



## Implementation Notes: 2019 Regulatory proposals

PREPARED BY: IPHC SECRETARIAT (29 DECEMBER 2018)

### PURPOSE

To provide the Commission with the required '*Implementation Notes*' for regulatory proposals received by the IPHC Secretariat for consideration at the 95<sup>th</sup> Session of the IPHC Annual Meeting (AM095).

### BACKGROUND

On behalf of the Commission, the IPHC Secretariat has received regulatory proposals for consideration at the 95<sup>th</sup> Session of the IPHC Annual Meeting (AM095), as indicated in [Table 1](#).

In accordance with the process established for handling regulatory proposals, the IPHC Secretariat has developed *Implementation Notes* for each proposal to aid Commissioners in their deliberations. These are provided under the discussion section of this paper and are linked through [Table 1](#).

**Table 1.** Regulatory proposals received from Contracting Parties and stakeholders by the proposal deadline of 29 December 2018.

<b>Regulatory proposals for 2019</b>		<b>Sector (Region)</b>
<b>Contracting Party (Agency) regulatory proposals</b>		
<a href="#">IPHC-2019-AM095-PropB1</a>	Charter Management Measures in IPHC Regulatory Areas 2C And 3A (NOAA Fisheries)	Recreational (2C and 3A)
<b>Other Stakeholder regulatory proposals</b>		
<a href="#">IPHC-2019-AM095-PropC1</a>	IPHC Regulatory Area 2A TCEY (P. DePoe)	All fisheries (2A)
<a href="#">IPHC-2019-AM095-PropC2</a>	IPHC Regulatory Area 2A quota program (M. Pettis)	Non-treaty commercial (2A)
<a href="#">IPHC-2019-AM095-PropC3</a>	Alaska recreational fisheries (J. Kearns)	Recreational (2C, 3, 4)

**DISCUSSION*****IMPLEMENTATION NOTES FOR CONTRACTING PARTY (AGENCY) REGULATORY PROPOSALS***

<b>IPHC-2019-AM095-PropB1</b>	<b>Charter Management Measures in IPHC Regulatory Areas 2C And 3A</b>	<b>Recreational (2C and 3A)</b>
-------------------------------	---	---------------------------------

The proposal suggests that the Commission adopt the recreational charter management measures approved by the North Pacific Fishery Management Council (NPFMC) for IPHC Regulatory Areas 2C and 3A. The proposed management measures are linked to the distributed mortality levels (TCEY) approved for those Regulatory Areas, and thus will be finalized for adoption during the course of AM095 after the relevant TCEY decisions are made.

**Suggested action:**

- 1) The IPHC Secretariat recommends that the Commission adopt the recreational charter management measures for IPHC Regulatory Areas 2C and 3A as outlined in the proposal, noting that the text can be finalized only after the relevant TCEY decisions are made.

**IMPLEMENTATION NOTES FOR OTHER STAKEHOLDER REGULATORY PROPOSALS**

<b>IPHC-2019-AM095-PropC1</b>	<b>IPHC Regulatory Area 2A TCEY (P. DePoe)</b>	<b>All fisheries (2A)</b>
-------------------------------	--	---------------------------

The proposal suggests that the Commission adopt a TCEY each year for IPHC Regulatory Area 2A that produces an FCEY no lower than 1.5Mlb. For 2019, this would mean adopting a TCEY for IPHC Regulatory Area 2A of ~1.65Mlb (note that this number may vary depending on the stock assessment update to be released in early 2019, and the SPR value chosen in session).

The IPHC Secretariat offers the following observations regarding this proposal:

1. At the 94<sup>th</sup> Interim Meeting (IM094), the Commission noted IPHC-2018-IM094-PropC1 and provided the following direction to the IPHC Secretariat:

*[IM094](#)–Req.05 ([para. 66](#)) The Commission **REQUESTED** that the IPHC Secretariat summarise the impact of stakeholder Regulatory Proposal IPHC-2018-IM094-PropC1, including example mortality projection tables, for consideration at the AM095. This will allow the Commission to view the impact on other Regulatory Areas and sectors, as well as the overall conservation risk at a coastwide level.*

The following three tables illustrate example mortality projections:

- Table 1 uses an SPR<sub>46</sub> fishing intensity (equating to 40 Mlb coastwide distributed mortality) and the default mortality distribution.
- Table 2 uses an SPR<sub>46</sub> fishing intensity and a TCEY in IPHC Regulatory Area 2A that produces an FCEY of 1.5 Mlb, with the remaining mortality distributed among the other IPHC Regulatory Areas according to the default mortality distribution.
- Table 3 uses an SPR<sub>45</sub> fishing intensity (equating to 41 Mlb coastwide distributed mortality), and a TCEY in IPHC Regulatory Area 2A that produces an FCEY of 1.5 Mlb, with the remaining mortality distributed among the other IPHC Regulatory Areas according to the default mortality distribution.

