

INTERNATIONAL PACIFIC HALIBUT COMMISSION

MINUTES

OF THE

SEVENTIETH ANNUAL MEETING

Bellevue, Washington

January 24-27, 1994

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PARTICIPANTS

Commissioners

Steven Pennoyer, Chairman
Richard J. Beamish, Vice-chairman
Richard Eliason
Ralph Hoard
Allan Sheppard
Brian van Dorp

Commission Staff

Donald A. McCaughran, Director
Stephen H. Hoag, Assistant Director
Calvin Blood
William Clark
Joan Forsberg
Tracee Geernaert
Heather Gilroy
Stephen Kaimmer
Gerald Lariviere
Michael Larsen
Ian McGregor
Ana Parma
Gordon Peltonen
Lauri Sadorus
Phyllis Severeid
Patrick Sullivan
Gilbert St-Pierre
Robert Trumble
Bernard Vienneau
Gregg Williams

Advisors

Bruce Leaman
Loh-Lee Low

**INTERNATIONAL PACIFIC HALIBUT COMMISSION
SEVENTIETH ANNUAL MEETING**

The Hyatt Regency Hotel, Bellevue, Washington

January 24 - January 27, 1994

SCHEDULE OF SESSIONS

Monday - January 24

a.m. - 8:00 - 9:00	IPHC Administrative Session	Cottonwood Room
9:00 - 12:00	Public Session	Grand Ballroom
p.m. - 1:30 - 5:00	IPHC Administrative Session	Cottonwood Room
1:30 - 5:00	Conference Board	Regency Ballroom
6:30 - 8:30	Reception	Grand Ballroom

Tuesday - January 25

a.m. - 8:30 - 5:00	IPHC Administrative Session	Cottonwood Room
8:30 - 5:00	Conference Board	Regency Ballroom

Wednesday - January 26

a.m. - 8:30 - 9:30	Conference Board Report	Regency Ballroom
a.m. - 9:30 - 12:00	IPHC Administrative Session	Cottonwood Room
p.m. - 1:30 - 5:00	IPHC, Conference Board, and Processors	Regency Ballroom

Thursday - January 27

a.m. - 8:30 - 12:00	IPHC Meeting (Public welcome)	Grand Ballroom
p.m. - 1:30 - 5:00	IPHC Administrative Session	Grand Ballroom

**INTERNATIONAL PACIFIC HALIBUT COMMISSION
SEVENTIETH ANNUAL MEETING**

Hyatt Regency Hotel, Bellevue, Washington
January 24 - January 27, 1994

PUBLIC SESSION - January 24, 1994

GRAND BALLROOM

9:00 a.m.	OPENING
	Chairman's Opening Remarks
	Introductions
	Commissioners
	Staff
	Guests
9:15 a.m.	DIRECTOR'S REMARKS
9:30 a.m.	STAFF PRESENTATION
	Review of the 1993 Fishery
	Bycatch Sport and Personal Use Mortality
	Analysis of CPUE
	Monitoring Growth and Maturity
	Population Assessment, 1993
	Regulations and Proposals: 1994
	Division of Area 2A
10:30 a.m.	COFFEE
11:00 a.m.	QUESTIONS AND DISCUSSION
12:00 Noon	ANNOUNCEMENTS AND ADJOURNMENT
6:30 p.m.	RECEPTION (No Host) - Grand Ballroom

SUMMARY OF MAJOR DECISIONS

RECOMMENDED REGULATIONS

- 1) Catch limits (pounds, net weight) recommended as follows: Area 2A (550,000), Area 2B (10,000,000), Area 2C (11,000,000), Area 3A (26,000,000), Area 3B (4,000,000), Area 4A (1,800,000), Area 4B (2,100,000), Area 4C (700,000), Area 4D (700,000), Area 4D-N (35,000 of overall 4D catch limit), Area 4E (100,000).
- 2) Fishing periods recommended as follows: Area 2B (3/1-11/15), Area 2C, 3A, 3B (6/6, 9/12, 10/10, with a 48-hour cleanup opening in Area 2C), Area 4A (6/6, 8/15, 8/30), Area 4B (6/6, 6/15, 8/15, 8/30), Area 4C (6/3-10/30 one day open, one day closed with 10,000 pound fishing period limits), Area 4D (8/15-8/30), Area 4D-N (7/1-8/13), Area 4E (5/2-9/28 with 6000 pound fishing period limits).
- 3) Area 2A catch sharing plan requested by the PFMC was adopted.
- 4) Experimental fishery in Area 4D-N continued in 1994.
- 5) Regulatory changes specifying complete offloading during a trip limit opening.
- 6) Regulatory changes specifying vessel clearance requirements in Area 4.
- 7) Regulatory change which clarified that undersized tagged halibut cannot be sold.

ADMINISTRATIVE

- 1) Interim meeting, 1994 to be held on November 22 in Commission offices, Seattle.
- 2) Annual meeting, 1995 to be held in Vancouver, B.C. on January 23-26.
- 3) Chairman for the remainder of the year 1994 and the 1995 Annual Meeting will be Richard Beamish.
- 4) Vice chairman for the remainder of the year 1994 and the 1995 Annual Meeting will be Steven Pennoyer.
- 5) Approved the carryover of funds amounting to \$200,500.
- 6) 1993 Annual meeting minutes and interim meeting minutes were approved.
- 7) Retention of auditors, Coopers and Lybrand for fiscal year 1994-95;

- 8)Gave Commission staff authorization to transfer funds from any line item in the budget to any other line item, specifically from personnel, but noted that funds could not be transferred from other programs back to personnel.
- 9)The Canadian government will reduce Commission funding from October 1994 to September 1995, by 5% (\$33,500), and will continue at this level at least through 1997.
- 10)Computer upgrade approved conceptually, pending an itemization of purchases.

RESEARCH

- 1)The Halibut Bycatch Work Group will continue to assemble in 1994 with a meeting occurring early in the year.
- 2)Consensus that an international peer group be formed to address and lend support to Area 2A management for 1995.

MINUTES

ANNUAL MEETING

January 24-27, 1994

ADMINISTRATIVE SESSION - MONDAY, JANUARY 24, 1994

Chairman Pennoyer called the meeting to order. Mr. Pennoyer asked the director to review the schedule and agenda for the next four days.

Several requests for private meetings with the Commission had been received. After some discussion, a decision was made to steer presentations toward the public session.

Mr. Pennoyer asked Dr. McCaughran to review his Area 2A presentation to be given at the public session. Dr. McCaughran noted that the staff has spent ample time on the Area 2A issue, and Dr. Beamish asked that all discussions on Area 2A be scheduled.

PUBLIC SESSION - MONDAY, JANUARY 24, 1994

Mr. Pennoyer opened the meeting and welcomed those present. He made an opening comment regarding the role of the industry and the Commission in fisheries management, and mentioned Individual Fishing Quotas and other allocation issues as being current problems. He introduced the other commissioners, advisors, and specifically Mr. Rollie Schmitten (National Marine Fisheries Service), Mr. Gordon Jensen (past commissioner), Mr. Frank Warren (Pacific Fishery Management Council), and Mr. Phil Smith (National Marine Fisheries Service, IFQ coordinator).

Mr. Pennoyer reviewed the agenda for the public session and invited attendees to the Monday evening reception.

Mr. Rollie Schmitten complimented the Commission's service and stated that he looks forward to working with them in the future.

Staff presentations commenced and included: Heather Gilroy - "Review of the Fishery", Dr. Robert Trumble - "Bycatch, sport, and personal use estimates for halibut", Dr. Ana Parma - "Spatial analysis of halibut CPUE", Dr. William Clark - "Monitoring growth, maturity, and sex composition", Dr. Patrick Sullivan - "Population assessment, 1993", Mr. Stephen Hoag - "Staff regulatory proposals for the 1994 fishery". Mr. Hoag also reviewed some other proposals which were included in an additional handout entitled "Miscellaneous regulatory proposals". Additional proposals not in the handout included: use of bycatch by charities, special 4D fishery, overage/underage system for the U.S. IFQ fishery, and personal use.

Following a break, Dr. McCaughran gave a presentation on Area 2A. Dr. McCaughran noted that

about 30% of the harvestable surplus exists in Area 2A-1 and 70% outside of Area 2A-1 and that catch limits have probably been set too liberally in the past. He warned that the Commission staff will be monitoring the catch much more closely than in the past.

Mr. Pennoyer opened the floor for questions or comments. Questions were addressed concerning: (1) the source of the estimate of sport catch in Area 2B; (2) a number of comments concerning the abundance of halibut in Area 2A-2 in relation to that in Area 2A-1; (3) the use of a sport catch in Area 2A assessment in relation to how sport catch is used in other areas; (4) the application of observed bycatch numbers in Canada to the remaining fleet is not indicative of true bycatch; (5) a number of comments asking that bycatch caps be imposed on the Canadian groundfish fleet as well as mandatory observer coverage; (6) concern over possibly capping the native subsistence fishery without consultation with the people who utilize it, and the fact that the sport fishery is not monitored closely enough; (7) a number of advocates for splitting Area 2A as well as advocates against; (8) extending the Area 4D experimental fishery and expanding the catch limit; (9) inquiries regarding DNA research; (10) support of Commission to address inequities of Russian imported halibut vs domestic; (11) support of closures to certain areas for trawling; (12) a proposal to implement mandatory reporting of data for all sport and commercial fishermen in Area 2A, as well as increased sampling of catch; (13) concern over wastage in the Canadian commercial fishery; (14) confirmation on why catch limits are increasing if biomass is decreasing; and (15) concerns regarding bycatch control in the U.S.

