



IPHC Pacific Halibut Fishery Regulations:
Commercial Fishing Periods (Sect. 9)

PREPARED BY: IPHC SECRETARIAT (21 DECEMBER 2018)

PURPOSE

To specify fishing periods for the commercial Pacific halibut fisheries.

BACKGROUND

Each year the International Pacific Halibut Commission (IPHC) selects fishing period dates for the commercial Pacific halibut fisheries in each of the IPHC Regulatory Areas. Historically, limiting periods when fishing was allowed were the first management measures implemented by the IPHC. Biological factors considered when setting the dates included migration and spawning considerations (none of which are now considered as a basis for determining fishing periods). Weather patterns, predicted tides in some fishing areas, and business considerations for both fishers and processors have also been factors in the discussions surrounding the setting of fishing period dates.

Overall commercial fishing period:

The IPHC's practice is to use the same overall commercial fishing period dates for all IPHC Regulatory Areas. These dates vary from year to year, but in recent years have allowed commercial fishing to begin sometime in March and end sometime in November for all IPHC Regulatory Areas.

IPHC Regulatory Area 2A: Non-tribal directed commercial fishery (Derby fishery)

Additionally restrictive fishing periods are established by the IPHC for the IPHC Regulatory Area 2A non-tribal directed commercial fishery, currently managed as a 10-hr derby fishery.

DISCUSSION

Overall commercial fishing period:

The IPHC Secretariat proposes that the overall commercial fishing period for all IPHC Regulatory Areas be fixed from **15 March** to **31 October**. Fixing the season will allow Stakeholders to more efficiently develop business plans and will allow the IPHC Secretariat to more effectively monitor and manage the fishery.

IPHC Regulatory Area 2A: Non-tribal directed commercial fishery (Derby fishery)

For IPHC Regulatory Area 2A, the IPHC Secretariat proposes fishing periods for the non-tribal directed commercial fishery longer than the 10-hour derby fishing periods. Specifically, the IPHC Secretariat proposes either **5-day or 10-day fishing periods**, but suggests that any version of a longer fishing period, from two to 10 days, would be preferable to the 10-hour derby fishing period currently in use. This change should be made now, in the interest of safety and within the current management structure of this fishery, ahead of and apart from any consideration of more extensive modifications to the management of this derby fishery.

Reasons for longer fishing periods

The IPHC Secretariat sees no compelling reason to retain the current “derby-style” form of the directed commercial Pacific halibut fishery, with its 10-hour fishing periods, but a number of advantages in shifting to a management system that reduces the concentration of fishing effort and eliminates or reduces the ‘*race to fish*’ under potentially dangerous conditions. Potential advantages include:

1. Safety. This is the primary reason for change. The current system offers no flexibility as to when fishing takes place, creating pressure to attempt fishing even in poor weather and dangerous conditions. The U.S. Coast Guard has frequently commented at IPHC meetings in support of moving away from the derby-style fishery for this reason. Based on the experience of other fisheries in both Canada and the USA, we believe that a system offering more flexible fishing opportunities is inherently safer for everyone on the water. **This justification alone should be enough for the Commission to extend the fishing period for 2019.**
2. Reduced regulatory discards. The current derby system is essentially a ‘*race to fish*’, where fishers have an incentive to set as much gear as possible during the short time available for fishing. When the fishing is good, this leads to more regulatory discards as fishing period limits are reached than would be the case under a system where the fishers had time to more carefully calibrate their effort to applicable limits. Mortality from these regulatory discards represents an unnecessary loss to the Pacific halibut resource.
3. Flexibility for fishers and processors. Under the current system, fresh Pacific halibut from IPHC Regulatory Area 2A is delivered and comes to market in a tightly defined period of time, limiting the ability of fishers and processors to influence or react to market forces. A management system with more flexibility regarding fishing days would allow fishers and processors more latitude in managing their industry sector.

Other than maintaining access to the resource by the commercial Pacific halibut fishery, the IPHC Secretariat does not recommend a particular management system to replace the current form of the IPHC Regulatory Area 2A non-tribal, directed commercial Pacific halibut fishery. The IPHC Secretariat supports a reduction in the concentration of fishing effort, eliminating the race to fish, and improving safety as guiding principles for any initial changes.

Implications of longer fishing periods

The primary implication of longer fishing periods is that lower fishing period limits will be required in order to maintain the fishery within its allocation under the Pacific Fishery Management Council’s (PFMC) catch sharing plan (CSP).

Along with announcing open dates for the directed commercial fishery, the IPHC announces what the per-vessel fishery limits will be, by vessel class, in accordance with IPHC Regulations Section 13 (Fishing Period Limits). The IPHC determines the fishing period limits before each fishing period opens, based on the number of vessels in each length class, the average performance of vessels in that length class, and the amount of catch allocated to (or remaining for) the directed commercial fishery for that year. The IPHC vessel length classes range from A to H, with A being the smallest vessels (25 ft and under) and H being the largest (56 ft and over).

Longer fishing periods are expected to allow greater participation of license holders and greater attainment of individual fishing period limits by participating vessels. Options for 2-, 5-, 7-, 20-, and 30-day fishing periods have been analysed by the IPHC Secretariat, and are detailed in [Appendix I](#).

In recent years the IPHC has set fishing period limits for the first 10-hour fishing period of the year that range from 9,000 lb (4.08 t)(net weight¹) for the largest, H-class vessels down to 755 lb (0.34 mt) for the smallest, A-class vessels. Assuming a similar CSP sector allocation, the IPHC Secretariat estimates that an initial 5-day fishing period would entail a fishing period limit of approximately 6,000 lb (2.72 t) for H-class vessels, with proportionally lower limits for smaller vessels. An initial 10-day fishing period would likely entail a fishing period limit between 2,000 and 4,000 lb (0.91 and 1.81 t) for H-class vessels.

The method of scaling fishing period limits among the vessel size classes can be adjusted to include a minimum, or floor, value for the smallest vessels in order to maintain an economically viable fishing opportunity.

Discussion and feedback on this issue to date

1. The IPHC initiated current discussions of fishing periods in IPHC Regulatory Area 2A with a letter to the PMFC in May 2017 (see [Appendix III](#) for the series of letters between the IPHC and the PFMC on this subject). The PFMC and its advisory bodies engaged in a robust discussion of the issue at their June, September, and November 2017 meetings, including a request for more information from IPHC and the inter-agency production of a matrix of management options for the fishery.
 - a. This discussion and its attendant information and analyses were considered by the Commission at the 94th Annual Meeting (AM094) in January 2018 (IPHC-2018-AM094-INF02).
 - b. No recommendations for changes were made for the 2018 fishery, but the PFMC and other parties indicated a willingness to continue discussing potential changes to the management of the fishery.
2. The focus of attention during 2018 has been on the possibility of changing the length of the fishing period, and on the specific proposal for either a 5-day or a 10-day fishing period. This change is within the IPHC's mandate and addresses the IPHC's primary concern with the current 10-hour fishing period, the safety of participants in the fishery. It can be undertaken by the IPHC on its own, without requiring changes in the aspects of the fishery managed by the PFMC and the state and federal agencies.
3. The IPHC identified this proposal to change the fishing period in letters to the PFMC (see [Appendix III](#)), and the PFMC considered it in detail at its September and November 2018 meetings, the most extensive discussion of this proposal outside the IPHC's own meetings. The PFMC then provided its feedback to the IPHC in its letter of 16 November 2018 (included in [Appendix III](#) and posted for the 94th IPHC Interim Meeting as paper [IPHC-2018-IM094-INF05](#)). In its letter, the PFMC identified six concerns with the proposal, and requested engagement with the IPHC to work through all of them or otherwise delay action to modify the management parameters of the fishery until these concerns have been addressed.
 - a. The IPHC appreciates the opportunity to discuss the concerns raised by the PFMC, while noting that altering the length of the fishing period does not change

¹ "Net weight" is defined in IPHC Regulations Section 3 as the weight without gills and entrails, head-off, washed, and without ice and slime. All weights in this paper are expressed in terms of "net weight."

the current management system for the fishery. Even a modest change to the fishing period can be implemented now in the interest of safety, while continuing to discuss issues of concern as well as the potential for more significant future changes in the management of the fishery.

- b. Following is a synopsis of the concerns raised by the PFMC, with accompanying comment by the IPHC Secretariat.

- i. Bycatch. The PFMC notes a concern that changes to the Pacific halibut fishery could result in greater bycatch, particularly of yelloweye rockfish, which is an overfished stock managed under a rebuilding plan, with significant restrictions in place for the recreational and commercial fisheries.

IPHC Secretariat comment: No data are available to evaluate the impact of changing the timing of commercial effort on bycatch species of concern. We estimate that with longer fishing periods less gear will be set overall to achieve the same Pacific halibut allocation. Fishers will have greater discretion on when and where to set gear in order to efficiently catch Pacific halibut and to actively avoid both regulatory discards of Pacific halibut and bycatch of other species. We expect that the combination of less total gear set and greater care about when and where to fish will reduce overall levels of bycatch. Thus, the IPHC Secretariat considers this is not a valid issue of concern, and can be mitigated via observer coverage and overall bycatch limits.

- ii. Observer coverage. The PFMC advises advance coordination with the NOAA Fisheries West Coast Groundfish Observer Program (WCGOP), as well as with the state agencies, to ensure that data collection and bycatch estimation efforts are not compromised by the proposed change.

IPHC Secretariat comment: We agree that coordination with federal and state agencies is important, and expect to continue to coordinate our efforts with them. We also note that the IPHC's own port sampling program will be modified to accommodate a longer fishing period.