Other examples can be provided at the Commission's request.

Table 1

**This is a preliminary tool for 2019 mortality limit projections.** *Last updated: 19 November 2018*  
**It will be updated in early January 2019 for the 2019 Annual Meeting (AM095).**

Directions: Enter values only in yellow cells. The tables and charts below will automatically update after you enter values.  
 If percentages do not add to a value of 100% the 'Total' will be highlighted in red.  
 Changes cannot be saved; however, you may print your results using the print function on your web browser.

**Inputs**

Select weight units: **Millions of net pounds**

Enter coastwide distributed mortality limit (TCEY) **40.00**

	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
Enter <u>distributed</u> mortality limit %	<b>1.9%</b>	<b>12.3%</b>	<b>15.7%</b>	<b>40.9%</b>	<b>7.4%</b>	<b>5.5%</b>	<b>4.9%</b>	<b>11.5%</b>	100.0%
Total by Region									
	Region 2		Region 3		Region 4		Region 4B		
	29.9%		48.3%		17.0%		4.9%		

Select bycatch options: **Previous year's bycatch**

**Summary results**

Projected coastwide SPR **46%**

	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
Total mortality limits	0.78	4.93	6.26	16.74	3.09	2.32	1.96	5.72	41.78
<u>Distributed</u> mortality limits (TCEYs)	0.78	4.91	6.26	16.35	2.97	2.21	1.95	4.59	40.00

**Biological distribution**

	Region 2	Region 3	Region 4	Region 4B
Biological stock distribution	23.1%	51.2%	20.4%	5.2%
<u>Distributed</u> mortality	29.9%	48.3%	17.0%	4.9%
Relative harvest rate	1.37	1.00	0.88	0.99

**Detailed sector mortality information**

	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
Commercial Discard Mortality	0.01	0.09	NA	NA	0.20	0.10	0.03	0.05	0.48
O26 Bycatch	0.13	0.27	0.03	1.28	0.36	0.18	0.22	1.87	4.33
Non CSP Recreational	NA	0.05	1.38	1.74	0.00	0.01	0.00	0.00	3.18
Subsistence	NA	0.41	0.44	0.22	0.01	0.01	0.00	0.06	1.14
Total non-FCEY	0.14	0.82	1.85	3.24	0.57	0.30	0.25	1.97	9.14
Commercial Discard Mortality	NA	NA	0.06	0.40	NA	NA	NA	NA	0.43
CSP Recreational	0.29	0.58	0.81	2.29	NA	NA	NA	NA	3.97
Subsistence	0.03	NA	NA	NA	NA	NA	NA	NA	0.03
Commercial Landings	0.32	3.51	3.55	10.43	2.41	1.92	1.70	2.62	26.47
Total FCEY	0.64	4.09	4.42	13.12	2.41	1.92	1.70	2.62	30.90
							4C FCEY	1.18	
							4D FCEY	1.18	
							4E FCEY	0.26	
TCEY	0.78	4.91	6.26	16.35	2.97	2.21	1.95	4.59	40.00
U26 Bycatch	0.00	0.02	0.00	0.37	0.11	0.10	0.01	1.12	1.73
Total mortality	0.78	4.93	6.26	16.74	3.09	2.32	1.96	5.72	41.78

Table 2

**This is a preliminary tool for 2019 mortality limit projections.**  
**It will be updated in early January 2019 for the 2019 Annual Meeting (AM095).**

*Last updated: 19 November 2018*

**Directions:** Enter values only in yellow cells. The tables and charts below will automatically update after you enter values.  
 If percentages do not add to a value of 100% the 'Total' will be highlighted in red.  
 Changes cannot be saved; however, you may print your results using the print function on your web browser.

