



## Report of the 90<sup>th</sup> Session of the IPHC Conference Board (CB090)

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Anchorage, Alaska, U.S.A., 4-6 February 2020

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## ACRONYMS

AM	Annual Meeting, of the IPHC
CB	Conference Board
CPUE	Catch per unit effort
FCEY	Fishery Constant Exploitation Yield
FISS	Fishery-independent setline survey
IPHC	International Pacific Halibut Commission
MSAB	Management Strategy Advisory Board
NPFMC	North Pacific Fishery Management Council
NPUE	Number Per Unit Effort
SB	Spawning Biomass
SRB	Scientific Review Board
SPR	Spawning Potential Ratio
TCEY	Total Constant Exploitation Yield
WPUE	Weight Per Unit Effort

## DEFINITIONS

A set of working definitions are provided in the IPHC Glossary of Terms and abbreviations: <https://www.iphc.int/the-commission/glossary-of-terms-and-abbreviations>

## HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

This report has been written using the following terms and associated definitions so as to remove ambiguity surrounding how particular paragraphs should be interpreted.

- Level 1: RECOMMENDED; RECOMMENDATION; ADOPTED** (formal); **REQUESTED; ENDORSED** (informal): A conclusion for an action to be undertaken, by a Contracting Party, a subsidiary (advisory) body of the Commission and/or the IPHC Secretariat.
- Level 2: AGREED:** Any point of discussion from a meeting which the Commission considers to be an agreed course of action covered by its mandate, which has not already been dealt with under Level 1 above; a general point of agreement among delegations/participants of a meeting which does not need to be elevated in the Commission's reporting structure.
- Level 3: NOTED/NOTING; CONSIDERED; URGED; ACKNOWLEDGED:** General terms to be used for consistency. Any point of discussion from a meeting which the Commission considers to be important enough to record in a meeting report for future reference. Any other term may be used to highlight to the reader of an IPHC report, the importance of the relevant paragraph. Other terms may be used but will be considered for explanatory/informational purposes only and shall have no higher rating within the reporting terminology hierarchy than Level 3.

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## EXECUTIVE SUMMARY

The 90<sup>th</sup> Session of the International Pacific Halibut Commission (IPHC) Conference Board (CB090) was held in Anchorage, Alaska, U.S.A. from 4-6 February 2020. A total of 55 (70 in 2019) members attended the Session from the two (2) Contracting Parties. Canada accredited no new members and the USA accredited 12 new members, for participation in the 2020 Conference Board proceedings. The meeting was opened by Mr. Jim Lane (Canada) and Mr Jeff Kaufman (U.S.A.) (Co-Chairpersons), who welcomed participants to Anchorage, Alaska.

The following are a subset of the complete recommendations and requests for action from the CB090, which are provided at [Appendix IV](#).

## RECOMMENDATIONS

### *Conference Board Terms of Reference: Proposal for the Commission*

CB090–Rec.01 ([para. 8](#)) The CB **RECOMMENDED** that the Commission adopt the revised IPHC Rules of Procedure (2020) ([IPHC-2020-FAC096-09](#)) which contain the CB requested improvements, with the following modifications: [Canada: in favour=unanimous;][USA: in favour=unanimous]

- a) Removal of paragraph 13;
- b) Removal of No. 9 from the accreditation form;
- c) Consistent spelling for ‘organisation’.

### *Fishing periods: season opening and closing dates*

CB090–Rec.02 ([para. 17](#)) The CB **RECOMMENDED** the following fishing period dates for 2020:

- a) Opening: 14 March [in favour=22; against=2; abstain=20]
- b) Closing: 15 November [in favour=32; against=1; abstain=11]
- c) Non-treaty directed commercial fishery 3-day fishing period as stated in IPHC-2020-AM096-PropA2 [in favour=16; against=0; abstain=34]

### *Mortality limits - [No consensus reached](#)*

#### *Fishery Limits (Sect. 4)*

CB090–Rec.03 ([para. 37](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA1, with the addition of the mortality limits for each Contracting Party, by sector, as detailed in [Section 6](#). [unanimous].

#### *Commercial fishing periods (Sect. 9)*

CB090–Rec.04 ([para. 39](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA2, with the addition of the fishing periods as detailed in [Section 5](#). [unanimous]

#### *IPHC Fishery Regulations: minor amendments*

CB090–Rec.05 ([para. 42](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA3. [unanimous]

#### *Vessel Clearance in IPHC Regulatory Area 4 (Sect. 16)*

CB090–Rec.06 ([para. 44](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA4. [unanimous]

#### *IPHC Closed Area (Sect. 11)*

CB090–Rec.07 ([para. 50](#)) The CB **RECOMMENDED** not opening the Closed Area without a survey and additional discussions with management agency staff and stakeholders. [unanimous]

***Charter management measures in IPHC Regulatory Areas 2C and 3A***

CB090–Rec.08 ([para. 52](#)) The CB **RECOMMENDED** that the Commission follow the directions of the NPFMC once the TCEY levels are adopted. [unanimous]

***Alaska Recreational Fisheries***

CB090–Rec.09 ([para. 55](#)) The CB **RECOMMENDED** forwarding this proposal [*IPHC-2020-AM096-PropCI*] to the NPFMC.

***Alaska Recreational Fisheries***

CB090–Rec.10 ([para. 57](#)) The CB **RECOMMENDED** forwarding this proposal to [*IPHC-2020-AM096-PropC2*] to the NPFMC.