ADMINISTRATIVE SESSION - MONDAY, JANUARY 24, 1994

Mr. Pennoyer convened the session at 2:30, and reviewed the agenda.

Mr. Phil Smith, Restricted Access Management division (RAM) manager - NMFS, gave a presentation on the status of implementation of the Alaskan IFQ program. Mr. Smith reviewed IFQ implementation thus far and noted that the application period should be finished by mid-1994, and the transfer process finished by the end of January, 1995. He also reviewed regulatory hurdles including: appeals process, rules on transferability (block proposal), and other fine tuning regulations. Discussion commenced on the following points: cost, effect of appeals on implementation, and the block proposal in relation to transferability. NMFS has requested a 1.2 million dollar administrative budget and a .5 million dollar enforcement budget for IFQs.

Mr. Jonathon Pollard (NMFS) gave an overview of regulations in the halibut fishery and groundfish fisheries, and how they are implemented, noting review by Department of Commerce of both Commission and Council regulations. Mr. Pollard noted that halibut must be sorted and discarded from groundfish harvest as soon as practicable. No sorting occurs onboard mid-water trawl pollock vessels that deliver to shore plants. Fishermen are in jeopardy of prosecution if they fail to use a reasonable opportunity to sort and discard. The legal problem is identifying "reasonable opportunity". Direct dumping to the hold has not been confronted in the Alaska region. Dr. Trumble pointed out that according to the observer program, only three vessels directly pumped their catch that they sorted on deck, and they are in a fishery of little bycatch. He continued to note that a larger problem is the

regulation which requires a vessel to dump their codend to the hold instead of deck sorting when an observer is aboard.

Ms. Nancy South (DFO) gave a review of Pacific halibut regulations in Canada. Ms. South noted that approval of the regulations by the Canadian government is always a year behind because they must go through the cabinet process. Therefore an attempt is being made to change the Commission regulations to go through the Pacific Fishery Regulations which would make it possible for the Director General to approve them. This change should take place within the next six to seven months. Once the halibut regulations are a part of the Pacific Fishery Regulations, there will be additional restrictions of gear types (i.e. trawl nets, hook strippers) aboard a vessel possessing halibut. Currently, the seasons and IVQs are part of the license package, which each fisherman agrees to follow.

After a short break, the following motions were unanimously approved:

- a) Annual meeting minutes and interim meeting minutes, 1993;
- b) Retention of auditors, Coopers and Lybrand for fiscal year 1994-95;
- c) 1995 Annual Meeting to be held in Vancouver, B.C., January 23 - 27; and
- d) 1994 Interim Meeting to be held on November 22 at Commission offices, Seattle.

Mr. Gerald Lariviere presented a review of the IPHC budget for fiscal year 1994-95 and 1995-96, as well as proposed amendments for 1994-95. He noted the increase in administrative budget was the result of installing an office-wide computer security system due to excessive break-ins on the University of Washington campus. Printing and binding increased due to the production of a larger number of technical and scientific reports compared to previous years. A discussion then took place concerning the carryover of fish funds from one fiscal year to the next, since current policy limits the carryover and excess funds go back to governments. There was some concern whether national laws in either Canada or the U.S. would prohibit the carryover, so it was decided that the discussion would resume Tuesday after the answer to that question was known. A motion was made to carry over otherwise excess funds (\$45,000) upon approval from governments, from 1993 to 1994.

Mr. Lariviere continued by pointing out line item changes in future budgets including: permanent and temporary salary increases due to U.S. government locality pay, and reduced insurance benefits.

Dr. Beamish stated that as a result of widespread budget cuts, the Canadian government will reduce Commission funding from October 1994 to September 1995, by \$67,000, and that the Commission should not expect an allocation greater than \$800,000 through 1997. A discussion then took place on whether the countries were required to make matching cuts. It was noted by Dr. McCaughran that the Commission voted last year regarding monies not provided by the governments, and that a separate vote by the commission would be required for either country to make unmatched allocations. After discussion regarding the effect of the cuts, Mr. Pennoyer expressed his concern and noted that he would confer with the U.S. financial advisors, and also commented that the U.S. would likely not increase its share from \$833,000 to \$867,000 as requested. Mr. Lariviere was instructed to re-work the 1995 budget using \$800,000 from each country and re-present it on Wednesday. Dr. McCaughran stated that a number of items would be affected and especially noted the current lack of workman's compensation, Washington state's solicitation of the Commission for B&O tax, and cuts in port

sampling budget as matters of extreme concern. Ms. Eileen Cooney was asked to check on options regarding workman's compensation.

ADMINISTRATIVE SESSION - TUESDAY, JANUARY 25, 1994

After reviewing the agenda for the day, the Commission heard an overview of staff research proposals, totalling \$95,000 for ongoing projects and \$83,000 for new projects for 1994. Included in the discussion was the expiration of Sara Adlerstein's contract to analyze observer data, the winding down of the parasite study, and a proposal for a DNA stock identification project. Discussion of the DNA project noted the future possibility of joint Commission/Russian research, and that east coast studies have yielded evidence that there are discrete differences in populations. Regarding bycatch studies, Mr. Pennoyer urged the staff to work on formulating bottom-line conclusions that would translate into regulatory measures for the groundfish fleet. The Commission was informed that a staff proposal regarding grid sorting would be presented in June and would likely include a proposal to allow deck sorting when an observer is aboard a vessel. Mr. Pennoyer expressed concern that all staff research projects seemed noncohesive.

Dr. Beamish advocated priority be given to research concerning future recruitment, and improving estimation of year class strength prior to the commercial fishery. Several comments were made concerning the vast expense of undertaking such projects, and it was noted that current estimates are from the NMFS trawl surveys. Further discussion followed about the importance of sport fishery sampling and IVQ-CPUE studies.

After a break, the discussion continued with new projects proposed for 1995 totalling \$95,000. Approval was requested by the staff at this meeting because some of the listed projects were due to start in the fall of 1994, prior to the next scheduled meeting of the Commission. The computer upgrade was approved, conceptually, pending an itemization of proposed purchases.

After discussion of research proposals was concluded, the Canadian delegation gave a report on the Canadian bycatch reduction plan, noting that the bycatch reduction is slightly ahead of schedule with an ultimate goal of 50%. What has happened to date, and proposals for 1994 included: 1) decreasing Pacific cod catch limits, and establishing fishing period limits depending on density of time/area abundances of halibut; 2) reducing number of trips trawlers can make in the rockfish fishery; 3) hopes to expand rules already present in the rockfish fishery to other fisheries; 3) implementation of a 100% port monitoring project for trawlers in 1994; 4) continuation of the existing observer program at a 5-10% rate; 5) analysis on discard mortality; 6) gear modifications; 7) 1994 flatfish trawl net mesh size increase from 3 to 5 1/2 inches; 8) the continuation of a joint trawl/hook and line committee formed to discuss bycatch reduction in Hecate Strait based on collected data; 9) and bycatch caps for the 1995 groundfish trawl fishery.

Considerable discussion followed including the accuracy of the limited observer program when applied to the entire fleet. Mr. Pennoyer expressed caution, using as an example, the inaccuracy of estimates in U.S. fisheries when the observer program was first instituted and coverage was low. The

cost of a more extensive observer program and the source of overall bycatch figures for Canada were among the other topics discussed. Dr. Beamish assured the Commission that those involved have a good working relationship and that the Canadian situation was not comparable to the U.S. He also noted that Canadian halibut fishermen may be willing to consider legal retention of legal sized halibut by trawlers once the bycatch goals had been achieved, and he indicated that an IFQ program in the Canadian trawl fishery is up for discussion this year.

After a break for lunch, Dr. Beamish noted his concern that U.S. bycatch has only been reduced by 7% since 1991 instead of the 25% reduction that was initially targeted. Mr. Pennoyer responded by describing halibut mortality in the Gulf for 1990 through 1993, showing a downward trend, and described specific bycatch control regulations which included; caps, season changes, time/area closures, gear restrictions, the Vessel Incentive Program, extensive observer coverage, logbook program, careful release, and the IFQ program for sablefish and halibut making halibut retention legal in both fisheries. He followed by stating that cap reductions have not been made as planned partially due to the unsuccessful VIP program, and the fact that lower mandatory caps would leave too much unharvested groundfish.

A proposal was made to complete the report of the Halibut Bycatch Work Group and to schedule a meeting at the Commission offices early in 1994 to discuss pertinent issues.

Ms. Heather Gilroy gave a staff report on the Russian catch of halibut stating that 11 mt were landed by one vessel in 1993. Mr. Hoard commented that the fishery has evolved into a Russian domestic fishery.

There was some further discussion about Area 2B bycatch which concluded that there has been a 20.7% decrease in bycatch from 1991 to 1993.

