

# IPHC Regulations Proposal Submission Form

**Proposal Title:** Administrative – Use of Best Available Catch Information for Guided Sportfish Removals. The Commission will use the best available estimate of guided sportfish removals for the prior year when calculating the Fishery Constant Exploitation Yield for Areas 2C through 4.

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

<b>Name:</b> <u>Earl Comstock</u>		
<b>Affiliation:</b> <u>Charter Halibut Task Force</u>		
<b>Address:</b> _____		
<b>City:</b> <u>Ketchikan</u>	<b>State/Prov:</b> <u>AK</u>	<b>Postal/ZIP Code:</b> <u>99901</u>
<b>Telephone:</b> _____	<b>Fax:</b> _____	<b>Email:</b> _____
<b>Signature:</b> _____		

### 1. What is the definition and objective of the proposal?

This proposal would ensure that the IPHC takes a precautionary approach when calculating the Fishery CEY each year by using the best available estimate of guided sportfishing removals off Alaska. By using the best available estimate rather than the Guideline Harvest Level, the IPHC will ensure that the Fishery CEY more accurately reflect actual removals rather than assuming that the guided sport harvest in any IPHC regulatory area off Alaska will be held to the number set forth in the Guideline Harvest Level (GHL). Use of the best estimate of actual removals will help ensure that the IPHC's conservation targets are met regardless of the effectiveness of measures to constrain guided sport harvest to the GHL.

### 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?

The halibut resource will benefit by the IPHC formula more accurately reflecting removals.

#### 2b. Who might suffer hardships or be worse off?

The fishery catch limit for a particular IPHC regulatory area off Alaska will be lower if the best estimate of actual removals is higher than the GHL for that area. On the other hand, the fishery catch limit for an IPHC regulatory will be higher if the best estimate is lower than the GHL for that area.

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

The IPHC sets overall catch limits on the amount of halibut that can be safely removed from the halibut resource each year. Allocation of those catch limits among domestic users is the responsibility of each national government. The IPHC should use the best available estimate of each sector's harvest in making its catch limit calculations, regardless of whatever targets or allocations the national governments may set, in order to ensure conservation of the halibut resource.

# IPHC Regulations Proposal Submission Form

**Proposal Title:** Section 28. Sport Fishing For Halibut Areas 2C-4E. Amend the text of existing paragraph (2) by inserting the word "unpreserved" before the word "halibut" each place that word appears. Amend the text of existing paragraph (3) by adding before the period at the end "of unpreserved halibut". Add a new paragraphs (4) that read: "(4) A person may possess any amount of preserved halibut on land or on a vessel. 'Preserved halibut' means halibut prepared in such a manner, and in an existing state of preservation, as to be fit for human consumption after a 15-day period, and does not include unfrozen fish temporarily stored in coolers that contain ice, dry ice, or fish that are lightly salted."

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

**Name:** Earl Comstock

**Affiliation:** Charter Halibut Task Force

**Address:** \_\_\_\_\_

**City:** Ketchikan **State/Prov:** AK **Postal/ZIP Code:** 99901

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

### 1. What is the definition and objective of the proposal?

This proposal would clarify that the daily bag limits apply to unpreserved halibut and would eliminate discrepancies between State of Alaska regulations and IPHC regulations. Once halibut is processed, either by freezing, salting, smoking, or any other means of preparation that meets the 15 day requirement, any person should be legally able to transport that fish on a vessel or by any means on land. By clarifying that the prohibition on mutilation only applies to unprocessed halibut, sportfishermen who legally caught halibut can process and package it for transport to their home without fear of being in violation of IPHC regulations.

### 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?

The recreational public and law enforcement would benefit by having greater clarity in how the rules are to be applied and enforced. People who have legally caught halibut should be allowed to process that halibut and ship it home for personal consumption.

#### 2b. Who might suffer hardships or be worse off?

No one would suffer hardship or be made worse off by implementing this proposal, and halibut conservation would not be adversely affected.