Additionally, we note that 2018 was the second year of the NOAA Fisheries observer program in the directed Pacific halibut fishery, which was initiated and continues through IPHC Secretariat and WCGOP collaboration, and which the IPHC continues to advocate as an important management information tool. The coverage level in 2017 (the pilot year) was 7%, which was more a function of resources available to the program than when the fishery took place (Data from 2018 are not yet available.) Based on our experience with observer programs in other regions, we expect that the basic operational details of the program will remain the same with a longer fishing period, and the IPHC will continue to work with the WCGOP over the course of 2019 to ensure adequate observer coverage.

- iii. Economic viability. The PFMC notes the importance of considering potential effects of the proposed change on the economic viability of the fishery to both harvesters as well as buyers and processors.

IPHC Secretariat comment: We agree that this is an important consideration as the Commission reviews this proposal, in particular the effect on small-vessel harvesters as the fishing period limits are reduced.

We note that our survey of stakeholders produced a strong preference for longer fishing periods across all vessel sizes, and encourage further input to the Commission concerning the economics of the fishery. We also note that the fishing period limits can be adjusted to include a minimum, or floor, value for the smallest vessels in order to maintain an economically viable fishing opportunity.

- iv. Law enforcement. The PFMC notes the importance of discussion and coordination with federal and state law enforcement entities relative to their effective enforcement of fishery regulations during a longer fishing period.

IPHC Secretariat comment: We welcome the input of federal and state law enforcement agencies, noting that their ability to enforce fishery regulations is an important consideration in making any changes to the regulations. To date, we have received no feedback indicating an enforcement concern with longer fishing periods.

In this same paragraph of the letter, the PFMC also raised a question regarding the necessity of fish hold inspections and who would perform them.

IPHC Secretariat comment: We note that the IPHC Fishery Regulations for IPHC Regulatory Area 2A are similar in wording and intent as for all other IPHC Regulatory Areas regarding the need to either 1) not fish (no gear in the water) for 72 hours prior to a fishing period, or 2) remove all gear from the water and make a landing completely offloading all catch or submit to a hold inspection.

The intent is to restrict the capture and retention of Pacific halibut outside of authorized fishing periods, and thus we see no need for any change to these particular regulations.

- v. Timing of the fishery: The PFMC advises consideration of the appropriate timing for opening and closing the fishing period.

IPHC Secretariat comment: We note that the current 10-hour fishing period runs from 0800 to 1800, and have used those hours in this proposal, acknowledging that other times of day might be more desirable for participants. We welcome input from industry regarding optimum opening and closing times for the fishing period.

In this same paragraph of the letter, the PFMC also asks whether a 72-hour stand down period prior to the fishing period is still needed.

IPHC Secretariat comment: As discussed above, we see no need to change the regulations intended to restrict the capture and retention of Pacific halibut outside of authorized fishing periods.

- vi. Impact on recreational fisheries: The PFMC requests consideration of the potential impacts to the IPHC Regulatory Area 2A recreational fisheries, which are currently scheduled around the directed commercial fishery to avoid gear conflicts.

IPHC Secretariat comment: We appreciate input from participants in both the commercial and the recreational fisheries, and note that the current proposal would start the first commercial fishing period at the same late-June time of year as has been used in recent years. We also note that commercial and recreational Pacific halibut fisheries co-occur in all other IPHC Regulatory Areas.

- c. In summary, the IPHC Secretariat believes that the concerns raised by the PFMC are worthy of continued discussion and coordination, recognizing that they do not preclude the implementation of this change (i.e. extending the 10hr fishing period). In particular, input from stakeholders and agencies regarding economic viability, enforcement concerns, and the timing of the fishery will continue be useful for additional modifications to the fishing in the future.
- d. The IPHC welcomes the proposal by the PFMC for a workshop to consider ‘additional’ future changes to the IPHC Regulatory Area 2A fishery management structure. Such an approach will help ensure wide discussion of concerns and possibilities, as we move towards a longer-term goal of limited entry or individual quota options.
4. In response to suggestions by the IPHC Commissioners and the PFMC and its Groundfish Advisory Panel, the IPHC Secretariat sought input from its Regulatory Area 2A license holders on the possibility of a longer fishing period. Their views are expected to be important to making any decisions on this subject. A preliminary version of this regulation proposal was provided to all 171 license holders from 2016 to 2018, along with a brief survey, the results of which are provided in the following table:

	All license holders 2016-2018	%
Total license holders (2016-18)	171	
Total respondents	137	80.12
Longer Season?		
Yes	118	86.13
No	19	13.87
Season length?		
Shorter than five days	26	18.98
Five days	35	25.55

10 days	48	35.04
Longer than ten days	28	20.44

Of survey respondents, totaling 80.12% of all license holders over the period 2016-18, there was a clear preference for a longer fishing period (86.13%).

Expected outcomes

Should the Commission approve a longer fishing period for 2019, the IPHC Secretariat expects that the first year of implementation will provide valuable feedback and potentially lead to further refinements for subsequent years. For instance, we may find that the dates or the duration of the fishing periods require adjustment in order to stay within allocation or to better meet stakeholder needs.

Supporting analysis of fishing period limits associated with longer fishing periods is provided at [Appendix I](#).

A review of IPHC Regulatory Area 2A commercial fishery management is provided in [Appendix II](#).

Copies of letters exchanged between the IPHC and the PFMC in 2017 and 2018 are included as [Appendix III](#).

Sectors Affected: Commercial Pacific halibut fisheries in each IPHC Regulatory Area.

ADDITIONAL DOCUMENTATION / REFERENCES

NIL.

APPENDICES

[Appendix I](#): Analysis of fishing period limits

[Appendix II](#): Review of IPHC Regulatory Area 2A commercial fishery management

[Appendix III](#): Letters exchanged between the IPHC and the PFMC (2017-18)

SUGGESTED REGULATORY LANGUAGE

9. **Commercial** Fishing Periods

(1) The fishing periods for each IPHC Regulatory Area apply where the catch limits specified in Section 12 have not been taken.

(2) Unless the Commission specifies otherwise, commercial fishing for Pacific halibut in all IPHC Regulatory Areas may begin no earlier in the year than 12:00 hours local time on 15 March.

(3) All commercial fishing for Pacific halibut in all IPHC Regulatory Areas shall cease for the year at 12:00 hours local time on 31 October.

(4) The first fishing period in the IPHC Regulatory Area 2A non-tribal directed commercial fishery shall begin at 08:00 hours on the last Saturday in June and terminate at 18:00 hours local time on the fourth day after that date (for five fishing days), unless the Commission specifies otherwise. If the Commission determines that the catch limit specified for IPHC Regulatory Area 2A in Section 12 has not been exceeded, it may announce a second fishing period of up to five days to begin on the second Saturday in July, and, if necessary, a third fishing period of up to five days to begin on the last Saturday in July.

or

(4) The first fishing period in the IPHC Regulatory Area 2A non-tribal directed commercial fishery shall begin at 08:00 hours on the last Saturday in June and terminate at 18:00 hours local time on the ninth day after that date (for ten fishing days), unless the Commission specifies otherwise. If the Commission determines that the catch limit specified for IPHC Regulatory Area 2A in Section 12 has not been exceeded, it may announce a second fishing period of up to ten days to begin on the last Saturday in July, and, if necessary, a third fishing period of up to ten days to begin on the last Saturday in August.

(5) Notwithstanding paragraph (7) of section 12, an incidental catch fishery is authorized during the sablefish seasons in Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between the dates and times listed in paragraphs 2 and 3 of this section.

(6) Notwithstanding paragraph (2), and paragraph (7) of section 12, an incidental catch fishery is authorized during salmon troll seasons in Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between the dates and times listed in paragraphs 2 and 3 of this section.

12. Commercial Catch Limits

(1) ...

(6) If the Commission determines that the catch limit specified for IPHC Regulatory Area 2A in paragraph (1) would be exceeded in an additional directed commercial fishing period as specified in paragraph (2) of section 9...

Appendix I

Analysis of Fishing Period Options

ADDITIONAL ANALYSIS OF FISHING PERIODS OPTIONS FOR 2- AND 5-DAYS

In September 2017, the IPHC Secretariat provided the PFMC information at their request on how fishing period limits by vessel size class might change with longer fishing periods ([Annex I](#)). The PFMC requested a range of fishing period options to be analyzed from the 10-hr derby (status quo), to a one week, 20-day, or 30-day fishing period. Following the IPHC Interim Meeting in November 2017, the Commissioners requested that the IPHC Secretariat provide additional options of a 2- and 5-day fishing period.

The IPHC's response to the PFMC request, in [Annex I](#), provides details on licensing the IPHC Regulatory Area 2A fishery, including the number of licenses issued and fished between 2012 – 2017 ([Annex I](#), Table 1). It also describes the dates of the fishery (Table 2), as well as fishing period limits by vessel size class and estimated landings in recent years (Table 3). The IPHC issues commercial Pacific halibut licenses by the vessel's size (or length) class, which ranges from A to H, with A being the smallest vessels (25 ft and under) and H being the largest (56 ft and over). The heart of the analysis is in Table 4 which provides sample fishing period limits by vessel size class and estimates of landings under each. The table is based on the 2017 directed commercial fishery allocation and the number of licenses IPHC issued for the fishery in 2017. Note that vessels can choose to be licensed in the directed commercial fishery, or in both the directed commercial and the fishery incidental to sablefish. At the bottom of Table 4 in Appendix II, it shows the estimated landings under three scenarios: (1) if all vessels licensed participated and caught their full vessel limit, (2) if only half the licensed vessels participated and landed their full vessel limit, and (3) if only half the licensed vessels participated and only landed half of their vessel limit (this has been the case, generally speaking, under the 10-hr derby). Table 4 from Appendix II has been updated to include estimated fishing period limits under the 2- and 5-day options and is published in this paper as Table 2.