***IPHC Fishery-Independent Setline Survey design***

CB090–Rec.11 ([para. 65](#)) The CB **RECOMMENDED** the 2020 FISS encompass all stations within IPHC Regulatory Area 3A provided that the expanded survey could be completed without negatively impacting setline surveys in other IPHC Regulatory Areas. [unanimous with Canada abstaining (3A issue)]

## 1. OPENING OF THE SESSION

1. The 90<sup>th</sup> Session of the International Pacific Halibut Commission (IPHC) Conference Board (CB090) was held in Anchorage, Alaska, U.S.A. from 4-6 February 2020. A total of 55 (70 in 2019) members attended the Session from the two (2) Contracting Parties. Canada accredited no new members and the USA accredited 11 new members, for participation in the 2020 Conference Board proceedings. The list of participants is provided at [Appendix I](#). The meeting was opened by Mr. Jim Lane (Canada) and Mr Jeff Kaufman (U.S.A.) (Co-Chairpersons), who welcomed participants to Anchorage, Alaska.
2. In accordance with Appendix IV, Section III of the IPHC Rules of Procedure (2019), the CB **NOTED** the requirement to elect Co-Chairpersons, and the option to elect up to two (2) Vice-Chairpersons, of the CB until the beginning of the next Session in 2021.
3. The CB **CALLED** for nominations for the positions of Co-Chairpersons of the CB until the opening of the next session in 2021. Mr Jim Lane (Canada) and Ms Linda Behnken (United States of America) were nominated, seconded and elected as Co-Chairpersons.

## 2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

4. The CB **ADOPTED** the Agenda as provided at [Appendix II](#), with the addition of items on the IPHC Fishery-Independent Setline Survey design (9.1) and size limits (9.2). The documents provided to the CB090 are those submitted for the 96<sup>th</sup> Session of the IPHC Annual Meeting (AM096).
5. The CB **NOTED** that it will convene on Thursday (6 February) morning to adopt the report of the CB090, for presentation to the Commission on Thursday afternoon.
6. The CB **REQUESTED** that to assist the CB in navigating its meeting each year, that all documents relevant to the agenda be posted or provided as links on the CB webpage. Documents should include:
  - a) Accreditation form;
  - b) Rules of Procedure;
  - c) CB agenda;
  - d) Economic presentation;
  - e) Links to documents to inform their discussions.

## 3. CONFERENCE BOARD TERMS OF REFERENCE: PROPOSAL FOR THE COMMISSION

7. The CB **NOTED** paper [IPHC-2020-FAC096-09](#) which provided the Finance and Administration Committee (FAC) with proposed amendments to the IPHC Rules of Procedure. The paper included the proposed amendments drafted by the Conference Board's ad-hoc working group who worked intersessionally to improve the current (2019) terms of reference and accreditation process for CB members.
8. The CB **RECOMMENDED** that the Commission adopt the revised IPHC Rules of Procedure (2020) ([IPHC-2020-FAC096-09](#)) which contain the CB requested improvements, with the following modifications: [**Canada:** in favour=unanimous;][**USA:** in favour=unanimous]
  - a) Removal of paragraph 13;
  - b) Removal of No. 9 from the accreditation form;
  - c) Consistent spelling for 'organisation'.

## 4. IPHC SECRETARIAT INFORMATIONAL SESSION

### 4.1 *Definition of Mortality Limits and TCEY*

9. The CB **NOTED** the informal presentation by Dr Ian Stewart (IPHC Quantitative Scientist), which included outlining the IPHC definitions of total mortality and TCEY as follows:

- a) **Total mortality:** Consists of all sources and sizes of dead Pacific halibut in two categories - 1) the TCEY and 2) U26 discard mortality in non-directed fisheries;
- b) **Total Constant Exploitation Yield (TCEY):** The current basis for Commission mortality limits. Includes all sources and sizes of mortality, except U26 discards in non-directed fisheries.

#### 4.2 *MSAB update*

10. The CB **NOTED** the review of the MSE process and MSAB reports provided by Dr Allan Hicks.

#### 4.3 *IPHC Understanding of Movement*

11. The CB **NOTED** the MSAB014 presentation provided by Dr Piera Carpi on movement and migrations paths and patterns for Pacific halibut.

#### 4.4 *Fisheries Economics*

12. The CB **NOTED** the information presentation by Dr Barbara (Basia) Hutniczak (IPHC Fisheries Economist) which included a broad overview of her current work to better understand the economic contribution of Pacific halibut and the connectivity to the supply chain with initial focus on the commercial fishery.

### 5. **FISHING PERIODS: SEASON OPENING AND CLOSING DATES**

13. The CB **AGREED** that, for both opening and closing, the dates should allow the longest fishing period possible. The following reasons were given for this rationale:
- a) Maximize time to catch quota;
  - b) Longer season for market
  - c) Pacific halibut bycatch considerations
  - d) Minimize whale depredation.
14. The CB **NOTED** their preference to open earlier than 14 March 2020, as early as 29 February 2020, while also noting the comments expressed by NOAA-Fisheries that they would struggle to have fishery regulations adopted in time for an earlier start date adopted by the Commission (unless dates were adopted in the prior year).
15. The CB **REQUESTED** the formation of an ad-hoc stakeholder working group to review options for shifting to a year round fishery. The work group will work with the IPHC Secretariat and Contracting Party staff to determine feasibility for an extended or year round Pacific halibut fishery.
16. The CB **ACKNOWLEDGED** the consultative process which the IPHC Secretariat lead, with all stakeholders and the PFMC, to arrive at the proposed season length and dates for the Regulatory Area 2A Non-treaty directed commercial fishery described in paper IPHC-2020-AM096-PropA2.

#### *Recommendation*

17. The CB **RECOMMENDED** the following fishing period dates for 2020:
- a) Opening: 14 March [in favour=22; against=2; abstain=20]
  - b) Closing: 15 November [in favour=32; against=1; abstain=11]
  - c) Non-treaty directed commercial fishery 3-day fishing period as stated in IPHC-2020-AM096-PropA2 [in favour=16; against=0; abstain=34]

### 6. **MORTALITY LIMITS**

18. The CB **NOTED** the IPHC's web-based mortality projection tool for use in the CB090 and AM096 (<https://www.iphc.int/data/projection-tool>).