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

The current rules have led to harassment of charter operators and recreational fishermen who have legally caught halibut in compliance with all sportfishing rules. The current rules have also imposed additional costs on charter operators and lodge owners seeking to transport clients legally caught fish to airports or ports for no conservation purpose.

# IPHC Regulations Proposal Submission Form

**Proposal Title:** Section 14. Careful Release of Halibut. ( ) No person shall fish for halibut from a vessel that is equipped with or has on board a flatbar or automated hook stripper, unless such vessel is equipped with an IPHC approved and functioning Electronic Video Monitoring System (EVMS).

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

<b>Name:</b>	<u>Earl Comstock</u>		
<b>Affiliation:</b>	<u>Charter Halibut Task Force</u>		
<b>Address:</b>	<u></u>		
<b>City:</b>	<u>Ketchikan</u>	<b>State/Prov</b>	<u>AK</u>
<b>Postal/ZIP Code:</b>	<u>99901</u>		
<b>Telephone:</b>	<u>-----</u>	<b>Fax:</b>	<u>-----</u>
<b>Email:</b>	<u>-----</u>		
<b>Signature:</b>	<u>-----</u>		

### 1. What is the definition and objective of the proposal?

This proposal is aimed at reducing the mortality rate of juvenile halibut stripped from hooks by means of flatbars or automated hook strippers. Flatbars (which are installed at the roller and used manually to strip undersized fish before they come on board) or automatic hook strippers (also called crucifiers which are located on board the vessel beyond the roller and strip all fish automatically) would only be allowed if an Electronic Video Monitoring System (EVMS) is installed on the vessel, where the flatbar or automatic hook stripper can be observed being used only on halibut being kept onboard and not on halibut being released.

### 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?

All user groups of the halibut resource will benefit because increased survival rates of juveniles will lead to increased halibut stocks in the future. Canadian commercial halibut vessels are currently required to use EVMS or an observer to improve juvenile halibut release for the benefit of all users.

#### 2b. Who might suffer hardships or be worse off?

Commercial fishermen may be inconvenienced, but this inconvenience can be avoided by installing an EVMS and is out weighed by the need to insure the growth of halibut stocks in the future.

### 2. Are there other solutions to the problem described above? If so, why were they rejected?

Section 14 of the 2008 Pacific Halibut Fishery Regulations, "Careful Release of Halibut" aims to address the issue of mortality rates for released halibut, but does not clearly prohibit flatbars and automatic hook strippers, which have been proven to increase mortality rates up to nine times from manual release methods. There are documented instances of flatbarred or freshly crucified fish later being caught by other fishermen. This proposal will insure that careful release of halibut is practiced by all commercial halibut fishing vessels.

# IPHC Regulations Proposal Submission Form

**Proposal Title:** Section 14. Careful Release of Halibut. ( ) No person shall fish for halibut from a vessel that is equipped with, or that possesses on board, an automated hook stripper. No person shall possess halibut on a vessel that is equipped with, or that possesses on board, an automated hook stripper. An automated hook stripper is any device that tears or pulls the halibut from the hook as the fishing line passes by.

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

<b>Name:</b> <u>Earl Comstock</u>
<b>Affiliation:</b> <u>Charter Halibut Task Force</u>
<b>Address:</b> _____
<b>City:</b> <u>Ketchikan</u> <b>State/Prov</b> <u>AK</u> <b>Postal/ZIP Code:</b> <u>99901</u>
<b>Telephone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____
<b>Signature:</b> _____

### 1. What is the definition and objective of the proposal?

This proposal aims to reinstate an IPHC regulation which was in effect prior to 1995 which prohibits the use of on board automated hook strippers. The use of automated hook strippers (also called crucifiers which are located on board the vessel beyond the roller and strip all fish automatically) increases juvenile halibut mortality.

### 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?

All user groups of the halibut resource will benefit because increased survival rates of juvenile halibut will lead to increased halibut stocks in the future.

#### 2b. Who might suffer hardships or be worse off?

Current users of automated hook strippers may be inconvenienced, but this inconvenience is out weighed by the need to insure the growth of halibut stocks in the future.