In [Annex I](#), the 1-week fishery (PFMC Option 1) was expected to have vessel limits for H-class vessels (the largest size class (56+ feet) and used as the reference point when talking about vessel limits) set between 4,000 to 6,000 pounds (1.81 to 2.72 t) (net weight) for the first opening. This was based on using the 2017 allocation of 225,591 pounds (102.33 t) (net weight) and on the number of vessels licensed by size class in 2017. For the 20-day fishery (PFMC Option 2), the IPHC would likely choose fishing period limits based on an H-class limit of 2,000 to 4,000 pounds (0.91 to 1.81 t) (net weight) for the first 20-day fishing period. With a 20-day fishery, as opposed to a 1-week fishery, IPHC would have to be more conservative in setting the vessel limit because with more time to fish, more vessels would likely participate and would more likely catch their vessel limit. For the 30-day fishery (PFMC Option 3), the IPHC would likely choose fishing period limits based on an H-class limit of 2,000 pounds (0.91 t) (net weight) for the first 30-day fishing period. With a 30-day fishery, as opposed to a 1-week or 20-day fishery, IPHC would have to be more conservative in setting the vessel limit because with more time to fish, more vessels would likely participate and would more likely catch their vessel limit.

In summary, based on the 2017 allocation of 225,591 pounds (102.33 t) (net weight) and on the number of vessels licensed by size class, the fishing period limit for H-class vessels in pounds (net weight) of Pacific halibut are estimated to be as follows under a 1-week, 20-day, and 30-day directed commercial fishery with a full breakout by vessel size class in Table 2:

- 1-week 4,000 to 6,000 lbs (1.81 to 2.72 t)
- 20-day 2,000 to 4,000 lbs (0.91 to 1.81 t)
- 30-day 2,000 lbs (0.91 t)

Table 2. Estimated 1-week, 20-day, and 30-day fishing period limits by vessel size class for IPHC Regulatory Area 2A using 2017 allocation and number of licenses.

		1-week				20-day				30-day	
Vessel Size Class		Vessel Limit (net wt)									
feet	letter	pounds	metric ton	pounds	metric ton	pounds	metric ton	pounds	metric ton	pounds	metric ton
1-25	A	335	0.15	505	0.23	200	0.09	335	0.23	200	0.09
26-30	B	420	0.19	630	0.29	210	0.10	420	0.29	210	0.10
31-35	C	670	0.30	1,010	0.46	335	0.15	670	0.46	335	0.15
36-40	D	1,850	0.84	2,780	1.26	925	0.42	1,850	1.26	925	0.42
41-45	E	1,990	0.90	2,990	1.36	995	0.45	1,990	1.36	995	0.45
46-50	F	2,385	1.08	3,575	1.62	1,190	0.54	2,385	1.62	1,190	0.54
51-55	G	2,660	1.21	3,990	1.81	1,330	0.60	2,660	1.81	1,330	0.60
56+	H	4,000	1.81	6,000	2.72	2,000	0.91	4,000	2.72	2,000	0.91

For a 2- or 5-day fishery, and keeping all other parameters the same (i.e., using 2017 allocation and number of vessels licensed by size class), the fishing period limit for H-class vessels in pounds (net weight) of Pacific halibut are estimated to be as follows with a full breakout by vessel size class in Table 3:

- 2-day 9,000 lbs (4.08 t)
- 5-day ~6,000 lbs (2.72 t)

Table 3. Estimated 2-day and 5-day fishing period limits by vessel size class for IPHC Regulatory Area 2A using 2017 allocation and number of licenses.

		2-day		5-day	
Vessel Size Class		Vessel Limit (net wt)			
feet	letter	pounds	metric ton	pounds	metric ton
1-25	A	755	0.34	505	0.23
26-30	B	945	0.43	630	0.29
31-35	C	1,510	0.68	1,010	0.46
36-40	D	4,165	1.89	2,780	1.26
41-45	E	4,480	2.03	2,990	1.36
46-50	F	5,365	2.43	3,575	1.62
51-55	G	5,985	2.71	3,990	1.81
56+	H	9,000	4.08	6,000	2.72

With a 2-day opening of the directed commercial fishery, the IPHC Secretariat would likely choose fishing period limits based on an H-class limit of 9,000 pounds (4.08 t) (net weight), the same amount generally used for the first 10-hr derby. Given that the 10-hr derby has been open for multiple days (2-3 total days) in recent years, a 2-day opening (i.e., 48-hrs) could be expected to have similar to, but slightly increased landings from recent 10-hr derby opening. Similar to the 10-hr derby, not all licensed vessels would be expected to participate in a 2-day opening. However, they could be expected to catch more of their vessel limit than under a 10-hr derby. With the 2-day opening, the IPHC would expect to have only one opening based on an H-class limit of 9,000 pounds (4.08 t) (net weight).

With a 5-day opening, the IPHC Secretariat would likely choose fishing period limits based on an H-class limit of approximately 6,000 pounds (2.72 t) (net weight). The 5-day opening is just slightly shorter than the 1-week fishery (PFMC Option 1) and would therefore be expected to have H-class limits on the higher end of the 1-week option range given that there is less time for all licensed vessels to participate.

Detailed breakouts for each vessel size category under all of these options are provided in Table 4 below. Note that these limits are based on the 2017 allocation and number of licenses issued by size class, both of which will change for 2018. The IPHC Secretariat will set fishing period limits for 2018 before the start of the first opening based on the actual number of licenses issued in 2018 and on the 2018 directed commercial fishery allocation.

Table 4. Estimated fishing period limits by vessel size class and estimated landings (lb, net weight) for IPHC Regulatory Area 2A using 2017 allocation and number of licenses.

				(2-day)	(5-day)	PFMC Option 2 (20-day)					
2017 allocation (lb, net weight)			225,591	Status quo (10-hr derby)	PFMC Option 1 (1-week)				PFMC Option 3 (30-day)		
Vessel Class		vessel limit ratio	2017 # Lic	9,000 vessel limit		6,000 vessel limit		4,000 vessel limit		2,000 vessel limit	
feet	letter			vessel limit	est. landings	vessel limit	est. landings	vessel limit	est. landings	vessel limit	est. landings
1-25	A	0.084	15	755	11,325	505	7,575	335	5,025	200	3,000
26-30	B	0.105	11	945	10,395	630	6,930	420	4,620	210	2,310
31-35	C	0.168	19	1,510	28,690	1,010	19,190	670	12,730	335	6,365
36-40	D	0.463	39	4,165	162,435	2,780	108,420	1,850	72,150	925	36,075
41-45	E	0.498	43	4,480	192,640	2,990	128,570	1,990	85,570	995	42,785
46-50	F	0.596	36	5,365	193,140	3,575	128,700	2,385	85,860	1,190	42,840
51-55	G	0.665	14	5,985	83,790	3,990	55,860	2,660	37,240	1,330	18,620
56+	H	1	31	9,000	279,000	6,000	186,000	4,000	124,000	2,000	62,000
			208								
If 100% of licenses participate & land 100% of vessel limit					961,415		641,245		427,195		213,995
If 50% of licenses participate & land 100% of vessel limit					480,708		320,623		213,598		106,998
If 50% of licenses participate & land 50% of vessel limit					240,354		160,311		106,799		53,499

ANNEX

[Annex I](#): IPHC Fishing Period Analysis for PFMC (Sept. 2017)

Annex I to Appendix II: IPHC Fishing Period Analysis for PFMC (Sep 2017)INTERNATIONAL PACIFIC
HALIBUT COMMISSION

Agenda Item G.1.a

IPHC Report 1

September 2017

IPHC Report September 2017**IPHC Regulatory Area 2A Directed Commercial Pacific Halibut Fishery**
Sample Vessel Fishing Period Limit Options for Longer Fishing Periods**Purpose**

This paper provides input from the International Pacific Halibut Commission (IPHC) for the discussion of Pacific halibut fishery management in IPHC Regulatory Area 2A. Specifically, the Pacific Fishery Management Council (PFMC) requested information on how vessel fishing period limits might change with longer fishing periods for Pacific halibut.

Background

The IPHC submitted a letter to the PFMC recommending a move away from derby-style management for the directed commercial Pacific halibut fishery in IPHC's Regulatory Area 2A ([Agenda Item G.1.a, Supplemental IPHC Letter 2, June 2017](#)). The IPHC noted concerns over safety and discards, as well as limitations on fishers and processor flexibility. At the PFMC's June 2017 meeting, the PFMC reviewed the IPHC's letter and heard further input from the PFMC's Groundfish Advisory Subpanel (GAP) regarding possible alternatives to the commercial derby fishery ([Agenda Item G.1.b, Supplemental GAP Report, June 2017](#)). In response, the PFMC informally asked the IPHC to provide examples of vessel fishing period limits for longer fishing periods.

Current Management of the Directed Commercial Fishery

In the management of the Pacific halibut fishery, the IPHC sets the overall catch limit for IPHC Regulatory Area 2A and then endorses the PFMC's Pacific Halibut Catch Sharing Plan, which further allocates the IPHC Regulatory Area 2A catch limit among user groups, including the directed commercial fishery ([Agenda Item G.1, Attachment 1, June 2017](#)). The National Marine Fisheries Service (NMFS) then implements the resulting catch limits by user groups in domestic regulations, which may be more restrictive than IPHC regulations. All agencies work closely together to facilitate each step of the annual process.

For the non-Indian directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A, the IPHC is responsible for issuing licenses and setting the fishing periods and individual vessel fishing period limits. The IPHC sets the directed commercial fishery fishing periods and fishing period limits to match the Catch Sharing Plan allocation for this sector.

Licenses

The IPhC issues licenses to participate in Pacific halibut fisheries in IPhC Regulatory Area 2A, as specified in IPhC Regulation Section 4 (Licensing Vessels for Area 2A), including:

- the directed commercial fishery,
- retention of Pacific halibut incidental to the sablefish fishery,
- retention of Pacific halibut incidental to the salmon troll fishery, and
- sport charter fisheries.