**Inputs**

Select weight units:

Enter coastwide distributed mortality limit (TCEY)

Enter <u>distributed</u> mortality limit %	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
	4.2%	12.3%	15.7%	40.9%	7.4%	5.5%	4.9%	11.5%	102.3%

Total by Region	Region 2	Region 3	Region 4	Region 4B
	31.4%	47.2%	16.6%	4.8%

Select bycatch option:

---

**Summary results**

Projected coastwide SPR

Total mortality limits	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
	1.65	4.82	6.12	16.37	3.02	2.27	1.91	5.61	41.78
Distributed mortality limits (TCEYs)	1.65	4.80	6.12	15.98	2.90	2.16	1.90	4.49	40.00

---

**Biological distribution**

Biological stock distribution	Region 2	Region 3	Region 4	Region 4B
	23.1%	51.2%	20.4%	5.2%
	Distributed mortality	31.4%	47.2%	16.6%
Relative harvest rate	1.47	1.00	0.88	0.99

---

**Detailed sector mortality information**

	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
Commercial Discard Mortality	0.02	0.09	NA	NA	0.20	0.10	0.03	0.05	0.49
O26 Bycatch	0.13	0.27	0.03	1.28	0.36	0.18	0.22	1.87	4.33
Non CSP Recreational	NA	0.05	1.38	1.74	0.00	0.01	0.00	0.00	3.18
Subsistence	NA	0.41	0.44	0.22	0.01	0.01	0.00	0.06	1.14
Total non-FCEY	0.15	0.81	1.85	3.24	0.57	0.30	0.25	1.97	9.14
Commercial Discard Mortality	NA	NA	0.06	0.39	NA	NA	NA	NA	0.42
CSP Recreational	0.60	0.57	0.78	2.23	NA	NA	NA	NA	4.18
Subsistence	0.03	NA	NA	NA	NA	NA	NA	NA	0.03
Commercial Landings	0.86	3.42	3.44	10.14	2.35	1.87	1.66	2.52	26.26
Total FCEY	1.50	3.99	4.28	12.76	2.35	1.87	1.66	2.52	30.90
							4C FCEY	1.13	
							4D FCEY	1.13	
							4E FCEY	0.25	
TCEY	1.65	4.80	6.12	15.98	2.90	2.16	1.90	4.49	40.00
U26 Bycatch	0.00	0.02	0.00	0.37	0.11	0.10	0.01	1.12	1.73
Total mortality	1.65	4.82	6.12	16.37	3.02	2.27	1.91	5.61	41.78

Table 3

**This is a preliminary tool for 2019 mortality limit projections.**  
**It will be updated in early January 2019 for the 2019 Annual Meeting (AM095).**

*Last updated: 19 November 2018*

**Directions:** Enter values only in yellow cells. The tables and charts below will automatically update after you enter values.  
 If percentages do not add to a value of 100% the 'Total' will be highlighted in red.  
 Changes cannot be saved; however, you may print your results using the print function on your web browser.

**Inputs**

Select weight units: **Millions of net pounds**

Enter coastwide distributed mortality limit (TCEY): **41.00**

Enter <u>distributed</u> mortality limit %	<b>4.1%</b>	<b>12.3%</b>	<b>15.7%</b>	<b>40.9%</b>	<b>7.4%</b>	<b>5.5%</b>	<b>4.9%</b>	<b>11.5%</b>	<b>102.2%</b>
	2A	2B	2C	3A	3B	4A	4B	4CDE	Total

Total by Region	Region 2	Region 3	Region 4	Region 4B
	31.4%	47.2%	16.6%	4.8%

Select bycatch option: **Previous year's bycatch**

**Summary results**

Projected coastwide SPR: **45%**

Total mortality limits	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
	1.65	4.95	6.28	16.79	3.10	2.32	1.96	5.73	42.79
Distributed mortality limits (TCEYs)	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
	1.65	4.92	6.28	16.40	2.97	2.22	1.95	4.60	41.00

**Biological distribution**

Biological stock distribution	Region 2	Region 3	Region 4	Region 4B
	23.1%	51.2%	20.4%	5.2%
Distributed mortality	31.4%	47.2%	16.6%	4.8%
Relative harvest rate	1.47	1.00	0.88	0.99