## 6.1 Coastwide perspectives

19. The CB **NOTED** the review provided by Dr Allan Hicks regarding the MSE work within the MSAB and the results therein.
20. The CB **NOTED** that the U.S.A. moved to approve a coastwide fishing intensity of F43 as modified by SUFD yielding a 2020 Coastwide TCEY of 36.9 Mlb which equates to a fishing intensity between F41 and F42. The TCEY for IPHC Regulatory Area 2B would be 18.2% of the total or 6.72 mlb. The remaining U.S.A. share of 30.18 Mlb will be divided in the following motion. [**Canada:** In favour=0; against=14; abstain=0][**USA:** In favour=36; against=0; abstain=3].
21. The CB **NOTED** the following perspectives shared by the CB members from the U.S.A.:
  - a) The MSE update paper (AM096-12, P 7-9) provided additional evaluation of an appropriate spawning biomass target and review of fishing intensities and variability constraints needed to achieve objectives identified by the MSAB and IPHC Commissioners.
  - b) Based on this evaluation, MSAB recommended:
    - i. *MSAB014–Rec.03 (para. 46) NOTING the current progress on evaluating coastwide fishing intensity, the MSAB RECOMMENDED that:*
    - ii. *a coastwide fishing intensity SPR of 43%, with a 30:20 HCR, and with one of two constraints 1) +/-15% maximum change in total mortality, and/or 2) slow up, fast down, be used in harvest strategy development process; and*
    - iii. *a range of management procedures including fishing intensity SPR of 40-46% be considered in light of implementation variability within the closed-loop simulations when investigating distribution.*
  - c) Slow-up, Fast-down (SUFD) was selected as the appropriate constraint because it is more responsive on a year-to-year basis than a 15% max constraint. The MSAB has recommended a further investigation of a combined SUFD and 15% max constraint which may further improve the procedure.
  - d) The MSE and assessment support a generally higher fishing intensity (the assessment showed the average of the years that resulted in the 46% SPR now average 41%), and it is possible to use 43% as a reference level.
  - e) Probability of stock dropping below B30 is essentially the same across a broad range of fishing intensities from F40 to F47, which is reflected in spawning biomass stock status portion of decision table.
  - f) The decision table shows a high probability of decline in stock status and potential future TCEY reductions across a wide range of mortality levels. This is mostly due to future recruitment and stock assessment uncertainty rather than fishing pressure.
  - g) The resulting 36.9 mlbs coastwide TCEY represents a reduction from 2019 which is appropriate given declining stock size and near-term recruitment projections.
  - h) The resulting 36.9 mlbs. is between a F42 and an F41 value and within the F40 to F46 range identified by the MSAB and presented to the Commission at AM096.
  - i) U.S.A. feels strongly that neither country should INCREASE TCEY during a time of declining abundance, but notes that the U.S.A. is bearing most of the conservation burden in 2020 by reducing US TCEYs by 5% while Canada drops by only 1.4%. U.S. TCEY reduction is comparable to resource decline; Canada reduction disproportionate to resource decline.
  - j) No U26 adjustment was included because:
    - i. U26 mortality is currently accounted for in the Stock Assessment and SPR approach to harvest rates

- ii. The impact of bycatch in non-directed fisheries, including U26 bycatch is a complex issue with downstream impacts varying from year to year. Referenced:
1. *Paper AM096-10, Option 4, notes that a negotiated solution is one option to distribution mitigation given “There is no currently available information to inform the relative value of U26 Pacific halibut occurring in one IPHC Regulatory Area over another (but see below for research avenues). Therefore, at present, the distribution of U26 discard mortality from non-directed fisheries (bycatch) represents a management decision.”*
- k) Canada is compensated for U.S.A. bycatch through share-based allocation, since Canada’s rationale for repeatedly identifying an Area 2B TCEY above annual reference levels under coastwide model included U.S. bycatch. This represents a U26 accounting approach that meets USA commitments under IPHC2019 AM095 Report Para 66.
- l) The additional U26 compensation formula presented at this meeting requires further refinement prior to implementation. This refinement is best taken through the MSE process after their work on scale and distribution is complete.
22. The CB **NOTED** that the U.S.A. moved to recommend that the Commission re-evaluate IPHC–2019–AM095–R, Page 18, para. 69 b) in conjunction with the recommendations from the MSAB on scale and distribution procedures within the MSE to be presented at AM097 in 2021. [**Canada:** In favour=0; against=14; abstain=0][**USA:** In favour=35; against=0; abstain=1]
23. The CB **NOTED** the following perspectives shared by the CB members from the U.S.A.:
- a) The 20% “historical average share” which is used in the Canada shared-based allocation is a short term average that encompasses the years that IPHC Regulatory Area 2B disregarded the IPHC’s interim management procedure as evidenced by the tables reflecting reference vs adopted TCEY (IPHC-2019-TSD-015,017)
  - b) The provisions of this agreement were not presented to stakeholders in the U.S.A. prior to or early in AM095. The agreement was not available for discussion or vetting by the subsidiary bodies prior to being approved by the Commission.
  - c) The AM095 report does not provide rationale explaining the basis or justification for this specific allocation set in this measure
  - d) The MSE process is a scientifically based process tasked with evaluating the long term impacts of scale and distribution procedures in a transparent forum. Upon receiving the MSAB report at AM097, the Commission process should allow the review of the interim agreement in light of the MSE results.
24. The CB **NOTED** that Canada moved to approve the recommendations of MSAB for a fishing intensity of SPR43 and mortality limits associated with what Canada and the USA agreed to at the 95<sup>th</sup> IPHC Annual Meeting (AM095) specifically [**Canada:** In favour=14; against=0; abstain=0][**USA:** In favour=0; against=38; abstain=2]:
- a) the sharing agreement whereby IPHC Regulatory Area 2A gets a fixed TCEY and IPHC Regulatory Area 2B gets a share-based allocation (IPHC 2019 AM095-R, para 69); and,
  - b) noting that the Commission recommended (IPHC 2019 AM095-R, para 66): *evaluating and redefining TCEY to include U26 component of discard mortalities, including bycatch, as steps toward more comprehensive and responsible management of the resource, beginning in 2020.*
25. The CB **NOTED** the following perspectives shared by the CB members from Canada:
- a) The sharing agreement is a significant piece of work that took a year to negotiate, and the process and agreement are well documented.