These are annual licenses, for which an application must be submitted to the IPhC each year by the specified deadline. There is no set maximum number of licenses allowed, and the number of licenses issued from year to year may vary. If a vessel chooses to participate in the sport charter fishery or to retain Pacific halibut incidental to the salmon troll fishery, it may not participate in any other Pacific halibut fisheries in IPhC Regulatory Area 2A. However, vessels may apply for two separate licenses to participate in both the directed commercial fishery and the Pacific halibut fishery incidental to the sablefish fishery. Not all vessels issued a license for a given year actually participate in the Pacific halibut fishery.

Commercial Pacific halibut licenses specify the vessel's length class, which ranges from A to H, with A being the smallest vessels (25 ft and under) and H being the largest (56 ft and over).

Table 1 provides a summary of commercial Pacific halibut licenses issued by IPhC each year between 2012 and 2017, along with how many vessels actually participated in the Pacific halibut fishery that year. About half of the vessels issued licenses to participate in the directed commercial fishery actually fished. The number of licenses issued for the directed commercial range from a low of 143 in 2013 to a high of 208 in 2017. The greatest number of vessels that actually participated in the directed commercial derby was 97 in 2012.

Table 1. Number of vessels issued an IPHC commercial Pacific halibut license and percent fished in IPHC Regulatory Area 2A between 2012 and 2017 by commercial license type. Data on the 2017 licenses fished are not yet available.

2A LICENSES (#s)		2012	2013	2014	2015	2016	2017
<i>Total commercial derby</i>	<i>Issued</i>	175	143	162	144	169	208
	<i>Fished</i>	97	68	71	77	93	
	<i>% fished</i>	55%	48%	44%	53%	55%	
<i>Directed commercial</i>	<i>Issued</i>	156	123	138	129	159	192
	<i>Fished</i>	81	55	54	65	85	
	<i>% fished</i>	52%	45%	39%	50%	53%	
<i>Licensed for both directed and incidental to sablefish</i>	<i>Issued</i>	19	20	24	15	10	16
	<i>Fished</i>	16	13	17	12	8	
	<i>% fished</i>	84%	65%	71%	80%	80%	
<i>Incidental to sablefish</i>	<i>Issued</i>	2	6	5	7	8	8
	<i>Fished</i>	1	6	3	6	6	
	<i>% fished</i>	50%	100%	60%	86%	75%	
<i>Incidental to salmon</i>	<i>Issued</i>	311	333	424	364	310	222
	<i>Fished</i>	104	101	181	151	128	
	<i>% fished</i>	33%	30%	43%	41%	41%	
<i>Total commercial</i>	<i>Issued</i>	488	482	591	515	487	438
	<i>Fished</i>	202	175	255	234	227	
	<i>% fished</i>	41%	36%	43%	45%	47%	

Fishing Periods

The IPHC sets the fishing period dates as a series of potential 10-hour (0800-1800 hours local time) fishing periods specified in IPHC Regulation Section 8 (Fishing Periods), paragraph (2). In recent years, the potential fishing period dates have been on Wednesdays in late June and early July. The fishing period dates are decided each year through the IPHC's Annual Meeting process. Table 2 shows the potential dates for the commercial fishery between 2012 and 2017, along with the total number of days the fishery was open. From 2012 to 2015, the commercial fishery was open for two 10-hour fishing periods; in 2016 and 2017, there were three.

Table 2. Potential directed commercial Pacific halibut fishing period dates for IPHC Regulatory Area 2A between 2012 and 2017 and total number of days open.

FISHING PERIODS	2012	2013	2014	2015	2016	2017
Total open days	2	2	2	2	3	3
Potential open days (bold dates were open)	27 Jun	26 Jun	25 Jun	24 Jun	22 Jun	28 Jun
	11 Jul	10 Jul	9 Jul	8 Jul	6 Jul	12 Jul
	25 Jul	24 Jul	23 Jul	22 Jul	20 Jul	26 Jul
	8 Aug	7 Aug	6 Aug	5 Aug	3 Aug	9 Aug
	22 Aug	21 Aug	20 Aug	19 Aug	17 Aug	23 Aug
	5 Sep	4 Sep	3 Sep	2 Sep	31 Aug	6 Sep
	19 Sep	18 Sep	17 Sep	16 Sep	14 Sep	20 Sep
					28 Sep	

Vessel Fishing Period Limits

Along with announcing open dates for the directed commercial fishery, the IPHC announces what the per-vessel catch limits will be by vessel class in accordance with IPHC Regulation Section 12 (Fishing Period Limits). IPHC determines the fishing period limits before each 10-hour fishing period opens, based on the number of vessels in each length class, the average performance of vessels in that length class, and the amount of catch allocated to (or remaining for) the directed commercial fishery for that year. The IPHC vessel length classes range from A to H, with A being the smallest vessels (25 ft and under) and H being the longest (56 ft and over). The IPHC first set limits by vessel class size to address the concern that having a single limit would disadvantage larger vessels while smaller vessels would be unaffected. The IPHC adopted the relative vessel size limits at its Annual Meeting in 1988.

In recent years the IPHC has set fishing period limits for the first 10-hour fishing period of the year that range from 9,000 lbs (4.08 mt)(net weight¹) for the H-class vessels down to a limit of 755 lbs (0.34 mt) for the smallest A-class vessels. After each open fishing period, IPHC reviews available fish tickets and contacts processors and state biologists to estimate the Pacific halibut landings by vessel. This landings and participation information is used to determine how much of the directed commercial fishery allocation remains, whether there can be another open fishing period, and what the fishing period limits should be for the next open fishing period.

In addition to the fact that not all vessels with licenses traditionally participate in the open derby fishing periods, most vessels also do not come close to their full vessel limit during a fishing period. On average among all vessel size classes in 2016 and 2017, vessels caught from 20 to 40 percent of the fishing period limit for their vessel size class. In general, only a handful of vessels come close to or achieve their full vessel limit during a fishing period.

¹ "Net weight" is defined in IPHC Regulation 3 as the weight without gills and entrails, head-off, washed, and without ice and slime. All weights in this paper are expressed in terms of "net weight."

Table 3 provides the vessel length overall and the corresponding vessel class, along with the fishing period limits for each open fishing period from 2012 through 2017. Table 3 also provides the estimated landings by open fishing period compared to the overall directed fishery catch limit for that year.

Table 3. Vessel limits by vessel class and estimated landings (lbs, net weight) by open fishing period for IPHC Regulatory Area 2A between 2012 and 2017. Note: 2017 landing estimates are preliminary.

Vessel Class		Fishing Period & Limits (lb, net weight)							
feet	letter	27 Jun 2012	11 Jul 2012	26 Jun 2013	10 Jul 2013	25 Jun 2014	9 Jul 2014		
1-25	A	755	200	755	250	755	200		
26-30	B	945	200	945	315	945	210		
31-35	C	1,510	250	1,510	505	1,510	335		
36-40	D	4,165	695	4,165	1,390	4,165	925		
41-45	E	4,480	745	4,480	1,495	4,480	995		
46-50	F	5,365	895	5,365	1,790	5,365	1,190		
51-55	G	5,985	1,000	5,985	1,995	5,985	1,330		
56+	H	9,000	1,500	9,000	3,000	9,000	2,000		
estimated landings		150,000	29,000	118,000	54,000	133,000	30,000		
total estimated landings			179,000		172,000		163,000		
catch limit			173,216		173,390		168,137		
difference			-5,784		1,390		5,137		
Vessel Class		Fishing Period & Limits (lb, net weight)							
feet	letter	24 Jun 2015	8 Jul 2015	22 Jun 2016	6 Jul 2016	20 Jul 2016	28 Jun 2017	12 Jul 2017	26 Jul 2017
1-25	A	755	505	755	755	210	755	755	590
26-30	B	945	630	945	945	265	945	945	735
31-35	C	1,510	1,010	1,510	1,510	420	1,510	1,510	1,175
36-40	D	4,165	2,780	4,165	4,165	1,160	4,165	4,165	3,240
41-45	E	4,480	2,990	4,480	4,480	1,245	4,480	4,480	3,485
46-50	F	5,365	3,575	5,365	5,365	1,490	5,365	5,365	4,170
51-55	G	5,985	3,990	5,985	5,985	1,665	5,985	5,985	4,655
56+	H	9,000	6,000	9,000	9,000	2,500	9,000	9,000	7,000
estimated landings		105,000	75,000	89,800	83,200	25,000	83,000	77,500	69,500
total estimated landings			180,000			198,000			230,000
catch limit			164,529			193,364			225,591
difference			-15,471			-4,636			-4,409

Fishing Period Options under Discussion

In response to the PFMC's informal request, the IPHC details below information regarding examples of fishing period limits for the directed commercial Pacific halibut fishery for the 3 requested fishing period durations of 1 week, 20 days, or 30 days, compared to the current 10-hour derby-style fishing periods. These examples are built using the 2017 allocation and 2017 license numbers as the most recent year with complete information. **NOTE: THE IPHC DOES NOT RECOMMEND OR ENDORSE ANY OF THE 3 OPTIONS DETAILED BELOW.**

While only about half of the licenses issued have actually participated in open derby-style fishing periods since 2012 (Table 1) and most vessels only catch between 20 and 40 percent of their fishing period limit, the IPHC assumes for this analysis that more licensed vessels would likely participate and that more vessels would catch their limits during a longer fishing period.

Using 2017 numbers, these examples assume 208 licensed vessels would participate, and that each vessel's fishing period limit could be fished at any time during the fishing period. The fishing period limits are based on the 2017 non-treaty directed commercial fishery catch limit of 225,591 ~~lbs~~ (102.33 ~~mt~~) (net weight). These options assume that IPHC Regulations would allow vessels to also fish for other species while fishing for Pacific halibut, subject to the U.S. domestic regulations and license requirements for those species.

Option 1 – 1-week fishing period

Option 1 assigns a 1-week fishing period limit by vessel size class. At any time during the 7-consecutive-day fishing period announced by the IPHC, vessels could retain the amount of Pacific halibut associated with their vessel size class.