Mr. Joe Scordino (NMFS) gave a bycatch report for Area 2A. The main points made included: 1) the fact that the Commission staff had not estimated Area 2A bycatch prior to 1992; 2) a description of recent studies which may be used to estimate bycatch; 3) ad hoc committee formed by the PFMC to supply staff with better data; 4) the discrepancies of estimates existing within the Report of Assessment and Research Activities, 1993; and 5) the upcoming PFMC meeting in March that will address the issue. He then went on to explain PFMC plans to implement observer coverage but lacks funding, and mentioned some options concerning a reimbursement program. He concluded by saying that the PFMC is notably behind Alaska and Canada in bycatch management.

Dr. Beamish noted his concern that no halibut bycatch reduction plan was in place for Area 2A, and that in this time of low recruitment and declining biomass, bycatch control was important. He went on to explain that Canada suffers about a 19% loss due to U.S. bycatch, and requested that a report be written describing U.S. reduction of halibut bycatch in all areas. After the jurisdictional separation of the two areas was explained, Mr. Frank Warren (PFMC) proposed that he take the request for a reduction plan back to the PFMC for consideration at their March meeting.

Dr. Beamish commented on the halibut culture project which was dropped two years ago, and

explained that there had been advances in Europe since that time. The staff was requested to supply a report on European and other success in the field. It was requested that Dr. Robert Stickney be invited to speak on the subject at the 1994 Interim Meeting. Mr. Hoard noted his concern with fish farming, and indicated the negative impact of salmon farming on wild stocks as the basis.

Discussion returned to research proposals. Dr. McCaughran asked that the itemization of computer upgrades be delayed until next fall. Discussion took place regarding timing and implementation of survival studies on both longline and trawl vessels, and the lag time between tagging and the retrieval of data. Mr. Pennoyer asked the staff to provide a comprehensive report giving an overview on all research taking place and ultimate goals.

Dr. Patrick Sullivan gave a presentation describing how total allowable catches for each area were figured. Part of Dr. Sullivan's report illustrated the differences in biomass estimates simply by manipulating the CPUE data, concluding that biomass estimates are very sensitive to this data. There was concern by the Commission that this illustration might be misconstrued by the Conference Board as a range of biomass recommendations. It was acknowledged by Dr. McCaughran that some of the staff recommendations were different than those in the population assessment report because factors other than statistics were taken into account. Dr. Beamish noted that when the bycatch was figured into the Area 2A assessment, the numbers did not add up. Mr. Eliason pointed out that decisions made without statistical backup should be done with caution.

Following a coffee break, Dr. Beamish iterated his concern regarding discrepancies in the Area 2A assessment, and how the removals could be negatively affecting Area 2B through replacement of fish in Area 2A.

The effect of May versus June openings for halibut and sablefish fishery bycatch rates were discussed. The staff was asked to further examine and discuss the importance of this effect on Thursday morning.

Dr. Trumble made a presentation on the sport fishery. He stressed that the increasing sport harvest off Alaska will cause the commercial fishery harvest to decline faster than the decline in biomass, thus resulting in a form of defacto allocation, and that this has been pointed out to the NPFMC for allocative consideration. He then noted problems with tidal diary, creel census, and lodge count data sources in British Columbia. There was discussion concerning how sport catch estimates for B.C. are figured into the stock assessment, and the fact that estimates coming out of B.C. are inconsistent with Areas 2A and 2C. Dr. Beamish suggested that meetings between Mr. Patrick Chamut (Director General DFO, Vancouver) and the staff may be necessary to resolve the issue. Dr. Sullivan was requested to drop 500,000 pounds of Area 2B sport catch for 1993, and proportionally reduce sport catch from previous years from the stock assessment, and present the analysis before the end of meeting.

Mr. Barry Ackerman (DFO) gave the British Columbia enforcement report and noted that 28 people had been charged with offenses in 1993, and that since inception of the IVQ program, enforcement has shifted from at-sea to shoreside. He confirmed that fishermen contributed about 8-9 cents per

pound for monitoring, and also contributed \$30,000 (Canadian) to Commission research in 1993, adding that the state department contributed \$25,000 dollars last year as well. \$30,000 was the cost for additional monitoring of the IVQ fishery to the Commission in 1993.

Mr. Dave Flanagan (NMFS) gave a presentation on the status of U.S. enforcement. He noted that enforcement resources were about 45% short of what is needed, and hoped to gain voluntary compliance from other factions when the IFQ program was in place in Alaska. Proposals for enforcement for the IFQ program included: 1) at-sea patrol; 2) checking record of usable catch limit at sea; 3) requiring vessels announce offloading; 4) registration of buyers; 5) targeting vessels not delivering to registered buyers; 6) NMFS dockside patrol; 7) IPHC port samplers; 8) audit programs; 9) 2 scattered officers; 10) 7 resident port officers; and 11) the formation of a fraud investigative unit consisting of 3-5 people. Mr. Flanagan noted that an overage/underage plan was not in place, but that 5% was likely. Discussion continued concerning fish landed out of jurisdictional waters and both Dr. Beamish and Mr. Pennoyer expressed the need for cooperation between the two countries in setting up a viable system. Other points made were the confirmation that personal use catch and would be counted in IFQ in the current regulations, funds obtained through enforcement action are put in a fund and kept until matter is settled, and the fact that NMFS spends very little time monitoring sport catch.

COMMISSION/CONFERENCE BOARD SESSION WEDNESDAY, JANUARY 26, 1994

The U.S. chairman, Bob Alverson (FVOA), reviewed the minutes of the 1994 Conference Board meeting. He noted that there were 11 Canadian organizations and 32 U.S. organizations represented.

Responding to the Conference Board recommendation that Area 2B be opened two weeks earlier (February 15) and close two weeks later (November 15) than in 1993, Mr. Hoard asked if there was any information regarding the quality of halibut during spawning season. The Canadian chairman, Gregg Best, responded that he has witnessed no significant problem with quality in earlier caught fish.

There was some discussion as to the timing of the openings and how they affect the market as well as other fisheries. Mr. Alverson indicated that those considerations had been made. There was further discussion concerning: 1) clarification of recommendations; 2) the fact that the Conference Board felt that more analysis should be done in Area 2A before dividing the area; 3) enforcement concerns once IFQ is in place, and a proposal to have independent monitoring; 4) advocacy of an Area 2A stock assessment survey; 5) confusion on provision that all halibut be offloaded and weighed when sold to parties other than commercial processors, which was ultimately referred to NOAA General Counsel for clarification; 6) the weight given to Conference Board votes and the fact that only those directly involved in an issue vote on it; and 7) a cost-free way to survey Area 2A.

Mr. Hoag clarified that the staff will be managing the commercial fishery in Bering Sea Areas 4A, 4B, and 4D more conservatively than in 1993 in an attempt to prevent catch limit overages. Mr. Alverson noted that he did not have extended information regarding more restrictions and asked to

meet with Mr. Hoag after the session to review possible staff actions for 1994.

Mr. Alverson clarified that a vote concerning fishing period limits in Gulf areas was defeated but was not included in the minutes.

Representatives of halibut processors urged the Commission to continue its work on bycatch reduction. Some concern was expressed regarding the fact that the Conference Board had only had one day to review the Canadian bycatch proposal and hoped that there would be more opportunity to comment. Mr. Pennoyer assured the Conference Board that the issue of bycatch had not been avoided, and that the Halibut Bycatch Work Group has been working on bycatch containment for both countries. He indicated that a final report would be distributed sometime after the meeting. Dr. Beamish commended the Conference Board for their efforts on the bycatch and wastage problem. He mentioned that Canada has authority to implement caps in 1995 as well as other regulations by 1997, and assured that work is serious to reduce bycatch.

ADMINISTRATIVE SESSION - WEDNESDAY, JANUARY 26, 1994

The Commission reconvened and noted some confusion by the Conference Board of the recent legal decisions regarding Area 2A. Ms. Eileen Cooney was asked by Mr. Pennoyer to speak to the conference board on the issue, but they denied the offer.

Dr. Sullivan presented his reanalysis of the Area 2B assessment using a sport estimate which was 36% of the previous estimates. The reconfiguration resulted in a CEY of only 200,000 pounds more, less than the reduction in the sport harvest. Mr. Pennoyer requested that Mr. Sullivan make a presentation to the Conference Board regarding the results.

The Conference Board recommendations were opened for discussion. Mr. Hoard expressed concern for fragile stock in Area 2A and urged conservative management in that area. Regarding the staff proposal to split Area 2A, Mr. Pennoyer reminded the Commission of their duty of conservation and that there is no evidence to show that stocks act differently within Area 2A to warrant a split. Regarding the proposal in the Conference Board to find a cost free charter in Area 2A, Dr. McCaughran explained the "bid system" of chartering for surveys, the limited control Commission staff may have over a cost free charter, and the subtraction of survey poundage from the overall area catch limit.