### 2. Are there other solutions to the problem described above? If so, why were they rejected?

Section 14 of the 2008 Pacific Halibut Fishery Regulations, "Careful Release of Halibut" aims to address the issue of mortality rates for released halibut, but does not clearly prohibit automated hook strippers, which have been proven to increase mortality rates up to nine times from manual release methods. There are documented instances of juvenile halibut later being caught again that have gone through an automated hook stripper. This proposal will insure that "careful release of halibut" does not include the use of automated hook strippers.

# IPHC Regulations Proposal Submission Form

**Proposal Title:** Section 14. Careful Release of Halibut. ( ) No person shall fish for halibut from a vessel that is equipped with, or that possesses on board, a flatbar (a flatbar is located outboard or above the roller and operated manually to strip the hook from undersized halibut before they are brought aboard the vessel). No person shall possess halibut on a vessel that is equipped with, or that possesses on board, a flatbar.

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

<b>Name:</b>	<u>Earl Comstock</u>		
<b>Affiliation:</b>	<u>Charter Halibut Task Force</u>		
<b>Address:</b>	<u></u>		
<b>City:</b>	<u>Ketchikan</u>	<b>State/Prov</b>	<u>AK</u>
<b>Postal/ZIP Code:</b>	<u>99901</u>		
<b>Telephone:</b>	<u></u>	<b>Fax:</b>	<u></u>
<b>Email:</b>	<u></u>		
<b>Signature:</b>	<u></u>		

### 1. What is the definition and objective of the proposal?

This proposal is aimed at clarifying, by regulation, that use of a flatbar (which is installed outboard or above the roller and operated manually to strip undersized halibut before they come on board) is prohibited. The use of flatbars is a violation of Section 14 "Careful Release of Halibut." Flatbars are known to increase halibut mortality and are not listed as one of the approved methods of release, with minimal injury, as mentioned in this section.

### 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?

Fisheries enforcement will have clearer guidelines for enforcement. All user groups of the halibut resource will benefit because increased survival rates of juveniles will lead to increased halibut stocks in the future.

#### 2b. Who might suffer hardships or be worse off?

Current users of flatbars may be inconvenienced, but this inconvenience is out weighed by the need to insure the growth of halibut stocks in the future.

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

Section 14 of the 2008 Pacific Halibut Fishery Regulations, "Careful Release of Halibut" aims to address the issue of mortality rates for released halibut, but does not clearly prohibit flatbars, which have been proven to increase mortality rates as compared to approved manual release methods. There are documented instances of flatbarred fish later being caught by other fishermen. This proposal will insure that all commercial halibut fishing vessels practice the careful release of undersize halibut.

# IPHC Regulations Proposal Submission Form

**Proposal Title:** At-Sea Monitoring. Commercial fishing vessels using setline gear to fish for halibut under an individual fishing quota are required at all times to provide at-sea monitoring of all fishing activity by means of either: 1) a designated ground fish at-sea observer carried on board the vessel; or 2) the use of IPHC approved EVMS (electronic video monitoring system) The IPHC approved EVMS requirements would be the same as the electronic monitoring system in use in Canada (the requirements are listed below with bracketed text showing changes for reference).

**Year Proposed For:** 2009 and beyond

## Submission Information (Please print or type)

<b>Name:</b> <u>Earl Comstock</u>
<b>Affiliation:</b> <u>Charter Halibut Task Force</u>
<b>Address:</b> _____
<b>City:</b> <u>Ketchikan</u> <b>State/Prov</b> <u>AK</u> <b>Postal/ZIP Code:</b> <u>99901</u>
<b>Telephone:</b> _____ <b>Fax:</b> _____ <b>Email:</b> _____
<b>Signature:</b> _____

### 1. What is the definition and objective of the proposal?

This proposal would improve fishery management and enforcement by requiring use of observers or electronic video monitoring systems (EVMS). Observers and EVMS are valuable tools for at-sea compliance monitoring of the commercial halibut fishery that are currently being used in other groundfish fisheries, including the Canadian commercial IFQ halibut fishery. Having either an at-sea ground fish observer or an IPHC approved EVMS on board all halibut set-line vessels will reduce high-grading, improve documentation of bycatch, and improve careful release of undersize halibut, all of which will improve fishery management and the health of the halibut stock.