The IPHC, working with the state agencies and NMFS, would manage the fishery in season, similar to the current derby fishery. If enough allocation remained after the first 1-week fishing period, the IPHC would reopen the fishery for another 1-week period. Any subsequent 1-week fishing periods would likely be two to three weeks after the preceding 1-week fishing period to allow time to gather and review the Pacific halibut landings data and vessel participation.

The IPHC provides several examples of fishing period limits using the 2017 allocation (Table 4). Note that these example fishing period limits are provided only for purpose of discussion.

For comparison with these examples of fishing period limits, Table 4 also lists the recent historical (or status quo) series of fishing period limits based on the 9,000-lb (4.08 ~~mt~~) (net weight) limit for the H-class vessels used in the current 10-hour fishing periods, with the smaller vessel classes scaled accordingly. This option would not be chosen for a longer fishing period because it is projected to exceed the allocation. Other potential H-class fishing period limits range from 2,000 to 6,000 ~~lbs~~ (0.91 to 2.72 ~~mt~~) (net weight). The bottom of Table 4 shows three scenarios: 1) the estimated landings if all of the licensed vessels participate and land their full limits, 2) if half of the licensed vessels participate and land their full limits, and 3) if half of the vessels participate and land half of their limits. The third scenario is estimated to be unlikely to occur, given the longer fishing period. The level of participation and attainment of individual vessel limits will more likely fall somewhere between the first and third scenarios. As the season is extended longer in subsequent options, from 1 week to 20 days or 30 days, the IPHC expects there to be a higher likelihood of more licensed vessels participating and landing a higher percentage of their fishing period limits.

Under Option 1, using the 2017 allocation of 225,591 lbs (102.33 mt) (net weight), the IPHC would likely choose fishing period limits based on an H-class limit of 4,000 to 6,000 lbs (1.81 to 2.72 mt) (net weight) for the first 1-week fishing period. This is based on attainment of the H-class fishing period limit when it was 9,000 lbs (4.08 mt) by the vessels in this size class (2012-16). In these years, approximately 40 percent of these vessels attained the trip limit with 60 percent landing 6,000 lbs (2.72 mt) or more, and 90 percent landing 4,000 lbs (1.81 mt) or more.

Table 4. Vessel limits options by vessel class and estimated landings (lb, net weight) for IPHC Regulatory Area 2A using 2017 allocation and licenses.

2017 allocation (lb, net weight)		225,591									
Vessel Class		vessel limit ratio	2017 # Lic (208 total)	status quo		6,000 vessel limit		4,000 vessel limit		2,000 vessel limit	
feet	letter			vessel limit	est. landings	vessel limit	est. landings	vessel limit	est. landings	vessel limit	est. landings
1-25	A	0.084	15	755	11,325	505	7,575	335	5,025	200	3,000
26-30	B	0.105	11	945	10,395	630	6,930	420	4,620	210	2,310
31-35	C	0.168	19	1,510	28,690	1,010	19,190	670	12,730	335	6,365
36-40	D	0.463	39	4,165	162,435	2,780	108,420	1,850	72,150	925	36,075
41-45	E	0.498	43	4,480	192,640	2,990	128,570	1,990	85,570	995	42,785
46-50	F	0.596	36	5,365	193,140	3,575	128,700	2,385	85,860	1,190	42,840
51-55	G	0.665	14	5,985	83,790	3,990	55,860	2,660	37,240	1,330	18,620
56+	H	1	31	9,000	279,000	6,000	186,000	4,000	124,000	2,000	62,000
If 100% of licenses participate & land 100% of vessel limit					961,415	641,245		427,195		213,995	
If 50% of licenses participate & land 100% of vessel limit					480,708	320,623		213,598		106,998	
If 50% of licenses participate & land 50% of vessel limit					240,354	160,311		106,799		53,499	

Option 2 – 20-day fishing period

Option 2 assigns a 20-day fishing period limit by vessel size class. At any time during the 20-consecutive-day fishing period announced by the IPhC, vessels could retain the amount of Pacific halibut associated with their vessel size class.

The IPhC, working with the state agencies and NMFS, would manage the fishery in season, similar to the current derby fishery. If enough allocation remained after the first 20-day fishing period, the IPhC would reopen the fishery for another 20-day period. A sub-option could allow subsequent fishing periods of less than 20 days but not shorter than one week. Any subsequent fishing periods would likely start at least 10 days after the preceding fishing period to allow enough time to gather and review the Pacific halibut landings data and vessel participation.

The IPhC provides several examples of fishing period limits using the 2017 allocation (Table 4). Note that these example fishing period limits are provided only for purpose of discussion.

For comparison with these examples of fishing period limits, Table 4 also lists the recent historical (or status quo) series of fishing period limits based on the 9,000-lb (4.08 mt) (net weight) limit for the H-class vessels used in the current 10-hour fishing periods, with the smaller vessel classes scaled accordingly. This option would not be chosen for a longer fishing period because it is projected to exceed the allocation. Other potential H-class fishing period limits range from 2,000 to 6,000 lbs (0.91 to 2.72 mt) (net weight). The bottom of Table 4 shows three scenarios: 1) the estimated landings if all of the licensed vessels participate and land their full limits, 2) if half of the licensed vessels participate and land their full limits, and 3) if half of the vessels participate and land half of their limits. The third scenario is estimated to be unlikely to occur, given the longer fishing period. The level of participation and attainment of individual vessel limits will more likely fall somewhere between the first and third scenarios. As the season is extended, the IPhC expects there to be a higher likelihood of more licensed vessels participating and landing a higher percentage of their fishing period limits.

Under Option 2, using the 2017 allocation of 225,591 lbs (102.33 mt) (net weight), the IPhC would likely choose fishing period limits based on an H-class limit of 2,000 to 4,000 lbs (0.91 to 1.81 mt) (net weight) for the first 20-day fishing period. With a 20-day fishery, as opposed to a 1-week fishery, IPhC would have to be more conservative in setting the vessel limit because with more time to fish, more vessels would likely participate and would more likely catch their vessel limit.

Option 3 – 30-day fishing period

Option 3 assigns a 30-day fishing period limit by vessel size class. At any time during the 30-consecutive-day fishing period announced by the IPhC, vessels could retain the amount of Pacific halibut associated with their vessel size class.

The IPhC, working with the state agencies and NMFS, would manage the fishery in season, similar to the current derby fishery. If enough allocation remained after the first 30-day fishing period, the IPhC would reopen the fishery for another 30-day period. A sub-option could allow subsequent fishing periods of less than 30 days but not shorter than one week. Any subsequent fishing periods would likely start at least 10 days after the preceding fishing period to allow enough time to gather and review the Pacific halibut landings data and vessel participation.

The IPHC provides several examples of fishing period limits using the 2017 allocation (Table 4). Note that these example fishing period limits are provided only for purpose of discussion.

For comparison with these examples of fishing period limits, Table 4 also lists the recent historical (or status quo) series of fishing period limits based on the 9,000-lb (4.08 mt) (net weight) limit for the H-class vessels used in the current 10-hour fishing periods, with the smaller vessel classes scaled accordingly. This option would not be chosen for a longer fishing period because it is projected to exceed the allocation. Other potential H-class fishing period limits range from 2,000 to 6,000 lbs (0.91 to 2.72 mt) (net weight). The bottom of Table 4 shows three scenarios: 1) the estimated landings if all of the licensed vessels participate and land their full limits, 2) if half of the licensed vessels participate and land their full limits, and 3) if half of the vessels participate and land half of their limits. The third scenario is estimated to be unlikely to occur, given the longer fishing period. The level of participation and attainment of individual vessel limits will more likely fall somewhere between the first and third scenarios. As the season is extended, the IPHC expects there to be a higher likelihood of more licensed vessels participating and landing a higher percentage of their fishing period limits.

Under Option 3, using the 2017 allocation of 225,591 lbs (102.33 mt) (net weight), the IPHC would likely choose fishing period limits based on an H-class limit of 2,000 lbs (0.91 mt) (net weight) for the first 30-day fishing period. With a 30-day fishery, as opposed to a 1-week or 20-day fishery, IPHC would have to be more conservative in setting the vessel limit because with more time to fish, more vessels would likely participate and would more likely catch their vessel limit.

Other Considerations for Longer Fishing Periods

The IPHC expects the overall attainment of the directed commercial fishery allocation would be approximately the same with longer fishing periods, with the management target of attaining but not exceeding the allocation. There might be some shift in the spatial distribution of fishing with an extended fishing period as fishers have more time to explore fishing grounds without the pressure of a short deadline to catch their vessel fishing period limits.

For the IPHC, longer fishing periods would require revisions to the biological sampling program that provides age, length, and weight data for the annual Pacific halibut stock assessment. Historically, the IPHC has focused biological sampling effort around the first two or three 10-hour open fishing periods, in the port where the highest number of pounds are landed. In 2017, in response to changes in landing patterns, the IPHC increased this effort and collected biological samples in three separate ports over the three open fishing periods. With longer fishing periods, the landings would likely be spread over a longer period of time and the individual landings may be smaller. Therefore, in order to obtain the necessary biological data for the Pacific halibut stock assessment, the IPHC would likely need to staff more ports for a greater length of time or coordinate with state agencies to obtain biological samples.

Conclusions

As noted in the discussion of the suggested options above, the IPHC expects that fishing period limits for individual vessels would be lower with longer fishing periods under the current



Appendix II

Review of IPHC Regulatory Area 2A commercial fishery management

PURPOSE

To provide a description of the IPHC Regulatory Area 2A Pacific halibut directed commercial fishery management, and an update of fishing period options in response to the Commission recommendation at the 2017 Interim Meeting (IM093-Rec.01).