Dr. McCaughran noted that the Commission has in the past used differential exploitation to justify establishing of regulatory areas, with the exception being the line which splits Areas 2 and 3. Mr. Pennoyer stated that differences in information concerning stock distribution and condition at the present time compared to historical data, need to be clearly defined. He proposed that the document be reviewed over the next year so that more educated decisions could be made at next year's meeting. Dr. McCaughran asked that because of the complexity of issues in Area 2A, that an international peer group be set up to assess issues. Mr. Pennoyer indicated that the peer group was a good idea and could lend support to Area 2A management for 1995.

Mr. Pennoyer introduced discussion for the Area 4D-N proposal, which requested a continuation of the experimental fishery at St. Matthews Island (Area 4D-N) and raise the catch limit from 20,000 pounds to 35,000 pounds of the overall Area 4D catch limit. Ms. Gilroy commented that the total commercial catch was 500 pounds for the 1993 and was landed by one boat. Mr. Earl Krygier (ADF&G) commented that the fishery is just getting underway, and that there was actually 19,000 pounds landed, but only 500 pounds sold commercially. However, commercial gear was distributed to the residents late in 1993 so they will need more catch limit in 1994. After some further discussion Mr. Pennoyer asked what the Commission would gain from extending the fishery one more year. Mr. Krygier responded that fish tickets would be available and he would work with the staff to set up a sampling program. Dr. Clark indicated that age composition and CPUE data from the area would be useful.

Area catch limits were then discussed. Dr. Clark gave clarification of wastage estimates in Area 2B as opposed to the U.S. areas, noting wastage estimates come from IPHC longline surveys, but Area 2B was assumed to be less because more time is taken to fish in the IVQ fishery. It was also noted that there does not seem to have been a change in the average size of fish landed in Area 2B resulting from the change to the IVQ fishery. There was consensus that both Areas 2A and 2B were showing signs of over-exploitation and should be treated conservatively. Among other topics of discussion concerning catch limits were fishing period limits and over/under fishing data. Mr. Hoag noted that if there was a June opening in the Gulf, then fishing period limits would be required for Area 3B, but probably not for a May opening.

Some discussion took place concerning the Conference Board proposal that the Area 4C catch limit be set higher than the staff recommendation, because a recent trawl closure would result in less bycatch and more fish would be available for harvest. It was noted that the closures are not confirmed so therefore may not be reduced, and that reduced bycatch does not necessarily translate into increased catch limits.

Mr. Alverson briefly addressed the Commission and noted that the Conference Board preferred a restriction on fishing time instead of fishing period limits in Areas 4A, 4B, 4D, given that they had to choose one.

Following a short break, discussion resumed concerning the proposal to increase the Area 4D-N catch limit by 15,000 pounds. It was noted that the fishermen are eager to expand their grounds and market. Regarding the Conference Board proposal to increase the Area 4E catch limit, Mr. Hoag commented that the past catch limit of 100,000 pounds had not been reached for several years.

The Area 2A staff proposals concerning seasons were discussed. Mr. Scordino reviewed the catch sharing plan for 1994, and Mr. Pennoyer confirmed that the Commission votes only on the overall catch limit for the area and not allocations. In Area 2B, the ramifications of an early and late opening were discussed including interception of fish travelling to other areas as well as interception of the spawners. Dr. Beamish supported the extended opening (February 15 through November 15), but Mr. Pennoyer cautioned that if it's done for B.C. then the same dates will have to be implemented for U.S.

areas when the IFQ is in place, and that a March 1 opening date was already earlier than what the staff initially recommended.

Discussion continued concerning Area 3A, 3B, and 2C seasons. Mr. Pennoyer initially advocated an early May opening, noting the recommendation to the Commission from the NPFMC that would result in a reduction of halibut bycatch in the sablefish fishery. Mr. Gregg Williams presented data which showed no significant change in halibut bycatch dependent upon timing of the halibut season. Mr. Eliason noted the safety, and the Russian orthodox holiday as arguments against a May opening. In response to the evidence which indicated lower halibut bycatch in 1992, Mr. Pennoyer concurred that there was no visible difference but reiterated his concern. Mr. Hoard mentioned marketing as a consideration.

Concerning Areas 4A, 4B, 4D, Mr. Hoag described possible catches that would result by restricting fishing time versus fishing period limits to keep the catch below the catch limit. Mr. Hoag requested that the Conference Board recommendation of an August 1 opening be denied, and Mr. Pennoyer concurred. Mr. Hoard expressed concern about exceeding the catch limit. The staff indicated no problems with the Conference Board recommendations for Areas 4B, 4C, 4D, and 4D-N. Regarding Area 4E, Mr. Eliason inquired about the ramifications of an early opening in Area 4E and Mr. Hoag responded that it was not of concern.

Mr. Pennoyer adjourned the session so that the Commissioners and Director could meet for an in-camera session.

Following the in-camera session, the administrative session was reconvened. Mr. Pennoyer opened by commenting about the session and expressed concern over budget reductions. He mentioned IFQ expenses as a future problem, and noted that everyone is going to have to "tighten their belts." A hiring freeze for Commission staff permanent employees was recommended for the next two years.

Discussion resumed concerning proposals, first addressing the issue raised by CIE JAE Ocean Charters which explained that currently there is no definition of "day" in the sport regulations for Alaska, and therefore, sport fishermen are sometimes taking two daily bag limits by staying out past midnight. Mr. Scordino noted that bag limit is equal to possession limit in Area 2A and would not apply as in Alaska. Lack of enforcement was mentioned as the obstacle against regulations where a 24-hour period would begin when a vessel left port.

The Commission staff proposed that regulations be set which required a vessel fishing under fishing period limits be required to offload all halibut, which would ensure that all fish caught are reported on fish tickets. Further, a purchaser would be responsible for seeing that all fish is offloaded. Discussion included public relations burden on plant, regulations already in place requiring plant to report overages, enforcement ramifications, and any profit gained by government or plant processors. The Commission members tentatively favored the proposal pending an enforcement report by Dave Flanagan.

The Commission staff proposed that only legal sized, tagged halibut could be sold as opposed to the

present regulation that all tagged halibut could be sold.

The IFQ under/overage plan was mentioned by Mr. Hoag to make Commission aware that a plan is needed before 1995. Mr. Pennoyer asked Mr. Hoag to draft a statement to the effect that overages/underages be allowed to be carried over, to be presented at the April NPFMC meeting.

There was discussion concerning enforcement of a loophole in the clearance and landing requirements in Area 4 which enabled vessels to change skippers then be exempt from the clearance requirements under some circumstances. The staff proposed that the language be changed to read "landings" rather than "vessels".

Regarding the three miscellaneous proposals made by the Canadian Conference Board, the Commission agreed to continue the meetings of the Bycatch Work Group. Mr. Pennoyer indicated that the report would be distributed to Conference Board members by correspondence.

A proposal by E.A.R.T.H. specified a 1% landing tax and the giving of bycaught fish from an experimental fishery to charity. Mr. Pennoyer remarked that none of these issues were within IPHC jurisdiction and that a landing tax would have to be made by amendment to the Magnuson Fishery Conservation Management Act.

A proposal by Terra Marine to give bycaught halibut to the food bank was briefly discussed. Mr. Pennoyer made the statement that the proposal does not address the issue of reducing bycatch mortality of halibut, which is the goal of the Commission, so he cannot support the proposal and therefore can not advocate food bank use of halibut bycatch.

Mr. Pennoyer addressed the Conference Board resolution asking for the Commission to recommend to the Council an emergency rule for 1994 and an amendment for 1995 which specifies BSAI PSC apportionments roll over to subsequent seasons. Mr. Pennoyer added that it was not a Commission issue, but one that the NPFMC was already considering.

Concerning the miscellaneous proposal of the conference board to require 100% observer coverage on vessels fishing in NMFS Area 517 in the Bering Sea, it was noted that data available do not show unnaturally high bycatch in that area, although some discrepancy exists resulting from only 30% coverage on vessels 60-120 feet in length. Mr. Pennoyer commented that the regulation was already passed for 100% coverage in the cod fishery by the NPFMC in September but is not legally binding until printed in the Federal Register, and noted February 13 is date that it will become effective. However, the lack of observers could make that initially impossible. After some discussion it was decided that the Commission would encourage an appropriate observer coverage level.

Regarding trawl closures in NMFS Areas 517, 518, and 519, the Commission will forward the conference board resolution with a letter encouraging collection of good data and recommending action to reduce bycatch mortality.

Returning to the budget carryover, Mr. Hoard moved and Dr. Beamish seconded the motion to carry

over the full amount of \$200,500.

ADMINISTRATIVE SESSION - THURSDAY, JANUARY 27, 1994

Mr. Lariviere reviewed the revised budget which assumed an appropriation of \$800,000 from each country for 1994-1995, and 1995-1996. Mr. Hoard expressed his concern with the line-item Research Programs indicating zero dollars would be available. It was decided to make an announcement in the public session regarding budget cuts but not specific line items, and that budget concerns would be included in letters to the governments. Dr. Beamish asked that the staff study the observer data to get some indication of recruitment for earlier year classes, but otherwise had no objection to the research budget. Mr. Eliason asked that the proposal for WDF sport sampling money be tabled.

Gregg Bargmann asked that WDF receive funding for field work as in past years. It was unanimously decided that the Commission would not help in funding, but Dr. McCaughran noted the possibility of staff time contribution.

