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## IPHC Fishery Regulations:

### Commercial Fishing Periods (Sect. 9)

PREPARED BY: IPHC SECRETARIAT (16 OCTOBER 2020)

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#### PURPOSE

To specify fishing periods for the directed commercial Pacific halibut fisheries within the IPHC Fishery Regulations: Commercial Fishing Periods (Sect. 9).

#### BACKGROUND

Each year the International Pacific Halibut Commission (IPHC) selects fishing period dates for the directed commercial Pacific halibut fisheries in each of the IPHC Regulatory Areas. Historically, the first management measures implemented by the IPHC were to limit periods when fishing was allowed. Biological factors considered in the past when setting fishing period dates included migration and spawning considerations, neither of which is now used as a basis for determining fishing periods. Weather patterns, predicted tides in some fishing areas, whale activity, and business considerations for both fishers and processors have also been factors in the discussions surrounding the setting of fishing period dates.

The IPHC's practice is to use the same overall commercial fishing period dates for all IPHC Regulatory Areas with the exception of IPHC Regulatory Area 2A. These dates have varied from year to year, and in recent years have allowed directed commercial fishing to begin sometime in March and end sometime in November for all IPHC Regulatory Areas with the exception of IPHC Regulatory Area 2A.

#### DISCUSSION

The IPHC Secretariat proposes that the commercial fishing periods for all IPHC Regulatory Areas be set at AM097.

No change is recommended for IPHC Regulatory Area 2A for 2021.

#### Expected outcomes

Should the Commission approve this shift in fisheries management to the applicable Contracting Party, the need for setting dates for this derby fishery would no longer be an IPHC consideration and the dates would be set by the Contracting Party within the overall commercial fishing period dates.

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

**RECOMMENDATIONS:**

That the Commission:

- 1) **NOTE** fishery regulation proposal IPHC-2020-IM096-PropA2, which proposed the adoption of fishing periods for the commercial Pacific halibut fisheries within the IPHC Pacific Halibut Fishery Regulations: Commercial Fishing Periods (Sect. 9);

**APPENDICES**

[Appendix A](#): Suggested regulatory language

**APPENDIX A**  
**SUGGESTED REGULATORY LANGUAGE**

**9. Commercial Fishing Periods**

- (1) The fishing periods for each IPHC Regulatory Area apply where the fishery limits specified in section 5 have not been taken.
- (2) Unless the Commission specifies otherwise, commercial fishing for Pacific halibut in all IPHC Regulatory Areas may begin no earlier in the year than 1200 local time on ~~14 March~~ **DD MMMM**.
- (3) All commercial fishing for Pacific halibut in all IPHC Regulatory Areas shall cease for the year at 1200 local time on ~~15 November~~ **DD MMMM**, ~~with the exception of IPHC Regulatory Area 2B which shall cease at 1200 local time on 7 December 2020.~~
- (4) The first fishing period in the IPHC Regulatory Area 2A non-tribal directed commercial fishery<sup>2</sup> shall begin at 0800 on the fourth Monday in June and terminate at 1800 local time on the subsequent Wednesday, unless the Commission specifies otherwise. If the Commission determines that the fishery limit specified for IPHC Regulatory Area 2A in Section 5 has not been exceeded, it may announce a second fishing period of up to three fishing days to begin on Monday two weeks after the first period, and, if necessary, a third fishing period of up to three fishing days to begin on Monday four weeks after the first period.
- (5) Notwithstanding paragraph (4), and paragraph (6) of section 12, an incidental catch fishery<sup>3</sup> is authorized during the sablefish seasons in IPHC Regulatory Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between the dates and times listed in paragraphs (2) and (3) of this section.
- (6) Notwithstanding paragraph (4), and paragraph (6) of section 12, an incidental catch fishery is authorized during salmon troll seasons in IPHC Regulatory Area 2A in accordance with regulations promulgated by NOAA Fisheries. This fishery will occur between the dates and times listed in paragraphs (2) and (3) of this section.

<sup>2</sup> The non-tribal directed fishery is restricted to waters that are south of Point Chehalis, Washington, (46°53.30' N. latitude) under regulations promulgated by NOAA Fisheries and published in the Federal Register.

<sup>3</sup> The incidental fishery during the directed, fixed gear sablefish season is restricted to waters that are north of Point Chehalis, Washington, (46°53.30' N. latitude) under regulations promulgated by NOAA Fisheries at 50 CFR 300.63. Landing restrictions for Pacific halibut retention in the fixed gear sablefish fishery can be found at 50 CFR 660.231.

**12. Application of Commercial Catch Limits**

- (1) ...
- (5) If the Commission determines that the fishery limit specified for IPHC Regulatory Area 2A in section 5 would be exceeded in an additional directed commercial fishing period as specified in paragraph (4) of section 9, the fishery limit for that area shall be considered to have been taken and the directed commercial fishery closed as announced by the Commission.