BACKGROUND

The directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A is one of the last commercial derby fisheries in the United States of America, operating as a 10-hr opening, with options to add additional 10-hr openings should the catch limit not be reached on pre-selected dates. While commercial Pacific halibut fisheries in Alaska and British Columbia have moved to various types of individual fishing quota (IFQ) management by national governments over the years, the IPHC Regulatory Area 2A commercial fishery remains a derby.

The derby-style directed commercial fishery in IPHC Regulatory Area 2A is managed by the IPHC setting fishing period dates, setting fishing period limits in-season by vessel size class, licensing vessels for participation in the fishery, and adopting overall Regulatory Area 2A catch limits in accordance with the [Pacific Fishery Management Council's \(PFMC's\) Pacific halibut Catch Sharing Plan \(CSP\)](#).

In June 2017, the IPHC Secretariat notified the PFMC via letter that the IPHC Secretariat sees no compelling reason to maintain a commercial derby fishery and several reasons to move away from it, including increased safety-at-sea (risk to fishers), reduced wastage, and increased flexibility for fishers and processors. The PFMC, after considering input from its stakeholder advisory body, informally asked the IPHC Secretariat to provide information on potential vessel fishing period limits for longer fishing periods. The IPHC Secretariat provided that information at the PFMC's September 2017 meeting (Appendix I). At the PFMC's November 2017 meeting, the PFMC considered management options for this fishery but decided not to take further action on this issue at this time given other priorities. At the IPHC's Interim Meeting in November 2017, the Commissioners recommended the following:

IM093– Rec.01	<p><i>Report of the IPHC Secretariat (2017)</i></p> <p>The Commission RECOMMENDED that the IPHC Secretariat develop a working paper for consideration at the 94th Annual Meeting, containing the following:</p> <ul style="list-style-type: none">a) A detailed description of how the Regulatory Area 2A commercial fishery (derby) is managed, including roles and responsibilities of agencies, the PFMC and the IPHC; andb) An update to the analysis of various fishing periods and fishing period limits provided to the PFMC in September 2017, including the addition of 2- and 5-day fishing periods.
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REGULATORY AREA 2A DIRECTED COMMERCIAL MANAGEMENT, INCLUDING ROLES & RESPONSIBILITIES

There are four commercial Pacific halibut fisheries in IPHC Regulatory Area 2A:

- 1) a directed commercial fishery south of Pt Chehalis, WA (46°53.30' N. lat.);
- 2) an incidental Pacific halibut fishery to the sablefish fishery north of Pt. Chehalis;
- 3) an incidental fishery to the salmon troll fishery; and
- 4) a tribal commercial fishery (for the 13 treaty Indian tribes within a defined geographic location (IPHC Regulatory Subarea 2A-1)).

The PFMC's CSP allocates the IPHC-adopted Regulatory Area 2A catch limit among commercial fisheries and other sectors in IPHC Regulatory Area 2A.

For the directed commercial fishery, **the IPHC has primary management responsibility for this derby-style fishery.** The specific roles and responsibilities for management during a season are as follows:

Pre-season

- PFMC: considers and adopts changes to the CSP which dictates allocation of the catch limit among sectors (Sep., Nov. of the previous year)
- IPHC: adopts the following limits and management measures for the IPHC Regulatory Area 2A Pacific halibut fishery:
 - catch limits. (Jan)
 - fishing periods, including a series of potential dates for the directed commercial fishery and specification that it will operate from 0800 hours to 1800 hours local time on those days (IPHC Regulation Section 8 (2)) (range of potential dates in Jan, closure announced when allocation of limit estimated to be attained).
 - fishing period limits, including limits by vessel size class as specified in IPHC Fishery Regulations (2017) Section 11 (1,2,3,6,7) and 12.
 - license procedures, to issue licenses to vessels as specified at IPHC Regulation Section 4 (no fee, no limit on the number of licenses issued, applications due no later than 2359 on 30 April, or on the first weekday in May if 30 April is a Saturday or Sunday) (Apr/May)
- NMFS: implements the catch limits and management measures in US regulations (Feb/Mar)

In-season

- IPHC: sets the fishing period limits by vessel size class for the 10-hr opening based on the sector catch limit and the number of licenses issued by vessel size class. IPHC announces and coordinates with NMFS and State Agencies.
- NMFS: deploys observers using similar coverage rates and approach as is used with the limited entry fixed gear groundfish fleet (first covered in 2017).
- IPHC: gathers biological samples from fishery landings in key ports.
- IPHC: reviews fish ticket information immediately following the opening to estimate if enough of the sector catch limit remains for another derby opening.
- IPHC, NMFS, Pacific State Marine Fisheries Commission (PSMFC), and the State Fish and Wildlife Agencies (Washington, Oregon, California): coordinate on data.

- If enough sector catch limit remains, the process starts over again with IPHC setting fishing period limits by vessel size class. If not, the fishery closes.

Post-season

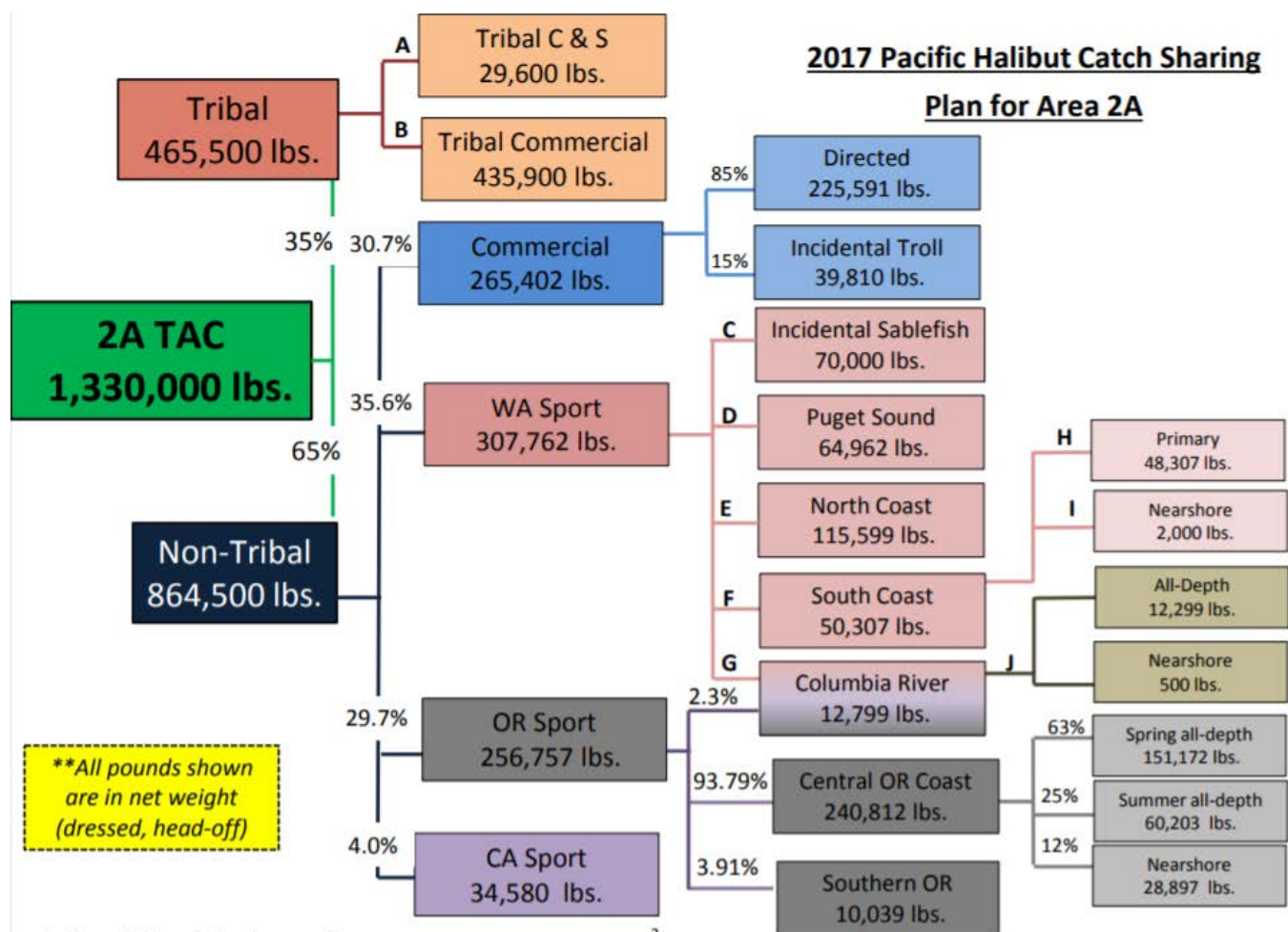
- IPHC, NMFS, PSMFC, and the State Fish and Wildlife Agencies (Washington, Oregon, California): coordinate on data and reporting from the fishery.

At the PFMC's November 2017 meeting under the Pacific halibut agenda item, the PFMC provided a document with a similar exercise of roles and responsibilities under status quo management of the directed commercial fishery as a derby-style fishery (Level 1); as well as how roles and responsibilities would shift under a longer season or an incidental fishery (Level 2), or under limited entry or an IFQ fishery (Level 3) ([Agenda Item E.1, Attachment 3, Nov 2017](#)). The table on page 3 of Agenda Item E.1, Attachment 3, summarizes roles and responsibilities under different management scenarios.

