



**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE  
INTERNATIONAL PACIFIC HALIBUT COMMISSION  
AND  
THE STATE OF ALASKA COMMERCIAL FISHERIES ENTRY  
COMMISSION**

The International Pacific Halibut Commission, hereinafter called “the IPHC”, and the State of Alaska’s Commercial Fisheries Entry Commission, hereinafter called “CFEC”;

**RECOGNIZING** that the International Pacific Halibut Commission (IPHC) was established by a Convention between Canada and the United States of America to:

- a) conduct research on the biology of Pacific halibut;
- b) assess the stock structure, abundance, and biomass in the North Pacific Ocean and the Bering Sea;
- c) regulate commercial and recreational fisheries for Pacific halibut within 200 mile limits of Canada and the United States of America;
- d) publish or otherwise disseminate the results of this work; and
- e) provide scientific information and advice to the Governments for the purpose of developing the stocks of Pacific halibut to levels which will permit optimum yield from that fishery, and of maintaining stocks at those levels;

**NOTING** that in order to carry out these tasks appropriately and efficiently, the IPHC seeks, inter alia, to establish and maintain mutually agreed working arrangements with other organizations which have related objectives;

**RECOGNIZING** that the State of Alaska’s Commercial Fisheries Entry Commission (CFEC), exists to:

- a) control entry into Alaska’s commercial fisheries to promote conservation of Alaska’s fishery resources and economic health of commercial fishing;
- b) limit entry into commercial fisheries;
- c) issue and transfer annual commercial fishing permits and vessel licenses;
- d) adjudicate appeals of actions including denials of applications and transfers;
- e) study, analyze, and report on the economics and stability of commercial fisheries; and
- f) ensure reliable and timely access to fishery data;

**NOTING** that the IPHC has an annual port sampling program, with port samplers stationed in all major Pacific halibut (*Hippoglossus Stenolepis*) landing ports in Alaska, USA;

**FURTHER NOTING** that the IPHC port samplers interview fishing vessel captains for vessel logbook information including catch, effort and fishing location data;



**FURTHER NOTING** that the IPHC is a Steering Committee member on the Interagency Electronic Reporting System (IERS) with the Alaska Department of Fish and Game (ADFG) and the National Marine Fisheries Service (NOAA-Fisheries);

**RECALLING** that the three organisations (IPHC, ADFG and NOAA-Fisheries) developed IERS for the collection of the commercial fishing landing records in Alaska.

**FURTHER RECALLING** that the IPHC 1) obtains Pacific halibut landing records from the IERS web application, and eLandings; 2) imports these data into the IPHC's internal database; 3) that the database of records for Pacific halibut landings is held by the IPHC; and 4) the IPHC's process is to match the landing records to the logbook records by fishing trip;

**NOTING** that the CFEC issues permits and vessel licenses to qualified individuals in both limited and unlimited fisheries, and completes research on Alaskan fisheries;

**DESIRING** to put into place arrangements and procedures to ensure IPHC data use and confidentiality policies are adhered to, while promoting cooperation and usage of that data;

**NOW THEREFORE** the IPHC and CFEC, hereinafter call "the Parties", have therefore agreed to the following:

## **I. OBJECTIVE OF THIS MEMORANDUM OF UNDERSTANDING**

1. The objective of this Memorandum of Understanding (MoU) is to provide a framework in which the International Pacific Halibut Commission's commercial Pacific halibut landing record data may be utilized and published by CFEC.

## **II. AREAS OF COOPERATION AND INDIVIDUAL RESPONSIBILITIES**

2. Both Parties acknowledge that all data provided are the sole property of the IPHC and the right of dissemination for this data is protected under the International Organizations Immunities Act.
3. The CFEC will present the IPHC-provided Pacific halibut data to the public or other agencies in a summarized format only, and the minimum aggregate reported must include at least three (3) entities within any time or area stratum. For example, if landings are summarized by vessel, at least three (3) unique vessels must be included in order to publish or provide data, and if summarized by port, at least three (3) unique processors or buyers must be included. Aggregation of data is required so that no specific individual entity can be identified within a given time or area stratum.
4. Each of the parties shall have the right to publish reports or analyses based on the data collected under the provisions of this MOU.

## **III. MODIFICATION**

5. This MoU may be modified at any time by the mutual written consent of both sides.



**IV. LEGAL STATUS**

- 6. Nothing in this MOU, or the act of issuing it, is to be construed as a waiver of any rights or immunities granted the IPHC pursuant to the International Organizations Immunities Act, 22 U.S.C. Sec. 288 et seq.

**V. HOLD HARMLESS CLAUSE**

- 7. Each party agrees that it will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other parties thereof.

**VI. COMING INTO EFFECT AND TERMINATION**

- 8. This MoU will continue to operate for 5 years from the date of signing. At that stage the Parties will review the operation of the MoU and decide whether it will be renewed or modified.
  - a) Either Party may terminate this MoU by giving six (6) months prior written notice to the other Party.
  - b) This MoU will come into effect on the day of signature.

**VII. SIGNATURES**

  
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 Signature 13/05/18.  
Date

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 \_\_\_\_\_  
 Signature 10/10/2018  
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