In regards to restriction of the transfer of funds from one line item to the next within the budget, Mr. Lariviere was authorized to transfer funds from any line item to any other line item, specifically from personnel. The Canadian budget advisor had no objection with transfers *from* personnel, but noted that funds could not be transferred from other programs back to personnel. There were no objections.

The Area 2A catch limit was discussed further, and Mr. Hoard asked that the point be made in the public session that stocks in both 2A and 2B should be harvested cautiously, because of their sensitivity.

Mr. Pennoyer revisited the discussion of yesterday regarding the sablefish fishery bycatch and noted that after some discussion with the staff, he sees little advantage to an early opening date in Areas 2C, 3A, and 3B.

PUBLIC SESSION - THURSDAY, JANUARY 27, 1994

Mr. Pennoyer opened the meeting and noted that it was a public meeting, not a public hearing and testimony will not be heard, but the Commission may ask for clarification on issues.

The following items were adopted by the Commission:

- 1) Catch limits were as follows: Area 2A (550,000), Area 2B (10,000,000), Area 2C (11,000,000), Area 3A (26,000,000), Area 3B (4,000,000), Area 4A (1,800,000), Area 4B (2,100,000), Area 4C (700,000), Area 4D (700,000), Area 4D-N (35,000 of overall 4D catch limit), Area 4E (100,000).

- 2) Fishing periods: Area 2B (3/1-11/15), Area 2C, 3A, 3B (6/6, 9/12, 10/10, with a 48-hour cleanup opening in Area 2C), Area 4A (6/6, 8/15, 8/30), Area 4B (6/6, 6/15, 8/15, 8/30). Area 4C (6/3-10/30 one day open, one day closed with 10,000 pound fishing period limits), Area 4D (8/15-8/30), Area 4D-N (7/1-8/13), Area 4E (5/2-9/28 with 6000 pound fishing period limits).
- 3) Area 2A catch sharing plan
- 4) Experimental fishery in Area 4D-N for 1994
- 5) Section 11 and Section 16 regulation changes specifying offloading procedure during a trip limit opening
- 6) Section 14 regulatory changes
- 7) Section 18 regulatory change which clarified that undersized tagged halibut cannot be sold.
- 8) Interim meeting, 1994 to be held on November 22 in Commission offices, Seattle.
- 9) Annual meeting, 1995 to be held in Vancouver, B.C. on January 23-26.
- 10) Chairman for 1994 will be Richard Beamish.
- 11) Vice chairman for the 1994 will be Steve Pennoyer.
- 12) Staff had authorization to make housekeeping changes to the regulations as long as intent was not changed.

Mr. Pennoyer recognized the efforts made by the Conference Board to urge the Commission to take a more active part in bycatch matters, and mentioned the discussions that had taken place during the Commission session. He assured the audience that the Commission is cognizant of issues and will work to decrease bycatch.

Dr. Beamish began his closing remarks by noting the high bycatch in U.S. fisheries as well as in the Canadian fleet, and that it is affecting the Canadian commercial fishery. He proposed that programs to gather bycatch data in Area 2A be a priority. He noted the U.S. effort, but expressed his concern that the U.S. appears content with stable caps, and urged their reduction. He then confirmed the Canadian goal of a 50% reduction in bycatch by 1997. In 1994, Canada is prepared to accept a deviation from the 60/40 split recognizing conservation reasons, and noted the Director's comment that catch limits will not be exceeded as in past years. He noted the decline in biomass of fish stocks on both Pacific and Atlantic coasts and the resulting stress put on the maritime community, and closed by expressing his satisfaction at being a part of the remedy.

Mr. Pennoyer closed by noting his satisfaction in seeing the proposed Canadian plan for bycatch reduction and is eager to see it continue and evolve. He also addressed the U.S. bycatch problem and

noted mortality studies as a major effort, especially in this time of declining recruitment and biomass. He assured the audience that IFQ implementation was underway and that enforcement for this issue was being addressed.

The meeting was adjourned.

Richard Beamish, Chairman

INTERNATIONAL PACIFIC HALIBUT COMMISSION
SEVENTIETH ANNUAL MEETING, 1994
BELLEVUE, WASHINGTON

LIST OF PARTICIPANTS

Name	Agency/Org'n/Vessel	City, State/Prov.
Barry Ackerman	DFO	Vancouver, B.C.
Bob Alverson	FVOA	Seattle, WA
Dan Anderson	Tongass Sportfishing Assn.	Ketchikan, AK
Phil Anderson	PFMC	Westport, WA
William Aron	NMFS	Seattle, WA
William Arterburn	CBSFA	St. Paul Is., AK
Greg Bargmann	WDF	Olympia, WA
Nazary Basargin	Kachemak Bay Fisheries	Homer, AK
Carol Batteen	FVOA	Seattle, WA
Gregg Best	Halibut Advisory Board	Comox, B.C.
Anne Best	Observer	Comox, B.C.
Barbara Bingham	Sitka Charter Boat Assn	Sitka, AK
Pam Botnen	TRFC	Chimacum, WA
Craig Bowhay	NWIFC	Forks, WA
Carol Brown	Siggi-G Ocean Charters	Garibaldi, OR
Jeremy Brown	Alaska Trollers Assn.	Juneau, AK
Alvin Burch	AK Draggers Assn.	Kodiak, AK
Larry Cambroner	Kake Fisheries	Kake, AK
Chris Chavasse		Fritz Creek, AK
Greg Clapp	Archipelago Marine Research	Victoria, B.C.
Neal Coenen	ODF&G	Newport, OR
Karl Cook	Metlakatla Indian Comm	Metlakatla, AK
Rick Coole	Metlakatla Indian Comm	Metlakatla, AK
Eileen Cooney	NMFS/NOAA	Seattle, WA
Pat Crain	Lower Elwha S'klallam Tribe	Port Angeles, WA
Nicholas Davis	F/V Keku Queen	Kake, AK
Peter DeGreef	PCFVOG & PTA	Victoria, B.C.
William Dilday	U.S. Dept. of State	Washington, D.C.
Robert Doan	SEFC	Juneau, AK
Tuck Donnelly	Terra Marine	Bainbridge Is., WA
Arne Einmo	FVOA	Seattle, WA
Thomas Flynn	USCG 13th District	Seattle, WA
Michael Foon	Homer Charters	Homer, AK
Bert Foulds	DFO	Ottawa, ONT
Denise Fredette	Arctic King Fisheries	Seattle, WA

Judith Freeman	WDF	Olympia, WA
John Gibson	F/V Severn Mist	Comox, B.C.
Ed Glotfelty	Yukon Delta Fish Assn.	Emmowak, AK
Judith Graham	WA Trollers Assn.	Bellevue, WA
Paul Gronboldt	Penninsula Marketing Assn.	Sand Point, AK
Shari Gross	HANA	Seattle, WA
Mark Haines	NBA	Prince Rupert, B.C.
Mike Hale	Fisherman	Victoria, B.C.
Pete Hannah	VFMA Kodiak	Kodiak, AK
Peter Hanson	Washington Charter Boat Assn.	Neah Bay, WA
Randy Henderson	Petersburg Charterboat Assn.	Petersburg, AK
Terry Henshaw	AHA	Delta, B.C.
Dennis Hicks	ALFA	Sitka, AK
Bill Hines	NMFS	Juneau, AK
Harold Holm	FVOA	Seattle, WA
Lisa Hunter	C/V Lucky One	Newport, OR
Michael Hunter	C/V Lucky One	Newport, OR
Dennis Jackson Sr.	Kake Tribal	Kake, AK
Samual Jackson	F/V Seabound	Kake, AK
Gordon Jensen	PVOA	Petersburg, AK
K. Johnson	UFAWU	Vancouver, WA
Steve Joner	Makah Tribe	Neah Bay, WA
Dave Keeling	PCFVOG	Nanaimo, B.C.
Linda Kozak	KLVOA	Kodiak, AK
Earl Krygier	ADF&G	Juneau, AK
Lloyd Larsen	F/V Valorous	Seattle, WA
Bruce Leaman	DFO	Nanaimo, B.C.
Arne Lee	F/V Evening Star, FVOA	Poulsbo, WA
Loh-Lee Low	AFSC, NOAA	Seattle, WA
Poz MacArthur	Newport Sportfishing	Newport, OR
Tim Martin	F/V Immigrant, FVOA	Stanwood, WA
Nick Martusmen	Kachemak Bay Fisheries	Homer, AK
John McHenry	FVOA	Seattle, WA
David McKinney	NOAA/NMFS enforcement	Seattle, WA
Larry McQuarrie	Ketchikan Marine Charters	Ketchikan, AK
Steve Meadows	Quileute Tribe	Quileute, WA
Scott Meyer	ADF&G-Sport Fish	Anchorage, AK
Mike Miyagi	Wrangell Fisheries	Wrangell, AK
Sam Mokiynk	NSEDC	Savounga, AK
Mel Moon	Quileute Tribe	Quileute, WA
Richard Noble	J.S. McMillan Fisheries	Vancouver, B.C.
Eric Norman	Pelican Sfds.	Pelican, AK
Kris Norosz	PVOA	Petersburg, AK
Jacob Nyce	N. Native Fishing Corp.	Prince Rupert, B.C.

