery (includes landings and discard mortality)                 |                             |                       |
|   |                             |                       |
| <b>Area 3B</b> (western Gulf of Alaska)   |                             |                       |
|   |                             |                       |
| <b>Area 4A</b> (eastern Aleutians)  |                             |                       |
|   |                             |                       |
| <b>Area 4B</b> (central and western Aleutians)  |                             |                       |
|   |                             |                       |
| <b>Areas 4CDE</b>   |                             |                       |
| Area 4C (Pribilof Islands)  |                             |                       |
| Area 4D (northwestern Bering Sea)   |                             |                       |
| Area 4E (Bering Sea flats)  |                             |                       |
|   |                             |                       |
| <b>Total</b>  |                             |                       |

\* Allocations resulting from the IPHC Regulatory Area 2A Catch Share Plan are listed in *pounds*.

\*\* In IPHC Regulatory Area 2A, the USA (NOAA Fisheries) may take in-season action to reallocate the recreational fishery limits between Washington, Oregon, and California after determining that such action will not result in exceeding the overall IPHC Regulatory Area 2A recreational fishery limit and that such action is consistent with any domestic catch sharing plan. Any such reallocation will be announced by the USA (NOAA Fisheries) and published in their Federal Register.

## 6. In-Season Actions

- (1) The Commission is authorized to establish or modify regulations during the season after determining that such action:
  - (a) will not result in exceeding the fishery limit established preseason for each IPHC Regulatory Area;
  - (b) is consistent with the Convention between Canada and the United States of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, and applicable domestic law of either Canada or the United States of America; and
  - (c) is consistent, to the maximum extent practicable, with any domestic catch sharing plans or other domestic allocation programs developed by the governments of Canada or the United States of America.
- (2) In-season actions may include, but are not limited to, establishment or modification of the following:
  - (a) closed areas;
  - (b) fishing periods;
  - (c) fishing period limits;

- (d) gear restrictions;
  - (e) recreational (sport) bag limits;
  - (f) size limits; or
  - (g) vessel clearances.
- (3) In-season changes will be effective at the time and date specified by the Commission.
- (4) The Commission will announce in-season actions under this Section by providing notice to major Pacific halibut processors; Federal, State, United States of America treaty Indian, and Provincial fishery officials; and the media.
- (5) Notwithstanding paragraph (3) and (4) of this Section, in IPHC Regulatory Area 2A the USA (NOAA Fisheries) may take in-season action to reallocate the recreational fishery limits between Washington, Oregon, and California after determining that such action will not result in exceeding the overall IPHC Regulatory Area 2A recreational fishery limit and that such action is consistent with any domestic catch sharing plan. Any such reallocation will be announced by the USA (NOAA Fisheries) and published in their Federal Register.