- b) At the 94<sup>th</sup> Annual Meeting the parties agreed, “...that a meeting of Commissioners be convened as soon as possible to initiate discussion of alternatives to the current method of stock distribution modelling (formerly apportionment).” Paragraph 128 of IPHC–2018–AM094–R.
- c) Discussions were held throughout the year and the Canadian Commissioners met regularly with stakeholders to provide updates and get feedback.
- d) Delegation meetings by both parties took place during the 95<sup>th</sup> Session of the IPHC Annual Meeting (AM095).
- e) The agreement is clearly outlined in the Report of the 95<sup>th</sup> Session of the IPHC Annual Meeting (IPHC-2019-AM095-R).
- f) The wording of what was agreed to is very clearly stated in the report (IPHC 2019 AM095-R); there is no ambiguity.
- g) Canada has never agreed to the interim coastwide management procedure formerly referred to as apportionment as a method for allocating TCEY.
- h) The assertion that the sharing agreement encompasses bycatch mitigation is factually incorrect; such an assertion is not supported by the wording in the Report of the 95<sup>th</sup> Session of the IPHC Annual Meeting (IPHC 2019 AM095-R) and the IPHC Secretariat’s presentations at the IPHC 2020 Annual Meeting do not reflect such an assertion.
- i) Non-directed commercial mortalities affect Canada and all areas. Tables 1, 2 and 3 of IPHC-2020-AM096-INF06 shows the non-directed mortalities and the lost yield that would have been available to the directed Pacific halibut fishery in the absence of bycatch; if the lost yield in the table is totalled, it exceeds 350 million pounds.
- j) Over the years IPHC has undertaken a number of studies that estimate the lost yield and distribution of lost yield. As Dr. Ian Stewart noted in his presentation, all these studies come to similar conclusions with respect to lost yield. We need to deal with this now, what is proposed is probably not perfect - nothing will be perfect – but this should not be an excuse for inaction. The Conference Board has been discussing bycatch for over 20 years. We need to deal with this and move ahead with what was agreed to and not kick this can further down the road.
- k) Monitoring in some Alaska fisheries was raised earlier, particularly with respect to non-directed commercial mortalities in Area 4CDE. Canada agrees that the Amendment 80 trawl fleet in Area 4CDE has a strong monitoring program, and likely produces accurate data. However, improved monitoring was a point of agreement in 2019 as Canada is still not happy with the level of monitoring and subsequent mortality estimates in other Alaska IPHC Regulatory Areas.
- l) As noted in IPHC-2020-AM096-05 Rev\_2 [page 16]:  
*“IPHC Regulatory Area 3 remains the area where non-directed commercial discard mortality is estimated most poorly...”*
- m) during the discussion of the sharing the conservation burden, Canada noted that under the current sharing agreement area 2A is saved harmless as are the non-directed commercial fisheries in Alaska to the detriment of the directed Pacific halibut fisheries in Alaska.
- n) The 2018 FISS showed increased WPUE indices in areas 2B and 4B whereas only 2B and 3B TCEYs were decreased.
- o) Canada noted that the recreational fishery in Area 2B has lived with size restrictions, shortened season and possession limits since at least 2011.

26. The CB **NOTED** the motion to amend from the IPHC Regulatory Area 2A stakeholders that the CB should not take a position on the IPHC Regulatory Area 2A TCEY [in favour=3, against=49, abstain=1] rationale:

Tribal 2A stakeholders claim government to government relations with USA government that precludes comment by the CB on the area 2A TCEY.

27. The CB **NOTED** that the USA and Canada maintain that Regulatory Area 2A is under the management jurisdiction of the IPHC and that the Area 2A TCEY affects the coastwide SPR, therefore should be considered and included during CB proceedings.

## **6.2 Regulatory Area perspectives**

### **IPHC Regulatory Area 2A**

28. The CB **NOTED** the following from IPHC Regulatory Area 2A CB members:

- a) As part of the interim agreement, IPHC Regulatory Area 2A has a fixed TCEY of 1.65 million pounds.

### **IPHC Regulatory Areas in Alaska**

29. The CB **NOTED** the following from CB members in IPHC Regulatory Areas in Alaska:

- a) The Alaska management areas recommended TCEY's representing ad-hoc adjustments to the 2019 catch levels to balance competing needs associated with U.S.A. catch sharing plans, bycatch increases, and considerations associated with new FISS and commercial WPUE information.

### **IPHC Regulatory Area 2C**

30. The CB **NOTED** the following from IPHC Regulatory Area 2C CB members:

From Charter Operators:

- a) Guided angler limits in IPHC Regulatory Area 2C have become restrictive to the point where businesses are losing repeat customers, and struggling to attract new business. Guided limits have dropped from a historic 2 Pacific halibut of any size, to 1 Pacific halibut 38" or smaller (or 80" and greater) which has lost a lot of appeal. The fleet has come in substantially under allocation recently, because the small gap between the lower maximum size limit and a fish not worth harvesting is too narrow. It downgrades the size of fish anglers can reasonably harvest which has resulted in an average Pacific halibut of 31".
- b) businesses follow a multi-day, destination fishery model highly dependent on halibut, and closures will have severe negative impacts compounding the problems associated with unfavorable limits. The U.S.A. proposed distribution starting at F43, and applying SUFD provides a 5.82 TCEY for IPHC Regulatory Area 2C, and a resulting charter allocation of .772, which represents bare minimum need for charter.