Table 1. Scoping Matrix - Management Scenarios for the Non-Indian Directed Commercial Pacific Halibut Fishery

Level	Description	Work Load	Time Demand/ Time Frame	Comment
Level 1 Status Quo	IPHC lead in fishery management.	IPHC: establishes TAC; issues vessel licenses, identifies vessel classes, vessel limits, fishing periods, conducts biological sampling, data collection & compilation, develops fishery regulations for implementation by NMFS. Council facilitates preseason public process of developing Area 2A Catch Sharing Plan (CSP) and recommending annual regulations for the upcoming year. NMFS implements CSP/ updates regulations compliant with all applicable laws. Coordinates observer coverage with West Coast Groundfish Observer program. States monitor fisheries and report landings.	Status Quo Council moderate time demand preseason. IPHC high time demand throughout. States high time demand inseason. NMFS moderate time demand preseason and inseason.	Status Quo. Standard Council schedule for Halibut is Sept. and Nov., and sometimes June. Season setting process consistent with Council Operating Procedure (COP). 9
Level 2 Moderate change from Status Quo. (Greater change if include the standard workload for Council and States involvement, and NMFS regulatory process used in incidental retention fisheries).	Council to provide greater guidance and recommendations to IPHC if no change fishery structure. General framework of CSP intact, with level of revision dependent on level of fishery change. More variability in change at this level.	If changes are moderate: IPHC: no change in Status Quo. Council works with NMFS to develop vessel classes, vessel limits and fishing periods preseason and inseason for recommendation to IPHC. States: no change in Status Quo, unless want more involvement in developing annual fishery structure, or take over biological sampling. If current fishery structure to change from direct to incidental, NMFS take lead for regulations and inseason management, entities follow established pattern of tasks as in other incidental halibut fisheries.	IPHC time: No change if fishery structure is status quo. States time: no change or slight increase. Council time: increase. NMFS time increase. TIMEFRAME- gradual transition potentially over two or three year period.	Change anticipated in Council process and entity workload, but would depend on level of change in current fishery structure. May require change in management schedule (COP 9). Moderate development and implementation costs, and modest to moderate ongoing maintenance costs.
Level 3 Major Change from Status Quo. (Equivalent to FMP amendment to develop programs in terms of workload /process).	Council takes lead in fishery management: CSP modified to include detailed framework for fishery and role/responsibilities. Forward plans to IPHC for approval.	NMFS issues licenses. Council, NMFS develop preseason plan for fishery season structure. NMFS implements fishery, inseason management. States monitor fisheries and report landings, potentially including biological sampling.	IPHC time: decrease. States time: increase; outreach to develop recommendations. Council time: increase. NMFS time: increase. TIMEFRAME- transition potentially over 3-5 year period, perhaps graduating from Level 2.	Substantial changes for all entities. May require a change in COP 9 Council could consider a Halibut Management team or Technical Committee, or increase GAP/GMT membership to account for additional workload. High implementation and on-going maintenance costs.

A diagram of the Regulatory Area 2A CSP for 2017 from a September PFMC meeting document is excerpted below ([PFMC, Agenda Item G.1, Attachment 2, Sept 2017](#))



Appendix III

Letters exchanged between the IPHC and the PFMC (2017-18)

Note that letters are included without attachments

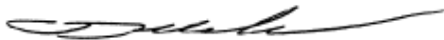
<p>COMMISSIONERS: ROBERT ALVERSON SEATTLE, WA TED ASSU CAMPBELL RIVER, B.C. JAMES BALSIGER JUNEAU, AK LINDA BEHNKEN SITKA, AK PAUL RYALL VANCOUVER, B.C. JAKE VANDERHEIDE DUNCAN, B.C.</p>	<h2 style="margin: 0;">INTERNATIONAL PACIFIC HALIBUT COMMISSION</h2> <p style="margin: 5px 0 0 0;">ESTABLISHED BY A CONVENTION BETWEEN CANADA AND THE UNITED STATES OF AMERICA</p>	<p>EXECUTIVE DIRECTOR DAVID T. WALSON 2320 W. COMMODORE WY. STE 300 SEATTLE, WA 98199-1287</p> <p>TELEPHONE: (206) 834-1838</p> <p>FAX: (206) 832-2983</p>
<p>EL2017066 30 May 2017</p>		
<p>Mr. Herb Pollard Chair, Pacific Fishery Management Council 7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384</p>		
<p>Re: Commercial derby fishery in IPHC Regulatory Area 2A</p>		
<p>Dear Mr. Pollard:</p>		
<p>The International Pacific Halibut Commission (IPHC) notes that the Pacific Fishery Management Council (Council) is reviewing the Pacific halibut Catch Sharing Plan (CSP) for Regulatory Area 2A during the remainder of this year.</p>		
<p>In conjunction with reviewing the CSP, the IPHC recommends for the Council's consideration a change in the management of the non-tribal, directed commercial Pacific halibut fishery in Regulatory Area 2A. This fishery is one of the few remaining derby-style commercial fisheries in the United States of America, concentrating effort into as few as two days of fishing each year at current stock levels.</p>		
<p>The IPHC sees no compelling reason to retain the directed commercial Pacific halibut fishery as a derby-style fishery, but a number of advantages in shifting to a management system that reduces the concentration of fishing effort and eliminates or reduces the race to fish. Potential advantages include:</p>		
<ol style="list-style-type: none"> 1. <u>Safety</u>. The current derby system offers no flexibility as to when fishing takes place, creating pressure to attempt fishing even in poor weather and dangerous conditions. The U.S. Coast Guard has frequently commented at IPHC meetings in support of moving away from the derby fishery for this reason, and the Coast Guard provided similar input at the Council's March 2017 meeting. We believe that a system offering more flexible fishing opportunities is inherently safer for everyone on the water, and that this is the primary reason for change. 2. <u>Reduced wastage</u>. The current derby system is essentially a race for fish, where fishers have an incentive to set as much gear as possible during the short time available for fishing. When the fishing is good, this leads to more regulatory discards as trip limits are reached than would be the case under a system where the fishers had time to more carefully calibrate their effort to applicable limits. Mortality from these regulatory discards (termed 'wastage' in IPHC management) represents an unnecessary loss to the resource. 3. <u>Flexibility for fishers and processors</u>. Under the current derby system, fresh Pacific halibut from Regulatory Area 2A is delivered and comes to market in a tightly defined period of time, limiting the ability of fishers and processors to influence or react to market forces. A management system with more flexibility regarding fishing days would allow fishers and processors more latitude in managing their industry sector. 		
<p>1</p>		

Other than maintaining access to the resource by the commercial Pacific halibut fishery, the IPHC does not recommend a particular management system to replace the derby for the 2A non-tribal, directed commercial Pacific halibut fishery. The IPHC supports a reduction in the concentration of fishing effort, and eliminating the race to fish, as a guiding principle for any changes that are made.

We recognize the challenges that shifting to a new management system would entail in order to ensure equitable use and effective management of the resource, and that it would take some time to develop and implement changes. In addition to the Council, action would be required by IPHC, the U.S. National Marine Fisheries Service, and the various State agencies. For our part, IPHC stands ready to engage in the process and to support it with scientific advice.

The IPHC looks forward to working with the Council and Council staff to continue our strong partnership for sustainable management of the Pacific halibut resource.

Sincerely,



Dr. David T. Wilson
Executive Director, IPHC

cc: IPHC Commissioners
Charles Tracy, PFMC
Michael Burner, PFMC
Kelly Ames, PFMC

COMMISSIONERS:
 ROBERT ALVERSON
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INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
 AND THE UNITED STATES OF AMERICA

EXECUTIVE DIRECTOR
 DAVID T. WILSON

2320 W. COMMODORE WY, STE 300
 SEATTLE, WA 98199-1287

TELEPHONE:
 (206) 634-1838

FAX:
 (206) 632-2983

EL2018048
 15 May 2018

Mr. Philip Anderson
 Chairperson, Pacific Fishery Management Council
 7700 NE Ambassador Place, Suite 101
 Portland, OR 97220-1384

Re: Non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A

Dear Mr. Anderson:

The International Pacific Halibut Commission (IPHC) notes with appreciation the extended discussion during 2017 by the PFMC and its advisory bodies in response to the IPHC's letter of 30 May 2017 recommending consideration of options for changes to the management of the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A.

The IPHC sees no compelling reason to retain this fishery's current 'derby-style' management structure, and a number of substantial advantages in shifting to a management system that reduces the concentration of fishing effort and eliminates or reduces the race to fish, including the safety of fishery participants.

It is the intention of the IPHC to eliminate the 'derby-style' management structure in the near term. We acknowledge that the change from a 'derby-style' fishery to either a limited-entry or quota fishery would require active engagement on the part of the PFMC and NOAA Fisheries. Thus, we request to continue discussion toward that goal during 2018.

As an interim measure, the IPHC will commence internal discussions to extend the length of the current fishery for the 2019 fishing period, as we continue discuss the end of the 'derby-style' management of the fishery in the near future. We expect that a proposal to change the length of the fishing period for the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A will be presented to the IPHC for consideration during its 2018-19 meeting cycle, for potential implementation in 2019.

Noting that Pacific halibut is not on the agenda for the June 2018 PFMC meeting, we wish to call the Council's attention to this issue at this time, and would appreciate the PFMC's consideration of this potential change in the course of its regular review of the Pacific halibut fishery and its Catch Sharing Plan later this year. The IPHC will provide briefing book materials in advance of the September and October PFMC meetings and IPHC Secretariat staff will attend both meetings. Recommendations from the Council would then be considered by the IPHC at its Interim Meeting in November 2018 and Annual Meeting in January 2019.

The IPHC appreciates the PFMC's consideration of this question, and looks forward to working with the Council and Council staff to continue our strong partnership for sustainable management of the Pacific halibut resource.

Sincerely,



David T. Wilson, Ph.D.
Executive Director, IPHC

cc: IPHC Commissioners
Chuck Tracy, PFMC
Mike Burner, PFMC
Robin Ehlke, PFMC

COMMISSIONERS:
ROBERT ALVERSON
SEATTLE, WA
JAMES BALSIGER
JUNEAU, AK
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SITKA, AK
NEIL DAVIS
VANCOUVER, BC
ROBERT DAY
OTTAWA, ON
PAUL RYALL
VANCOUVER, BC

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ESTABLISHED BY A CONVENTION BETWEEN CANADA
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EXECUTIVE DIRECTOR
DAVID T. WILSON

2320 W. COMMODORE WY, STE 300
SEATTLE, WA 98199-1287

TELEPHONE:
(206) 634-1838

FAX:
(206) 632-2983

EL2018055
6 August 2018

Mr. Philip Anderson
Chairperson, Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Re: Non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A

Dear Mr. Anderson:

The International Pacific Halibut Commission (IPHC) notes with appreciation the extended discussion since 2017 by the PFMC and its subsidiary bodies in response to the IPHC's letter of 30 May 2017 recommending consideration of options for changes to the management of the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A.