Joe Ockenfels	Siggi-G Ocean Charters	Garibaldi, OR
Eric Olsen	F/V Lorelei II, FVOA	Seattle, WA
Bill Otway	DFO - Recreational	Vancouver, B.C.
Rodger Painter	Sea Culture of Alaska	Seattle, WA
Chris Penn	Quileute Tribe	Quileute, WA
Perfenia Pletnikoff	C.B.S. Fisherman's Assn.	St. Paul Is., AK
Jonathan Pollard	NOAA General Counsel	Juneau, AK
Joyce Quintal-McGrath	DFO	Ottawa, ONT
Joe Rohleder	Oregon Coast Charterboat	Waldport, OR
Dave Ronlund	PCFVOG	Port Alberni, B.C.
Kevin Sather	FVOA	Seattle, WA
Robert Schell	SPC	Sitka, AK
Rollie Schmitten	NMFS	Washington, D.C.
Joe Scordino	NMFS	Seattle, WA
R. Secord	UFAWU	Vancouver, WA
John Secord	FVOA of B.C.	Vancouver, B.C.
Ralph Shaw	SFAB	Courtenay, B.C.
Larry Six	PFMC	Portland, OR
Phil Smith	NMFS/AK-RAM	Juneau, AK
Robert Smith Jr.	F/V Thor, FVOA	Seattle, WA
Nancy South	Dept. of Justice (Can.)	Ottawa, ONT
Rick Steen	SFAB	Vancouver, B.C.
Bob Steinbock	DFO	Ottawa, ONT
Robert Stevens	USCG 13th District	Seattle, WA
Fred Strom	PCFVOG	Vancouver, B.C.
Michael Swan	Homer Charter Assn.	Homer, AK
Simeon Swetozof Jr.	CBSFA	St. Paul Is., AK
Bruce Tullock	Petersburg Fisheries	Petersburg, AK
Bruce Turris	DFO	Vancouver, B.C.
Robin Tuttle	NMFS	Washington, D.C.
John van Amerongen	Alaska Fishermen's Journal	Seattle, WA
Carl Van Valkenberg	Kodiak Longliners	Kodiak, AK
Doug Vincent-Lang	ADF&G	Anchorage, AK
Ken Vogele	C/V Taku	Newport, OR
John Vostinak	Newport Sportfishing	Newport, OR
Robert Ward	Homer Charter Assn.	Homer, AK
Bian Warmuth	Ketchikan Trollers Comm.	Ketchikan, AK
Frank Warrens	PFMC	Portland, OR
Stan Weikal	F/V Hombre	Mt. Vernon, WA
Eric Wickham	PBCFA	Vancouver, B.C.
John Wilks	F/V Vivid	Qualicum Beach, B.C.
David Witherell	NPFMC	Anchorage, AK
Richard Zacharof	Tribal Government	St. Paul, AK
Jon Zuck	NSEDC	Anchorage, AK

MINUTES

CONFERENCE BOARD MEETING

January 26, 1994
Bellevue, Washington

Robert Alverson, U.S. Chairman
Gregg Best, Canadian Chairman

ORGANIZATIONS PRESENT

CANADA

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

UNITED STATES

Alaska Trollers Association
Alaska Draggers Association
Alaska Federation of Sportfishing Services
Alaska Longline Fishermens Association
Atka Fishermen's Association
Homer Charter Association
Kachemak Bay Fisheries Association
Kake Tribal Corporation
Ketchikan Marine Charters
Ketchikan Trollers Committee
Kodiak Longliners Association
Kodiak Longline Vessel Owners Association
Metlakatla Indian Community
North Pacific Fishing Association
North Pacific Longline Association
Norton Sound Economic Development Corp
Oregon Coast Charter Boat Association

Oregon Longliners Association
Peninsula Marketing Association
Petersburg Charter Boat Association
Petersburg Vessel Owners
Seafood Producers Coop
Seattle Deep Sea Fishermens Union
Seattle Fishing Vessel Owners Association
Sitka Charter Boat Association
Southeast Alaska Coalition
St. George Fishermens Association
St. Paul Fisherman's Association
United Fishermen's Marketing Association
Yukon Delta Fisheries Development Association
Washington State Charter Boat Association
Washington Trollers Association

REGULATORY AREAS

Area 2A

The Conference Board entertained a motion to establish for the 1994 season Areas 2A-1 and 2A-2 as described in the IPHC Annual Report, without prejudice to where harvest would take place during the 1994 season. This action failed on a vote of 12 to 5.

Minority Report

Oregon Longliners Association and Oregon Charter Boat Association

We disagree with the Conference Board's decision to not divide Area 2A into two distinct areas. The Conference Board's action maintains status quo. We believe this to be a mistake for these reasons:

- The IPHC staff maintains that the biomass in Area 2A-1 comprises roughly 30% of the stock in all Area 2A.
- Habitat assessment, trawl survey results, and habitat/CPUE computations all show the same proportion of distribution.
- Harvest practice in Area 2A flips this distribution.
- Area 2A-1 takes approximately 70%.
- The remainder of Area 2A takes the remaining 30%.
- The result is serious over-harvest in Area 2A-1, resulting in under-harvest in the remainder of Area 2A.
- Unless some method of redistribution of harvest is enacted over-harvest in Area 2A-1 will continue.
- This is not good for the resource nor ultimately, the users.
- It is particularly unfair to the users outside of Area 2A-1.

The IPHC has many incidents of precedence for dividing areas. It is our contention that dividing Area

2A into two separate areas is necessary to correct the inequality of harvest distribution. It is our feeling that current "politics" want the status quo while science dictates change. The resource requires science to be the control. We, therefore, request that the Commission make the necessary subdivision of Area 2A.

Area 2B

No proposed changes.

Area 2C

No proposed changes.

Areas 3A and 3B

No proposed changes.

Area 4A

No proposed changes.

Area 4B

No proposed changes.

Area 4C

No proposed changes.

Area 4D

The Conference Board unanimously recommended continuation through the 1994 season of the experimental area 4D-N.

Area 4E

No proposed changes.

QUOTAS

Area 2A

The Conference Board recommended a 600,000 pound quota. This quota represents the same harvest

proposed as in 1993. It also reflects a harvest level less than the standard assessment projection on page 44 of the IPHC Bluebook. The Conference Board believes that discounting the CPUE information from 1993 and 1992 as reflected in table 2 of the same Bluebook on page 45 is inappropriate. The short intense seasons began some time before the 1992 season and all CPUE information since 1991 indicates an increasing trend. The Conference Board believes this information on CPUE reflects the best current scientific information to date and should not be discounted. Therefore, averaging table 2 with table 1 to obtain the staff recommendation of a 490,000 pound quota is inappropriate, as table 2 fails to include the best known information on CPUE from 1993 and 1992. - There were two objections to the Conference Board decision, those 2 opposing support a 500,000 pound quota.

Area 2B

The Conference Board unanimously recommended a quota of 10.5 million pounds. This figure is less than the quota proposed under the standard assessment with a 30% harvest rate. The Canadian Conference Board is very concerned with inflated numbers for sport catch, personal use, and waste that do not accurately depict these removals for Area 2B. DFO for two years has given to IPHC sport catches of less than 300,000 pounds whereas the Commission has used 750,000 pounds. Likewise, 300,000 pounds was set aside for personal use, whereas landings are only documented for 17,000 pounds. The waste figure of 340,000 pounds assumes that juvenile halibut mortality in the IVQ fishery in BC is similar to mortality in the p-cod fishery in Alaska. The Conference Board believes it is inappropriate to assume that the IVQ program has the same mortality level of released halibut as that in the Alaska olympic-style fishery.

Area 2C

The Conference Board unanimously recommended a quota of 11 million pounds. This is one million pounds less than the staff proposal. There was concern about reduction of recruits in this area and an overall decline in the halibut biomass in the Gulf of Alaska.

Area 3A and 3B

The staff proposals of 4 million pounds in Area 3B and 26 million pounds in Area 3A were recommended on a vote of 19 in favor and two in opposition. The two in opposition were concerned about the declining overall biomass as well as declining recruitment in the Gulf of Alaska.

Area 4A

The Conference Board unanimously recommended the staff regulations of 1.8 million pounds.

Area 4B

The Conference Board unanimously recommended the staff regulations of 2.1 million pounds.

Area 4C

The Conference Board recommended 800,000 pounds. The Conference Board's recommendation is a 100,000 pounds greater than the staff recommendations and equal to the 1993 catch limit. The members of the Conference Board that fish in Area 4C and 4D have experienced exceptionally good CPUE in 1993 as well as in 1992 and the Conference Board does not believe a reduction is necessary. It appeared to the Conference Board that there was a general 8% to 10% proposed reduction by the staff in all subareas of Area 4. The Conference Board members concur with the staff in the Aleutian Island area of Area 4A and 4B of reduced stock strength. However, in the northern areas, which is an entirely different habitat range than the Aleutian Island area where staff reductions were agreed to by the Conference Board, the abundance of halibut has not demonstrated any decline in CPUE in Area 4C.