From Commercial harvesters:

- a) IPHC Regulatory Area 2C has the largest catch per unit effort of any area;
- b) Area 2C has over twice the halibut density as Area 2B with 200 pounds per skate in the settling survey;
- c) The average fish size in Area 2C is among the largest of all Areas;
- d) Area 2C contributed over 30% of the IPHC setline survey catch in 2019 with only a 16.4% of the coast wide catch allocation;
- e) Area 2C has the lowest bycatch of any area;
- f) Area 2C disagrees with taking a quota reduction to accommodate the Commissioners negotiated agreement from last year but stakeholders are willing to support an 8% reduction to conserve the Pacific halibut resource.

### **IPHC Regulatory Area 3A**

31. The CB **NOTED** the following from IPHC Regulatory Area 3A CB members:

- a) TCEYs proposed by the U.S.A. allow for one (1) fish daily bag limit with size restrictions on second fish and two days per week closure. Closure days have significant effect on the broader economy of coastal fishing communities in 3A.
- b) The magnitude of cut associated with Canada's proposed TCEY number would require an additional day closure and restrictions that would cripple the charter industry.
- c) SUFD is especially important to the guided recreational sector to provide stability and predictability to management measures.
- d) Area 3A commercial fishermen CPUE has increased this past year which diverges from survey WPUE. 10.3% reduction reflects fast down approach to reduce pressure on stock while buffering against over-response to one year's survey data.

### IPHC Regulatory Areas 3B

32. The CB **NOTED** the following from IPHC Regulatory Area 3B CB members:

- a) Area 3B had positive performance in the FISS, with 3B WPUE up 26% and commercial WPUE up 45% which is the largest increase of all areas from 2019 FISS.
- b) Area 3B has taken significant cuts over the past two years (1.1 million pounds in total); the 220,000 pound increase does not restore that but does help ease the economic impacts of years of reductions.
- c) 3B fleet is small, family run boats struggling to maintain fishing businesses and keep communities viable.

### IPHC Regulatory Areas 4CDE

33. The CB **NOTED** the following from Regulatory Area 4CDE CB members:

- a) TCEY identified in US motion looks like an increase, but instead results in a 19% reduction in FCEY in 2020 from 2019. Under the reference level identified in IM095 policy, the 4CDE FCEY would have been reduced by 66%, which would shut down the fishery in the BS.
- b) at Canada's proposed TCEY, and the share that would go to Area 4CDE, the St Paul processor would not operate and there would not be a directed fishery in the Bering Sea. The TCEY identified by the US would still result in an FCEY reduction but would allow us to operate, and, at 1.66 Mlb, the 4CDE catch sharing plan provides 80,000 pounds off the top to IPHC Regulatory Area 4E.
- c) Only other way to provide for 4CDE fishery at lower TCEY is to average bycatch over three years, but that might not adequately reflect bycatch trends.

### 6.3 TCEY Recommendations

34. The CB **NOTED** that Canada moved to approve a coastwide TCEY of 35.2 million pounds which reflects a fishing intensity of F43 and the IPHC Regulatory Area 2A TCEY of 1.65 Mlb and the IPHC Regulatory Area 2B TCEY of 6.84 Mlb. [**Canada:** In favour=14; against=0; abstain=0][**USA:** In favour=0; against=38; abstain=2]. (see also [Appendix III](#))

35. [The CB **NOTED** that the U.S.A. moved to approve a Coastwide TCEY of 36.90 million pounds (4.4% decrease from 2019 TCEY) with the following TCEYs for each of the IPHC Regulatory Areas (see also [Appendix III](#)):

- a) IPHC Regulatory Area 2A TCEY of 1.65 million pounds (0% change from 2019 TCEY);
- b) IPHC Regulatory Area 2B TCEY of 6.72 million pounds (1.6% decrease from 2019 TCEY);
- c) IPHC Regulatory Area 2C TCEY of 5.82 million pounds (8.2% decrease from 2019 TCEY);
- d) IPHC Regulatory Area 3A TCEY of 12.11 million pounds (10.3% decrease from 2019 TCEY);
- e) IPHC Regulatory Area 3B TCEY of 3.12 million pounds (7.6% increase from 2019 TCEY);
- f) IPHC Regulatory Area 4A TCEY of 1.94 million pounds (0% change from 2019 TCEY);

- g) IPHC Regulatory Area 4B TCEY of 1.37 million pounds (5.5% decrease from 2019 TCEY); and  
 h) IPHC Regulatory Area 4CDE TCEY of 4.17 million pounds (4.3% increase from 2019 TCEY) with the resulting votes:

**Canada:** In favour=0; against=14; abstain=0

**USA:** In favour=40; against=0; abstain=0

## 7. REGULATORY PROPOSALS FOR 2020

### 7.1 *IPHC Secretariat regulatory proposals*

#### 7.1.1 *Fishery Limits (Sect. 4)*

36. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropA1, which aimed to improve clarity and transparency of fishery limits in the IPHC Fishery Regulations, and to provide the framework for mortality limits adopted by the Commission.
37. The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA1, with the addition of the mortality limits for each Contracting Party, by sector, as detailed in [Section 6](#). [unanimous].

#### 7.1.2 *Commercial fishing periods (Sect. 9)*

38. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropA2, which specified fishing periods for the commercial Pacific halibut fisheries. See [Section 5](#) for a summary of discussions and recommendations.
39. The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA2, with the addition of the fishing periods as detailed in [Section 5](#). [unanimous]

#### 7.1.3 *IPHC Fishery Regulations: minor amendments*

40. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropA3 which proposed amendments to ensure clarity and consistency in the IPHC Fishery Regulations.
41. The CB **NOTED** wide-spread support and appreciation for efforts by the IPHC Secretariat to simplify and clarify existing regulations.
42. The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA3. [unanimous]

#### 7.1.4 *Vessel Clearance in IPHC Regulatory Area 4 (Sect. 16)*

43. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropA4, which proposed amendments to address the need for clearances when a National Oceanic and Atmospheric Administration (NOAA) Fisheries observer or electronic monitoring device is present.
44. The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA4. [unanimous]

#### 7.1.5 *IPHC Closed Area (Sect. 11)*

45. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropA5, which proposed amendments to consider the intent and purpose of the IPHC Closed Area, as defined in the Pacific Halibut Fishery Regulations (2019) Section 11, which currently excludes directed Pacific halibut fishing, but allows other forms of mortality such as trawling, and propose the removal of the IPHC Closed Area from the IPHC Pacific Halibut Fishery Regulations.
46. The CB **NOTED** that the IPHC considers IPHC Regulatory Area 4CDE and the Closed Area as one management area and it is treated as such in the stock assessment.