### 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?

All user groups of the halibut resource will benefit from reduced juvenile halibut mortality and high-grading of halibut, which will lead to healthier halibut stocks in the future.

#### 2b. Who might suffer hardships or be worse off?

There will be varying costs depending on which system a fisherman adopts. EVMS and observers are required for all Canadian commercial halibut IFQ vessels, demonstrating that implementation of this proposal is both economically and technologically feasible.

### 2. Are there other solutions to the problem described above? If so, why were they rejected?

The commercial halibut set-line fleet has no full-time at-sea compliance monitoring system in

effect. Fish tickets and dockside observers do not reveal what happens at sea. This oversight allows high-grading and use of flatbars and crucifiers, both of which harm the halibut stock.

The 2008 electronic monitoring requirements applicable to Canadian commercial halibut vessels are: [bracketed text shows where modifications to Canadian requirements / text may be needed]

Electronic Monitoring (EM) system:

- (1) Each vessel using electronic monitoring in place of a designated groundfish at-sea observer shall have an EM system that meets the following minimum specifications and component requirements:
  - (a) a video and sensor data-logging engine (control box), equipped with external display lights to verify correct power supply and be connected to a monitor and keyboard, allowing the vessel master to view recorded EM imagery, enter event markers, and conduct system checks to test system performance;
  - (b) operating software to record imagery during fishing events for analysis;
  - (c) peripheral sensor devices suitable for a fishing-deck work environment, including GPS;
  - (d) an electronic hydraulic pressure transducer (where applicable);
  - (e) a winch rotation sensor (where applicable);
  - (f) a minimum of two closed circuit television cameras configured to provide a clear view of the catch retrieval process; and
  - (g) the GPS, hydraulic and winch sensor data shall be logged to a data file at a frequency of once per ten seconds, continuously throughout the fishing trip.
- (2) Video images captured by the EM system shall meet the following minimum specifications:
  - (a) image files shall be viewable on Windows media player; if a non-standard Windows media player Codec is used, it shall be provided to Archipelago Marine Research Ltd. for image analysis;
  - (b) minimum resolution of 640 X 480 dpi with an adjustable focal length;
  - (c) imagery shall have a burned-in caption showing vessel identifier, date, time and location;
  - (d) image files shall capture 100% of each catch retrieval event, including a 5 minute run-on after each event;
  - (e) image frame rates shall be not less than 5 frames per second for catch retrieval imagery; and
  - (f) image quality shall be sufficient to allow clear identification of the species listed in Appendix 1. [This appendix may have to be adjusted for US halibut fisheries]
- (3) Where an EM system is in use on a vessel, the vessel master shall ensure all components of the EM system are fully operational and in use during the entire fishing trip from the time the vessel leaves port until the vessel returns to port.
- (4) If any or all of the EM system equipment becomes inoperative or malfunctions in any way, the vessel master shall immediately contact the provider of the EM system. The vessel master must work with the provider of the EM system to determine if the EM system can be repaired at sea. If the EM system cannot be repaired at sea, the vessel master shall stop fishing by hauling gear and hail in as soon as possible.
- (5) The vessel master shall, within 24 hours of the offload event, provide to the EM system service provider all sensor and video data from the EM system for that trip.
- (6) The licence holder or vessel master shall arrange to have the service provider conduct a comparison of the EM sensor and video data with the Integrated Groundfish Fishing Log and the Integrated Groundfish Validation Record and then enter the data into the Fishery Operating System. [The requirements of this paragraph may need modification for US halibut vessels]
- (7) At the request of the Department, the licence holder or vessel master shall arrange to have the EM system service provider provide all or any portion of the EM sensor and imagery data to the Department. [US vessels and service providers would provide data to the NMFS].