**Detailed sector mortality information**

	2A	2B	2C	3A	3B	4A	4B	4CDE	Total
Commercial Discard Mortality	0.02	0.09	NA	NA	0.20	0.10	0.03	0.05	0.50
O26 Bycatch	0.13	0.27	0.03	1.28	0.36	0.18	0.22	1.87	4.33
Non CSP Recreational	NA	0.05	1.38	1.74	0.00	0.01	0.00	0.00	3.18
Subsistence	NA	0.41	0.44	0.22	0.01	0.01	0.00	0.06	1.14
Total non-FCEY	0.15	0.82	1.85	3.24	0.57	0.30	0.25	1.97	9.15
Commercial Discard Mortality	NA	NA	0.06	0.40	NA	NA	NA	NA	0.44
CSP Recreational	0.61	0.58	0.81	2.30	NA	NA	NA	NA	4.30
Subsistence	0.03	NA	NA	NA	NA	NA	NA	NA	0.03
Commercial Landings	0.87	3.52	3.57	10.47	2.42	1.92	1.71	2.64	27.11
Total FCEY	1.50	4.11	4.44	13.17	2.42	1.92	1.71	2.64	31.88
							4C FCEY	1.19	
							4D FCEY	1.19	
							4E FCEY	0.26	
TCEY	1.65	4.92	6.28	16.40	2.97	2.22	1.95	4.60	41.00
U26 Bycatch	0.00	0.02	0.00	0.37	0.11	0.10	0.01	1.12	1.73
Total mortality	1.65	4.95	6.28	16.79	3.10	2.32	1.96	5.73	42.79

2. The general movement patterns within the coastwide Pacific halibut stock, based on historical tagging experiments, result in Region 2 being estimated to receive net immigration each year. More recent satellite tagging indicates that Pacific halibut mix among individual IPHC Regulatory Areas within Region 2 during the calendar (and fishing) year. Therefore, given that Region 2 has comprised 23.1-24.6% of the coastwide stock over the last five years, from a biological perspective, the IPHC Secretariat agrees with the proposal that there would be no conservation risk if the IPHC Regulatory Area 2A TCEY were set at 1.65Mlb. Adopted TCEYs for Region 2 have ranged from 14.2 to 16.8 Mlb over the same period, such that a 2A TCEY of 1.65 Mlb corresponds to approximately 9.8-11.6% of the Regional TCEY.
3. The explanatory statement accompanying the proposal notes that removals in IPHC Regulatory Area 2A were higher in the seven years before 2009, and attributes the drop in removals since then to the IPHC's adoption of a coastwide stock assessment and distribution methodology. The Secretariat notes that this may not be an appropriate basis for comparison, because removals during that period were higher in all IPHC Regulatory Areas as the stock was transitioning from the historic high abundance levels in the late 1990s to the levels seen from 2010 to the present.

**Suggested action:**

- 1) The Commission should base any initial catch limit decision at a coast-wide scale, via the harvest decision table.
- 2) The Commission should then consider distribution at a Regional level based on the biological distribution of the species. The biological distribution of the species is estimated from the results of the annual coastwide fishery-independent setline survey (FISS).
- 3) Allocation at a Regulatory Area level, as described in this proposal, then becomes the domain of the IPHC harvest strategy policy, and should be considered in that context.

<b>IPHC-2019-AM095-PropC2</b>	<b>IPHC Regulatory Area 2A quota program (M. Pettis)</b>	<b>Non-treaty commercial (2A)</b>
-------------------------------	--	-----------------------------------

The proposal suggests a method for establishing an individual quota (IQ) system for the non-treaty directed commercial fishery in IPHC Regulatory Area 2A.

**Suggested action:**

- 1) The IPHC Secretariat recommends that the Commission not adopt this proposal at this time, as the future management of this fishery is an ongoing topic of discussion among interested parties.
- 2) The IPHC Secretariat appreciates the effort that went into this proposal and notes that it could be resubmitted at an appropriate point in the future.

<b>IPHC-2019-AM095-PropC3</b>	<b>Alaska recreational fisheries (J. Kearns)</b>	<b>All (primarily recreational) (2C, 3, 4)</b>
-------------------------------	--	--

The proposal suggests methods for regulating the recreational fisheries in Alaska (IPHC Regulatory Areas 2C, 3, 4), including combining the guided and unguided sectors into one allocation, with common size and bag limits and accounting systems for all recreational fishing.

The proposal also suggests that fixed percentages of the total removals be allocated to the commercial, recreational, and subsistence sectors in Alaska.

**Suggested action:**

- 1) The IPHC Secretariat recommends that the Commission not adopt this proposal. Sector allocations and recreational fisheries in Alaska are managed by the Contracting Party's domestic fishery management system. The IPHC Secretariat recommends that the Commission refer the proponent to the North Pacific Fishery Management Council (NPFMC), as the proposal is a matter under its purview, not the IPHC.