47. The CB **NOTED** that opening the IPHC Closed Area may benefit the fishermen who reside adjacent to that area and there may be benefits to opening the Closed Area.
48. The CB **NOTED** concerns with non-directed fishing activity in other nursery areas in the waters of Canada and the U.S.A.
49. The CB **NOTED** that 45% of the bycatch from IPHC Regulatory Area 4CDE and Closed Area comes from the Closed Area section.
50. The CB **RECOMMENDED** not opening the Closed Area without a survey and additional discussions with management agency staff and stakeholders. [unanimous]

## 7.2 *Contracting Party regulatory proposals*

### 7.2.1 *Charter management measures in IPHC Regulatory Areas 2C and 3A*

51. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropB1, which proposed IPHC Regulation changes for charter recreational Pacific halibut fisheries in IPHC Regulatory Areas 2C and 3A, in order to achieve the charter Pacific halibut allocation under the North Pacific Fisheries Management Council's (NPFMC) management.
52. The CB **RECOMMENDED** that the Commission follow the directions of the NPFMC once the TCEY levels are adopted. [unanimous]

### 7.2.2 *Revising definition of IPHC Regulatory Area 2A-1*

53. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropB2, which proposed an update to IPHC regulatory language regarding the usual and accustomed fishing areas of Indian tribes with treaty fishing rights to Pacific halibut, with the addition of the geographic reference for Point Chehalis (46° 53.30' N. lat.). The CB took no action.

## 7.3 *Other Stakeholder regulatory proposals*

### 7.3.1 *Alaska Recreational Fisheries*

54. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropC1, which proposed a series of common regulations to be applied to all recreational fisheries in Alaska.
55. The CB **RECOMMENDED** forwarding this proposal to the NPFMC.

### 7.3.2 *Alaska Recreational Fisheries*

56. The CB **NOTED** regulatory proposal IPHC-2020-AM096-PropC2, which proposed a common daily bag limit for all non-resident fishers in the recreational fisheries in Alaska.
57. The CB **RECOMMENDED** forwarding this proposal to the NPFMC.

## 8. **BYCATCH**

58. The CB **NOTED** the following perspectives shared by CB members from the U.S.A.:
- a) The USA observer program is comprised of several programs that include 100-200% observer coverage in catcher processor and Bering Sea fleet to partial coverage in Gulf of Alaska.
  - b) The observer program in Alaska is funded by the commercial fishing fleet, and the observer fee for the partial coverage program was recently increased from 1.25% to 1.65% of the landed value of the catch;
  - c) The NPFMC and the industry are also working to identify cost efficiencies to increase overall observer coverage;
  - d) The GOA fixed gear fleet included 30% EM coverage as well as 15% at-sea observer coverage;
  - e) The GOA pelagic trawl fleet is recently initiated a 2-3 year EM pilot project to ensure compliance with king salmon full retention requirement, with EM on 100% of the time.

59. The CB **NOTED** the following perspectives shared by CB members from Canada:
- Gulf of Alaska coverage is low (15-30%) which does not provide Canada any confidence in USA bycatch estimates.
  - The commercial groundfish catch monitoring programs in BC includes 100% observer monitoring of trawlers and 100% EM monitoring of fixed gear boats, and these costs are also paid by fishermen, working out to 2.7 to 2.8% of the landed value of their catch.
  - It is not appropriate to refer to observer coverage as being 200% when two observers are on board a vessel. The rate of observer coverage should refer to the percent of hauls observed or the amount of catch observed, not the number of observers. This should be the standard in both countries.
  - To address observer coverage for trawl fisheries, Canada has initiated a pilot program to use EM plus observers on some trawl vessels.
60. The CB **REQUESTED** the Commission send a letter to the NPFMC urging them to reduce Pacific halibut bycatch both in the Bering Sea and in the Gulf of Alaska, with immediate focus and priority on establishing abundance-based management of Bering Sea Pacific halibut bycatch.

## 9. OTHER BUSINESS

### 9.1 *IPHC Fishery-Independent Setline Survey design*

61. The CB **NOTED** the additional review of the proposed 2020 FISS design by Dr Ray Webster and Dr Ian Stewart who clarified the intent and improvements with this design as well as considerations regarding enhanced sampling rate considerations for IPHC Regulatory Area 2C, 3A and 3B.
62. The CB **NOTED** Dr Ian Stewart clarifications regarding the 2019 FISS in IPHC Regulatory Area 3A which met the IPHC sampling design requirements.
63. The CB **NOTED** the following perspectives shared by Canada CB members:
- Desire for FISS work to be conducted on the pre-2014 stations for 2020 in 2B, 2C, 3A and 3B and for 2A, 4 would be determined by IPHC and the Secretariat;
  - Requesting broader process on reviewing proposed stations to include the RAB, SRB and FISS vessel skippers.
64. The CB **NOTED** the following perspectives shared by the U.S.A. CB members:
- Desire to not delay expansion of the FISS sampling frame to all FISS stations fished from 2014 through 2019.
  - General support for enhanced random design in core areas.
65. The CB **RECOMMENDED** the 2020 FISS encompass all stations within IPHC Regulatory Area 3A provided that the expanded survey could be completed without negatively impacting setline surveys in other IPHC Regulatory Areas. [unanimous with Canada abstaining (3A issue)]
66. The CB **REQUESTED** a week extension to the FISS tender submission deadline.

