

IPHC Regulations Proposal Submission Form

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Proposal Title: Shellfish Pots on Board

OCT 23 2007

Year Proposed For: 2008

IPHC

Submission Information (Please print or type)

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Telephone: _____ Fax: _____ Email: _____

Signature: _____

- 1. What is the definition and objective of the proposal?** To bring some common sense to a current regulation in Section 19 Fishing Gear (3). No person shall possess halibut while on board a vessel carrying any trawl nets or fishing pots capable of catching halibut, . . .

The regulation should delete the reference to fishing pots or specify finfish pots. This regulation is ineffective as it is legal to have the pots in the water where it could catch halibut but not to store them on board where they can't catch the halibut. It was brought to our attention that an enforcement officer warned a commercial halibut fisherman that he could be arrested while he was unloading halibut this year because of the personal use crab pot he had onboard could catch halibut but that if he had the pot stored in the water while fishing it would be legal. It is clear that fishing with pots for halibut is illegal in regulation number (1) and (2) where it states that the only legal gear is hook and line gear, therefore pot gear is illegal and (2) no person shall possess halibut taken with gear other than hook and line gear, again making it clear that a halibut caught in pot gear would be illegal to possess except for the exemption provided in number 1 & 2 for Area 2B.

- 2. Impacts: Describe who you think this proposed change might affect (include fishers, processors, agencies, and the public).**

2a. Who might benefit from the proposed change? A fisherman who wishes to carry personal use shellfish pots onboard for a meal now and then.

2b. Who might suffer hardships or be worse off? None that we have been able to identify

- 3. Are there other solutions to the problem described above? If so, why were they rejected?**

No other options were considered.