Area 4D

The Conference Board recommended a harvest level of one million pounds in Area 4D. The Conference Board recommendation is based on the last several year's participation of a fleet that has been approximately 40 vessels fishing in this area. The CPUE in this area has been extremely good for the 40 vessels, and all vessels in 1993 had substantial landings in the August 11th opening. This area is an extremely large area going from Area 4C to the international dateline. Most of these grounds are not covered by the National Marine Fisheries Service trawl survey, and the only information being generated for the Halibut Commission is that produced by the commercial halibut fleet. Observer data from the National Marine Fisheries Service has indicated a reasonable amount of halibut when the freezer longliner fleet fishes in deeper waters in this area when targeting on Pacific cod. Based on the personal experience of those that have been fishing in Area 4D, the Conference Board has recommended a harvest level of one million pounds.

Area 4D-N

The Conference Board recommended that a quota be established of 35,000 pounds in the experimental area of 4D-N. (See opening seasons for underages of quota). This is not in addition to the above-recommended quota.

Area 4E

The Conference Board recommended unanimously a harvest level of 120,000 pounds.

SEASONS

Area 2A - Commercial

The Conference Board recommended unanimously that the seasons in Area 2A begin July 6 with appropriate trip limits and 10-hour openings followed by clean-up openings of July 19, August 3, and

August 16.

Area 2A - Sport

Please see attached Pacific Fishery Management Council action with regards to opening dates for Area 2A - Sport.

Area 2B

The Conference Board recommended opening dates of February 15 and a closing date of November 15 for the 1994 season. The Canadian section favored the opening date on a vote of 5 to 2 and the U.S. section had no objection provided the IPHC staff did not identify a biological concern. There was no objection within the Canadian section to the closing date of November 15. The rationale for this changed opening and closing date is to provide additional market opportunity for the Canadian landings during 1994. Ninety percent of the Canadian vessels participate in other fisheries and it is difficult to time landings between salmon openings, herring openings, and the U.S. pulse fishery for halibut. The Canadians assume this is a one-year opportunity and will have to be re-addressed for the 1995 season when the IFQ program in Alaska is implemented. It is estimated that potentially 25% of the Canadian fleet will participate on the opening date. Several of the U.S. section indicated that this is exactly why they have supported IFQs to provide such market opportunities and had no objection.

Areas 3A, 3B and 2C

The Conference Board recommendation is for a May 1 opening date. This recommendation is by no means a consensus action of the Conference Board as the vote was 15 in favor with 14 against, and 3 abstentions. The Conference Board supports a second opening of Monday, September 12 and a third clean-up opening of September 29. There were no objections to the September 12 opening, and there was only one objection to the September 29 opening, which reflected a concern for the Chatham Strait black cod opening. In attempting to explain the vote to the commissioners, the following should be taken into consideration:

Those in favor of a May 1 opening made the following arguments:

- (1) Black cod fishermen operating in the Gulf of Alaska have exceeded their gulf-wide halibut cap the last two years. This cap applies gulf-wide and closes all longline fisheries which take halibut incidentally to their operations. A May 1 opening will provide some relief as a portion of the harvestable biomass will be harvested before the May 18 black cod season, hence, reducing their bycatch rate.
- (2) In 1991, when the halibut fishery occurred before the sablefish season, the sablefish fishery was able to be prosecuted without exceeding the halibut catch.
- (3) Reduction of bycatch is the responsibility of everyone, including the longline fleet, which exceeded its

cap in 1993.

- (4)The Commission routinely accommodates salmon and herring fishermen with opening dates, as well as processor concerns. Bycatch needs must be accommodated. A strong signal needs to be sent that reduction of bycatch is a priority.
- (5)The 1994 sablefish TAC is up 22% from the 1993 TAC. It will be even more difficult this year to fully prosecute the sablefish fishery without the halibut PSC cap, shutting all longlining down.
- (6)Southeast Alaska fishermen have not been shut down, due to the longline cap being reached, because of the shortness of their openings. However, Kodiak and areas westward are affected by premature closure when the cap is reached.
- (7)In order to provide time for boats to run to alternative markets, between the opening of halibut and the opening of the May 18 black cod fishery, May 1 was selected as opposed to May 2. This would allow some boats in the eastern gulf to run to southeast Alaska, Canada, or Washington.
- (8)Bycatch reduction should be realized before the May 18 blackcod opener.
- (9)Recovery time for grounds for May 15 sport start-up. The sports interest opposed a June opening and any season after May 1. The sports industry's bookings and fares begin in mid-May and they are concerned about grounds recovery following a commercial halibut opening.
- (10)Need for spring sport fishery for halibut is very important as the only other species available is king salmon.
- (11)Last two years the charter industry has only had one king opening (bar limit reduction from U.S./Canada Treaty) - An unrestricted sport season is important as grounds recovery takes up to two weeks following a commercial opening. A May 1 commercial opening will have the least impact on the charter industry.
- (12)Allows time for turn-around for May 18 black cod opener for commercials.
- (13)Tides are favorable.
- (14)Many of the charter boat industry also fish halibut openers. A June opener would force choosing one opening only.
- (15)This is the last year before IFQs. If weather is good, there could be a lot of gear. A June opening would mean longer recovery time, further reducing fishing opportunity for the charter industry.
- (16)IPHC staff has indicated that the June opening would likely result in trip limits being established in

the initial Area 3B opening where a 4 million pound harvest level has been recommended. The staff has indicated that a May 1 opening would likely not result in a trip limit opening in Area 3B.

Those in opposition made the following arguments:

- (1)The opening date of May 1 falls on a Sunday, which is a problem for the Russian orthodox fleet in the Homer area. In fact, the whole first week of May is a religious week - celebration of Easter. A May 2 opening may accommodate part of this problem, however, this group supported an early June opening.
- (2)There was concern over the herring opening that may interfere with some people's operation.
- (3)Those in opposition significantly represented smaller vessel operations that felt there would be better opportunity for them with an early June opening.

(4)

Minority Comments

Southeast Fishermen's Coalition

The unprecedented block vote by charter boat groups determined this year's Conference Board recommendation for the spring opening.

At issue was whether to fish in early May or early June. (show of hands for April indicated little interest).

The commercial vote (minus charter boats) rejected the May opening and by doing so, supported, for reasons of safety/availability/minimal conflicts a spring opening in the 1st part of June. (A compromise date of June 6 was offered by two of the minority to help with conflicts with black cod fishery).

The minority felt the touted "bycatch benefits" of the majority were largely symbolic and not worth the compromise to small boats.

Exception must be expressed regarding the block vote by the charter groups. As fishermen we are satisfied to respect the majority wishes of those similarly situated; similarly burdened by all the factors inherent in prosecuting an Olympic style longline fishery. Charter boat operators are not subject to all the same factors that effect or threaten life to economic viability in the commercial industry. To have effected this vote for perhaps the single day to fish unrestricted in 1994 was selfish, perhaps scurrilous. The greater implications for this date could not have been a meaningful part of the dialogue that led to their block vote.

(5)

Minority Comments

North Pacific Fisherman's Association

North Pacific Fisherman's Association voted against the May 1, 1994 halibut opening date for the following reasons:

Timing conflicts with herring openings in Cook Inlet, Kodiak and Togiak.

Small vessels have a more difficult time fishing earlier in the year because halibut are out deeper and farther from shore at a time when weather is usually more inclement. This precludes certain vessels from the fishery.

We appreciate the bycatch problem with the sablefish fishery but feel the burden of that problem should not rest on the shoulders of small boat fishermen.

We supported an early June opening to allow equal access to the resource, especially this being the last year before IFQ implementation.

We are opposed to sport fishing groups determining the commercial opening date as was done with this vote.

(6)

Minority Comments

Kake Tribal Corporation

The Conference Board has voted 16 to 15 to set May 1 and 2 as the first halibut opening.

The people of Kake are upset that this decision was made due to votes of charter boats.

We favor the June opening because much of the Kake halibut fleet is comprised of small boats, some 70%. These small boats find it almost impossible to fish the 60 to 80 fathoms in early May. The June fishery is a 5 to 25 fathom fishery.

A further problem is that for many of the smaller boats, this will be their last season and the last chance to amortize their investment.

We find it difficult to understand why our fishing time should be set by votes from areas little

concerned by our problems.

Areas 4A, 4B, and 4D

The Conference Board recommendation to the commissioners is for an August 15 opening with a clean-up fishery on August 30. In the event that the commissioners believe that trip limits will be required in the initial opening for these areas, the Conference Board requests that the opening date be August 1 followed by clean-up fisheries for August 15 and August 30. This should not be interpreted as a general endorsement for trip limits. Any quota remaining from Area 4D-N after August 14 should be included in any Area 4D opening on August 15. This was unanimously approved.

Area 4B

With respect to the Atka allocation of 15% of the Area 4B quota, the Conference Board recommended a June 15 opening with one day on and one day off and 12-hour openings. This would also include 10,000 pound trip limits as voted on by the North Pacific Fishery Management Council. This regulation would be in place for the 1994 season only. Clearing procedures would be the same as in 1993. This was approved unanimously.