### 9.2 *Size limits*

67. The CB **NOTED** the extensive work completed previously by the IPHC secretariat on this subject.
68. The CB **NOTED** a comment letters from ADFG Commissioner and NPFMC requesting the Commission consider a lower commercial size limit to increase capture of male Pacific halibut and a maximum size limit to reduce pressure on spawning biomass.
69. The CB **NOTED** the following pros and cons of lowering the minimum size limit or introducing a maximum size limit:

- a) In 2018 CB reviewed a paper produced by the IPHC Secretariat on lowering the size limit that included the following considerations;
  - b) value of landed catch likely to decrease;
  - c) TCEY may not increase unless selectivity changes;
  - d) minimum size limit provides a conservation buffer by reducing potential impacts of harvest rates that may differ from the optimal rate;
  - e) if fishing behaviour changes and harvest of U32 fish increases, the increased harvest of juvenile fish creates a risk of recruitment overfishing;
  - f) releasing large Pacific halibut creates risk for crew and may increase mortality and may not decrease the pressure on the spawning biomass; understanding impacts would require increased catch monitoring requirements.
70. The CB **EXPRESSED** its appreciation for the assistance provided by the IPHC Secretariat, and for in-session presentations and support by Dr Ian Stewart, Dr Allan Hicks, Dr Ray Webster, Dr Barbara (Basia) Hutniczak, Dr Piera Carpi, Ms Lara Erikson, Ms Monica Mocaer and Ms Kayla Ualesi.
71. The CB **EXPRESSED** its appreciation for the assistance provided by the IPHC Secretariat, and for in-session IPHC Secretariat support initiated by Dr David Wilson.

## **10. REVIEW OF THE DRAFT AND ADOPTION OF THE REPORT OF THE 88<sup>TH</sup> SESSION OF THE IPHC CONFERENCE BOARD (CB088)**

72. The report of the 90<sup>th</sup> Session of the IPHC Conference Board (IPHC-2020-CB090-R) was **ADOPTED** on 06 February 2020, including the consolidated set of recommendations and requests arising from CB090, provided at [Appendix IV](#).

## APPENDIX I

LIST OF PARTICIPANTS FOR THE 90<sup>TH</sup> SESSION OF THE IPHC CONFERENCE BOARD (CB090)

## Officers

<b>Co-Chairperson</b> Mr. Jim Lane (Canada)	<b>Co-Chairperson</b> Ms. Linda Behnken (United States of America)
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**APPENDIX II****AGENDA FOR THE 90<sup>TH</sup> SESSION OF THE IPHC CONFERENCE BOARD (CB090)****Date:** 04-06 February 2020**Location:** Anchorage, AK, USA**Venue:** Hotel Captain Cook; **Room:** Fore/Mid Deck**Time:** 4<sup>th</sup>: 13:30-17:30; 5<sup>th</sup>: 09:00-17:00; 6<sup>th</sup>: 09:00-12:00**Co-Chairpersons:** Mr Jim Lane (Canada); Ms Linda Behnken (United States of America);**Vice-Chairpersons:** Nil

- 1. OPENING OF THE SESSION**
  - 1.1 Election of Co-Chairpersons
  - 1.2 Accreditation of membership for CB090
- 2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**
- 3. CONFERENCE BOARD TERMS OF REFERENCE: PROPOSAL FOR THE COMMISSION**
- 4. IPHC SECRETARIAT INFORMATIONAL SESSION**
  - 4.1 Definition of Mortality Limits and TCEY
  - 4.2 MSAB Update
  - 4.3 IPHC Understanding of Movement (if desired)
  - 4.4 Fisheries Economics
- 5. FISHING PERIODS: SEASON OPENING AND CLOSING DATES**
- 6. MORTALITY LIMITS**
  - 6.1 Coastwide perspectives
  - 6.2 Regulatory Area perspectives
  - 6.3 TCEY Recommendations
- 7. REGULATORY PROPOSALS FOR 2019**
  - 7.1 IPHC Secretariat regulatory proposals
  - 7.2 Contracting Party regulatory proposals
  - 7.3 Other Stakeholder regulatory proposals
- 8. BYCATCH**
- 9. OTHER BUSINESS**
  - 9.1 IPHC Fishery-Independent Setline Survey design
  - 9.2 Size limits
- 10. REVIEW OF THE DRAFT AND ADOPTION OF THE REPORT OF THE 90<sup>TH</sup> SESSION OF THE IPHC CONFERENCE BOARD (CB090)**

**APPENDIX III****PACIFIC HALIBUT MORTALITY PROJECTED FOR 2020 BASED ON THE CB RECOMMENDED TCEY MORTALITY LIMITS**

**Note:** All values reported in millions of net pounds. Provided by the IPHC Secretariat based on the CB 2020 TCEY recommendations.

**CANADA RECOMMENDATION**

	<b>2A</b>	<b>2B</b>	<b>2C</b>	<b>3A</b>	<b>3B</b>	<b>4A</b>	<b>4B</b>	<b>4CDE</b>	<b>Total</b>
Commercial discard mortality	0.03	0.13							
O26 Non-directed discard mortality	0.12	0.22							
Recreational	NA	0.05							
Subsistence	NA	0.41							
<b>Total Non-FCEY</b>	0.15	0.80							
Commercial discard mortality	NA	NA							
Recreational	0.60	0.89							
Subsistence	0.03	NA							
Commercial Landings	0.86	5.16							
<b>Total FCEY</b>	1.50	6.04							
<b>TCEY</b>	1.65	6.84							
U26 Non-directed discard mortality	0.00	0.02							
<b>Total Mortality</b>	1.65	6.87							35.20