As part of this discussion, the Non-Indian Directed Pacific Halibut Fishery Management- Scoping Exercise discussed at the November 2017 PFMC meeting identified a matrix of levels of engagement and task sharing in management of the fishery, ranging from Level 1 (status quo) to Level 3 (shift in roles and responsibilities).

Level 2 of the matrix (moderate change) included a number of options as transitional tools. Among the structural changes considered in Level 2 was a change in the length of the fishing period, which is the mandate of the IPHC.

In our letter of 15 May 2018, the IPHC noted its expectation that a proposal to change the length of the fishing period for the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A will be considered by the IPHC during its 2018-19 meeting cycle, for potential implementation in 2019. We expect this proposal to include options for either a 5-day or 10-day fishing period each year, with the possibility of additional fishing periods depending on landings.

We would appreciate the PFMC's consideration of this potential change in the course of its regular review of the Pacific halibut fishery and its Catch Sharing Plan during its September and November meetings this year. The IPHC will provide briefing book materials for both meetings and IPHC Secretariat staff will attend. Recommendations from the PFMC would then be considered by the IPHC as it reviews the proposal at its 94th Interim Meeting (IM094) in November 2018 and 95th Annual Meeting (AM095) in January 2019.

As noted previously, the IPHC sees no compelling reason to retain this fishery's current 'derby-style' management structure, and a number of substantial advantages in shifting to a management system that reduces the concentration of fishing effort and eliminates or reduces the race to fish, including the safety of

COMMISSIONERS:
ROBERT ALVERSON
SEATTLE, WA
JAMES BALSIGER
JUNEAU, AK
LINDA BEHNKEN
SITKA, AK
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VANCOUVER, BC
ROBERT DAY
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VANCOUVER, BC

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EXECUTIVE DIRECTOR
DAVID T. WILSON

2320 W. COMMODORE WY, STE 300
SEATTLE, WA 98199-1287

TELEPHONE:
(206) 634-1838

FAX:
(206) 632-2983

fishery participants. We acknowledge that further change beyond that which is contemplated for 2019, such as shifting to either a limited-entry or quota-share fishery, requires active engagement on the part of the PFMC and NOAA-Fisheries. Thus, we request to continue discussion toward that goal during 2018 and 2019.

The IPHC appreciates the PFMC's consideration of this question, and looks forward to working with the PFMC and its Secretariat to continue our strong partnership for sustainable management of the Pacific halibut resource.

Sincerely,



David T. Wilson, Ph.D.
Executive Director, IPHC

cc: IPHC Commissioners
Chuck Tracy, PFMC
Mike Burner, PFMC
Robin Ehlke, PFMC

COMMISSIONERS:
 ROBERT ALVERSON
 SEATTLE, WA
 NEIL DAVIS
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 CHRIS OLIVER
 WASHINGTON, DC
 PAUL RYALL
 VANCOUVER, BC
 RICHARD YAMADA
 JUNEAU, AK

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
 AND THE UNITED STATES OF AMERICA

EXECUTIVE DIRECTOR
 DAVID T. WILSON

2320 W. COMMODORE WY, STE 30
 SEATTLE, WA 98199-1287

TELEPHONE:
 (206) 634-1838

FAX:
 (206) 632-2983

EL2018060
 22 October 2018

Mr. Philip Anderson
 Chairperson, Pacific Fishery Management Council
 7700 NE Ambassador Place, Suite 101
 Portland, OR 97220-1384

Re: Non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A

Dear Mr. Anderson

I would like to express my appreciation of the extended discussion by the PFMC and its subsidiary bodies on options for improvements to the management of the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A.

As we noted in our letters of 15 May 2018 and 6 August 2018, and discussed at the recent PFMC meeting in September 2018, an IPHC Regulatory Proposal for longer fishing periods in this fishery has been submitted for the IPHC's consideration at its upcoming 94th Interim Meeting (IM094) in November 2018 and subsequently at the 95th Annual Meeting (AM095) in January 2019.

Please find attached, the draft regulation proposal for your information and consideration. Note that it includes 5- and 10-day fishing period options, with proposed dates. We are currently conducting a survey of IPHC Regulatory Area 2A license holders as a means to gauge stakeholder views on the subject, and plan to present the results of the survey at your November 2018 meeting.

We would appreciate the PFMC's consideration of this potential change in the course of its regular review of the Pacific halibut fishery and its Catch Sharing Plan during its November meeting this year. Advice from the PFMC would then be considered by the IPHC as it reviews the proposal in detail.

The IPHC continues to appreciate the constructive engagement by the PFMC on this topic, and looks forward to continuing our strong partnership for the sustainable management of the Pacific halibut resource.

Sincerely,



David T. Wilson, Ph.D.
 Executive Director, IPHC



Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384 Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | www.pcouncil.org Philip Anderson, Chair | Charles A. Tracy, Executive Director

November 16, 2018

Dr. David Wilson, Executive Director
International Pacific Halibut Commission
2320 West Commodore Way, STE 300
Seattle, WA 98199

Dear Dr. Wilson,

The Pacific Fishery Management Council (Council) appreciates the International Pacific Halibut Commission's (IPHC) presentations provided by Mr. Steve Keith at our September and November 2018 meetings regarding the proposal to extend the length of the fishing period for the non-treaty directed commercial Pacific halibut fishery in IPHC Regulatory Area 2A. The Council understands that the IPHC will review this proposal at its 2018 Interim Meeting and the 2019 Annual Meeting.

We understand the IPHC's desire to adjust the structure of the directed commercial fishery. However, we would like to take this opportunity to provide feedback on a number of unresolved or outstanding issues that we identified in reviewing the IPHC's proposal and analyses. Because these issues are critical to coordinating with our state and Federal management partners on halibut management, we request the IPHC engage with us to work through all of the issues, or otherwise delay action to modify the management parameters of the 2A directed commercial halibut fishery until the following issues have been addressed.

1. Ensure the proposed changes do not result in additional bycatch, particularly of yelloweye rockfish which is an overfished stock managed under a rebuilding plan. Even though progress has been made in rebuilding yelloweye rockfish, and higher annual catch limits will be in place in 2019 and 2020, there are still significant restrictions in place for both recreational and commercial fisheries. Modifications to the management parameters of the directed commercial halibut fishery that potentially increase yelloweye rockfish mortalities is of concern. Timely and accurate tracking of yelloweye rockfish impacts, and bycatch of other species (e.g., big skate, longnose skate, sablefish, and rougheye/blackspotted rockfish), need to be accounted for and monitored as an important component of managing the fishery.
2. Ensure advance coordination with the National Marine Fishery Service (NMFS) West Coast Groundfish Observer Program such that the Council's data collection and bycatch estimation efforts are not compromised by the proposed change in fishery length, as well

as with the state agency port sampling programs to ensure adequate collection of biological samples.

3. Consider the effect of the proposed change on the economic viability of the fishery to both the harvesters as well as the buyers and processors, especially the implications associated with smaller volumes of deliveries. In particular, the Council has heard from some participants that the current directed commercial fishery may not be economically viable now, and it will be important to understand how the proposed changes may affect the fishery from an economic perspective.
4. Ensure advance opportunity for discussion and coordination with enforcement entities, including the NMFS Office of Law Enforcement, U.S. Coast Guard, and the state departments of fish and wildlife and law enforcement entities, relative to their collective efforts to effectively enforce the fishery regulations during a longer season. As part of those coordination efforts, discuss whether fish hold inspections should continue to be required and who would perform those inspections.
5. Consider what the appropriate timing of the fishery should be (e.g., noon to noon, or midnight to midnight), the effects of different options, and whether a 72-hour stand down period prior to the opening is still needed.
6. In setting the season dates for this proposal, consider the potential impacts to the Area 2A recreational fisheries, which are currently scheduled around the directed commercial fishery openings to avoid gear conflicts, as well as the economic effects associated with different season options. Specifically, the Council would appreciate an opportunity to review and discuss an analysis of the impacts to the recreational fisheries that may result from the proposed season date options for the directed commercial fishery.

Although the implementation issues outlined above relate to the IPHC's proposal to extend the length of the fishing period for the directed commercial fishery, they are issues that the Council and its management partners will need to resolve prior to providing a perspective on any change in the management structure of the 2A directed commercial halibut fishery.

In addition, past correspondence (May 15, 2018 letter to the Council) indicates that IPHC considers the proposed fishing period extension is an interim step towards larger changes to the Area 2A management approach. To consider future changes to the Area 2A halibut fishery management structure in a more holistic way, the Council and NMFS West Coast Region office proposed a workshop, potentially as early as spring 2019, to fully engage all management partners in this exploration. We believe this approach will assist us in answering some of the questions outlined above prior to moving forward with changes to the management of this fishery.

Page 3

The Council looks forward to engaging with the IPHC in this process as a way to address management issues and collaborate with all management partners on potential solutions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Anderson', written in a cursive style.

Philip Anderson
Council Chair

RDE:kma

Cc: Mr. Chuck Tracy Mr. Mike
Burner Ms. Robin Ehlke Mr.
Frank Lockhart Ms. Keeley
Kent Ms. Aja Szumylo Ms.
Kathryn Blair Ms. Michele
Culver Mr. Joe Oatman Ms.
Heather Reed Ms. Maggie
Sommer Ms. Lynn Mattes
Ms. Marci Yaremko Ms.
Caroline McKnight Mr. Matt
Damiano