Area 4C

The Conference Board recommended an opening date of June 13 with one day on and one day off openings and a 10,000 pound trip limit as was approved in 1993. In addition, the clearance procedures as clarified by National Marine Fisheries Service for 1994 would be followed. This was unanimously approved.

Area 4D-N

Opening date of July 1 to August 14 with one day on and one day off with any remaining quota reverting to the main opening on August 15 in Area 4D. The trip limits would be the same as last year. This was approved unanimously.

Area 4E

The Conference Board recommended a May 2 opening and a closing date of September 28. The seasons would be scheduled the same as 1993 with 2 days on 1 day off and a 6000 pound trip limit. The clearing procedures would be the same as in 1993. This was unanimously approved.

MISCELLANEOUS REGULATORY PROPOSALS

Industry Proposals

Clarification and/or Possible Revision of Halibut Sport Fishing Regulations for the State of Alaska

- Definition of "fishing day" for daily bag limit for vessels in the sport fishery.
- 2 different proposals
- Located in "Miscellaneous Regulatory Proposals", page 2

The problem that has been identified by the Homer Charter Association is when a charter goes out in the evening they can harvest a bag limit and by staying out after midnight can obtain a second bag limit. The vessel then can take another fare upon returning and has the potential of tripling its harvest. The Conference Board recommended the adoption of the Homer Charter Boat Organization's regulation which would define a day's fishing from the time the vessel left port with up to 24 hours to return. The intent is to ensure only one bag limit for a 24 hour period. The Conference Board recognizes that this may have enforcement problems, but believes that if the issue is not addressed in this manner the implications of this type of abuse could further shorten the seasons off Washington, Oregon, and potentially require smaller bag limits in Alaska. This was unanimously approved.

IPHC Staff Proposals

Offloading of Halibut

- Define offloading of halibut to include all fish, Section 11 of IPHC Regulations.
- Located in "Miscellaneous Regulatory Proposals", pages 3-4

Definition of Purchase/Possession of Halibut

- Improve definition of halibut retention regulations, Section 16
- Located in "Miscellaneous Regulatory Proposals", pages 3-4

The Conference Board unanimously adopted the following regarding the offloading of trip limits to a buyer/processor.

11. Fishing Period Limits

- (4)The operator of any vessel that fishes for halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of halibut to a commercial fish processor, completely offload all halibut on board said vessel to that processor and ensure that all halibut is weighed and reported on State fish tickets or Federal catch reports.
- (5)The operator of any vessel that fishes for halibut during a fishing period when fishing period limits are in effect must, upon commencing an offload of halibut other than to a commercial fish processor, completely offload all halibut on board said vessel and ensure that all halibut on board are weighed and reported on State fish tickets or federal catch reports.

16. Receipt and Possession of Halibut

- (3)A commercial fish processor who purchases halibut directly from the owner or operator of a vessel that was engaged in fishing for halibut during a fishing period when fishing period limits were in effect must accept and weigh all halibut on board said vessel at the time offloading commences,

report on State fish tickets or Federal catch reports the weight of halibut offloaded, and prior to purchasing that halibut, report to the National Marine Fisheries Service poundage in excess of a fishing period limit.

Retention of Tagged Halibut

- Clarify definition of retention of juvenile tagged halibut
- Located in "Miscellaneous Regulatory Proposals", pages 3-4

The Conference Board unanimously approved the staff recommendation.

Division of Area 2A

See under AREAS - Area 2A. Conference Board Recommendations and Minority Report.

IFQ underage/overage plan for 1995 for U.S. fishery

The Conference Board recommended that the carry over of quota overages and underages as used in the Canadian IVQ program be forwarded to the North Pacific Fishery Management Council's IFQ Implementation Committee for further consideration as any changes would require Council and Commerce Department amendments.

Accounting for IFQ Catches

The Conference Board wishes to confirm that all fish caught commercially using IFQs be accounted for and that personal use fish would be included in any IFQ trip.

Fishing Seasons and Dates Under IFQs

The U.S. section of the Conference Board had no dates to present to the Commission, but generally felt that their openings and closures should coincide with whatever Canada has for the 1995 season. In the event that the U.S. IFQ program does not commence on March 1, the Canadians would not be obligated to start later.

NMFS Enforcement Proposals

Area 4 Vessel Clearance Regulations

- Clarification of Area 4 vessel clearance procedures
- Located in "Miscellaneous Regulatory Proposals", page 5-6

The Conference Board unanimously endorsed this clarification.

CANADIAN CONFERENCE BOARD RECOMMENDATIONS

- 1.. The Canadian Conference Board recommends that the Commission and DFO work together to resolve the discrepancies in sport catch figures and that the Commission and DFO provide accurate catch data for the personal use fishery.
2. The Canadian Conference Board recommends Canada and U.S. continue in their efforts to reduce halibut bycatch. These should include the use of caps with improved observer coverage, as well as improved fishing practices, time and area closures, improved gear, and reduction of trawl hours on halibut sensitive grounds.
3. The Canadian Conference Board is very concerned about the Alaska IFQ program due to be implemented in 1995. These concerns are lack of tight enforcement and monitoring program to insure that all halibut caught under this program are accounted for. The probability of abuse is very high without independent monitoring of these catches. Because of reciprocal landing agreements between both countries, U.S. halibut will find its way into Canada and it will be hard to verify if this fish is legal. Regulations must be implemented to control abuses. Furthermore, an overage/underage program needs to be implemented to discourage fishermen from exceeding their quotas.

OTHER ISSUES

-EARTH proposal

The Conference Board discussed 4 items brought up by Mike O'Callaghan representing E.A.R.T.H.

1. Mike brought up the issue of membership on the Conference Board. He was informed that the Conference Board is made up of harvesters, both commercial and sports interests, which recommend regulatory issues to the Commission. Mike O'Callaghan and EARTH were invited to participate in Conference Board discussions but were not provided a vote on Conference Board issues.
2. EARTH recommended a 1% landing fee be assessed and the proceeds be used to distribute otherwise wasted or discarded fish. It was pointed out that neither the Conference Board nor the Commission has the authority to make such assessments. It was further pointed out that the members from the different states were participating in their respective state workshops with regards to the reauthorization of the Magnuson Act where regional fees and assessments are likely to be provided. The proper forum for fees to be assessed to the U.S. fleet is the re-authorizations committees in congress.
3. Experimental fishery involving three vessels that would take 2,000 pounds of dead halibut off certain longline trips, which would be sold in the Anchorage market and the funds would be used to distribute approximately 80,000 pounds of other discarded species such as skates and rockfish per month. The Conference Board does not recommend this experiment as there is concern over who will be determining the mortality of the halibut incidentally taken. The IPHC Bluebook indicates a survive-ability of 90% in the longline fisheries and it does not seem wise to start a precedent of delivering halibut that may survive as discarded bycatch.

-Terra Marine

The Conference Board heard a presentation by Tuck Donnelly for experimental retention of halibut. The Conference Board unanimously recommended against the Terra Marine proposal for the following reasons:

1. Terra Marine is currently conducting a similar project on salmon taken in the trawl fleet and the Conference Board would like to see a complete experiment, including necessary controls to quantify if retention will actually lead to a reduction in bycatch. It seems that this should be able to be done through the experimental permitting process of the National Marine Fisheries Service with respect to salmon retention.
2. The Conference Board did not have an experimental proposal presented to it in writing and understands that the proposal will be presented to the National Marine Fisheries Service and the North Pacific Fishery Management Council for consideration in April.
3. The Conference Board is concerned about retention of small halibut which may be able to survive and provide additional growth to the biomass. The average weight of the bycatch in the Bering Sea is currently less than one pound. There are larger halibut taken and there is a concern that selective retention could be a problem.
4. The Conference Board believes that there are ample supplies of discard in the trawl fleet, including 54 million pounds of cod in 1993, which could also be used to demonstrate reductions in bycatch and be available for social purposes in food distribution. The Conference Board believes that at this time targeting on PSC species such as halibut is inappropriate since they have a higher survival rate than other species.

MISCELLANEOUS RESOLUTIONS

The Conference Board supported the following two resolutions presented by the North Pacific Longline Association:

It is hereby RESOLVED that

1. The IPHC should request that NMFS immediately prepare an emergency rule to be effective by June 1, 1994, apportioning 5% of the BSAI fixed gear halibut PSC to the second trimester of 1994, and apportioning any halibut PSC left after the first trimester to the third trimester; and that
2. The IPHC recommend that NMFS begin preparation of a permanent regulatory amendment allowing for the free apportionment of BSAI fixed gear halibut PSC among trimesters (eliminate current requirement that any PSC be apportioned to the "next season" in a given year), to be effective by January 1, 1995.

It is hereby RESOLVED that

1. The IPHC should recommend implementation of the 100% observer requirement in Area 517;

2. The IPHC should recommend that all bottom trawling be prohibited in Area 517 until the 100% observer requirement is in effect; and

3. Failing adoption of 1. or 2. above, the IPHC should recommend that NMFS consider alternative measures including time area closures composed of BSAI Areas 517, 518 and 519 which could be closed to bottom trawling (mid-water trawling only).

Robert Alverson, U.S. Chairman
Gregg Best, Canadian Chairman