**USA RECOMMENDATION**

	<b>2A</b>	<b>2B</b>	<b>2C</b>	<b>3A</b>	<b>3B</b>	<b>4A</b>	<b>4B</b>	<b>4CDE</b>	<b>Total</b>
Commercial discard mortality	0.03	0.13	NA	NA	0.16	0.10	0.04	0.07	0.54
O26 Non-directed discard mortality	0.12	0.22	0.09	1.37	0.42	0.20	0.15	2.40	4.97
Recreational	NA	0.05	1.15	1.66	0.00	0.01	0.00	0.00	2.88
Subsistence	NA	0.41	0.37	0.19	0.02	0.01	0.00	0.04	1.03
<b>Total Non-FCEY</b>	0.15	0.79	1.61	3.22	0.60	0.33	0.19	2.51	9.41
Commercial discard mortality	NA	NA	0.07	0.29	NA	NA	NA	NA	0.36
Recreational	0.60	0.87	0.77	1.68	NA	NA	NA	NA	3.92
Subsistence	0.03	NA	0.03						
Commercial Landings	0.86	5.05	3.37	6.92	2.52	1.61	1.18	1.66	23.17
<b>Total FCEY</b>	1.50	5.92	4.21	8.89	2.52	1.61	1.18	1.66	27.48
<b>TCEY</b>	1.65	6.72	5.82	12.11	3.12	1.94	1.37	4.17	36.90
U26 Non-directed discard mortality	0.00	0.02	0.00	0.27	0.06	0.15	0.01	1.09	1.61
<b>Total Mortality</b>	1.65	6.74	5.82	12.38	3.18	2.09	1.38	5.26	38.51

## APPENDIX IV

**CONSOLIDATED SET OF RECOMMENDATIONS AND REQUESTS OF THE 90<sup>TH</sup> SESSION OF THE  
IPHC CONFERENCE BOARD (CB090) (4-6 FEBRUARY 2020)**

*RECOMMENDATIONS*

*Conference Board Terms of Reference: Proposal for the Commission*

- CB090–Rec.01 ([para. 8](#)) The CB **RECOMMENDED** that the Commission adopt the revised IPHC Rules of Procedure (2020) ([IPHC-2020-FAC096-09](#)) which contain the CB requested improvements, with the following modifications: [**Canada**: in favour=unanimous;][**USA**: in favour=unanimous]
- a) Removal of paragraph 13;
  - b) Removal of No. 9 from the accreditation form;
  - c) Consistent spelling for ‘organisation’.

*Fishing periods: season opening and closing dates*

- CB090–Rec.02 ([para. 17](#)) The CB **RECOMMENDED** the following fishing period dates for 2020:
- d) Opening: 14 March [in favour=22; against=2; abstain=20]
  - e) Closing: 15 November [in favour=32; against=1; abstain=11]
  - f) Non-treaty directed commercial fishery 3-day fishing period as stated in IPHC-2020-AM096-PropA2 [in favour=16; against=0; abstain=34]

*Mortality limits - [No consensus reached](#)*

*Fishery Limits (Sect. 4)*

- CB090–Rec.03 ([para. 37](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA1, with the addition of the mortality limits for each Contracting Party, by sector, as detailed in [Section 6](#). [unanimous].

*Commercial fishing periods (Sect. 9)*

- CB090–Rec.04 ([para. 39](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA2, with the addition of the fishing periods as detailed in [Section 5](#). [unanimous]

*IPHC Fishery Regulations: minor amendments*

- CB090–Rec.05 ([para. 42](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA3. [unanimous]

*Vessel Clearance in IPHC Regulatory Area 4 (Sect. 16)*

- CB090–Rec.06 ([para. 44](#)) The CB **RECOMMENDED** that the Commission adopt proposal IPHC-2020-AM096-PropA4. [unanimous]

*IPHC Closed Area (Sect. 11)*

- CB090–Rec.07 ([para. 50](#)) The CB **RECOMMENDED** not opening the Closed Area without a survey and additional discussions with management agency staff and stakeholders. [unanimous]

*Charter management measures in IPHC Regulatory Areas 2C and 3A*

- CB090–Rec.08 ([para. 52](#)) The CB **RECOMMENDED** that the Commission follow the directions of the NPFMC once the TCEY levels are adopted. [unanimous]

***Alaska Recreational Fisheries***

CB090–Rec.09 ([para. 55](#)) The CB **RECOMMENDED** forwarding this proposal [*IPHC-2020-AM096-PropC1*] to the NPFMC.

***Alaska Recreational Fisheries***

CB090–Rec.10 ([para. 57](#)) The CB **RECOMMENDED** forwarding this proposal to [*IPHC-2020-AM096-PropC2*] to the NPFMC.

***IPHC Fishery-Independent Setline Survey design***

CB090–Rec.11 ([para. 65](#)) The CB **RECOMMENDED** the 2020 FISS encompass all stations within IPHC Regulatory Area 3A provided that the expanded survey could be completed without negatively impacting setline surveys in other IPHC Regulatory Areas. [unanimous with Canada abstaining (3A issue)]

***REQUESTS******Conference Board terms of reference: proposal for the Commission***

CB090–Req.01 ([para. 6](#)) The CB **REQUESTED** that to assist the CB in navigating its meeting each year, that all documents relevant to the agenda be posted or provided as links on the CB webpage. Documents should include:

- a) Accreditation form;
- b) Rules of Procedure;
- c) CB agenda;
- d) Economic presentation;
- e) Links to documents to inform their discussions.

***Fishing periods: season opening and closing dates***

CB090–Req.02 ([para. 15](#)) The CB **REQUESTED** the formation of an ad-hoc stakeholder working group to review options for shifting to a year round fishery. The work group will work with the IPHC Secretariat and Contracting Party staff to determine feasibility for an extended or year round Pacific halibut fishery.

***Bycatch***

CB090–Req.03 ([para. 60](#)) The CB **REQUESTED** the Commission send a letter to the NPFMC urging them to reduce Pacific halibut bycatch both in the Bering Sea and in the Gulf of Alaska, with immediate focus and priority on establishing abundance-based management of Bering Sea Pacific halibut bycatch.

***IPHC Fishery-Independent Setline Survey design***

CB090–Req.04 ([para. 66](#)) The CB **REQUESTED** a week extension to the FISS tender submission deadline.