

Draft Conference Board Report  
88<sup>th</sup> Annual Meeting  
January 23<sup>rd</sup> – 28<sup>th</sup> 2012  
Anchorage, Alaska

<b>United States</b>	<b>United States Continued</b>
Alaska Charter Association	St. George Fisherman's Association
Alaska Longline Fisherman's Association	St. Paul Fishermen's Association
Alaska Whitefish Trawlers Association	Tribal Government of St. Paul
Aleute Corp	UFMA – Kodiak
APICADA Vessel Inc.	United Cook Inlet Drift Association
Area 3B /4A False Pass	Deep Creek Charter Association
Area 4 Harvesters Alliance	<b>Canada</b>
Central Bering Sea Fishermen's Association	Annieville Halibut Association
Cordova District Fishermen United	Area F Troll Association
Deep Sea Fishermen's Union of the Pacific	BC Halibut Longline Fisherman's Assoc.
Edmonds Veteran Indev Longliners	Canadian Sablefish Association
Fishing Vessel Owners Assoc.	Ditidaht First Nation
Freezer Longliner Coalition	Gulf Crab Fishermen's Association
Halibut Coalition	Gulf Trollers Association
Juneau Charter Boat Operator Assoc.	Halibut Advisory Board
Homer Charter Association	Hook and Line Groundfish Association
K Bay Fishermen Association	Northern Halibut Producer's Assoc.
Kodiak Longliners Association	Northern Trollers Association
Kodiak Vessel Owners Association	Nuu-Chah-Nulth Tribal Council
Lower Elwa	Pacific Coast Fishing Vessel Owners Guild
Lumi Indian Nation	Pacific Trollers Association
Makah Fisheries Management	PHMA
North Pacific Fisheries Association	Sport Fishing Advisory Board – Main
Petersburg Vessel Owners Association	Sport Fishing Advisory Board - South
Prince William Sound Charter Boat Assoc.	Steveston Halibut Assoc.
Quiliute Tribe	Ucluelet First Nation
Quinault Indian Nation	UFAWU
Seafood Producers Coop	Vancouver Island Longline Assoc.
SE Alaska Fishermen's Alliance	
SE Alaska Guides Association	
Sitka Halibut & Blackcod Marketing Assoc.	
Sitka Charter Boat Owners Association	

## **REVIEW CONFERENCE BOARD VOTING ROSTER**

The United States section accredited 38 organizations for participation for the 2012 Conference Board proceedings.

The Canada section accredited 21 organizations for participation for the 2012 Conference Board proceedings.

## **SELECT CHAIRPERSONS FROM CANADA AND THE UNITED STATES**

On the Canadian side, Chuck Ashcroft was selected as Co-Chair.

On the United States side, Robert Alverson was selected as Chair.

## **MISCELLANEOUS**

### **Presentations:**

#### **1. Megan Peterson:** University of Alaska Fairbanks

Megan gave a brief presentation on her efforts to study whale interactions with the US Longline fleets. The interactions with Killer Whales and Sperm Whales are the focus of her studies. She was available for discussions throughout the day with the participants of the conference board.

#### **2. CONCUR: IPHC Performance Review: Mr. John Fields US State Department:**

Mr. Fields explained the process of the review being brought forward by the participating countries. The review is expected to generate a focused report that will, among other objectives:

- i) Assess recent performance of the Commission relative to achievement of the goals set out in the Treaty and its various amendments.
- ii) Identify effective practices already used by the Commission and highlight opportunities to incorporate (1) best practices employed by other leading international fisheries and oceans management bodies charged with implementing agreements and (2) new approaches put forward by stakeholders;
- iii) Consider, in particular, opportunities to strengthen Commission governance, including stakeholder involvement, information sharing, policy development, decision-making processes and general Commission practices.

## **CONFERENCE BOARD SEASON DATE RECOMMENDATIONS TO IPHC**

### **A. SEASON DATE RECOMMENDATIONS FOR ALASKAN, CANADIAN WATERS, and Washington Treaty Nations:**

The Conference Board recommends an opening date of March 17 with a start time of 12:00 noon and a closing date of November 18.

## B. SEASON DATE RECOMMENDATION 2A

The Conference Board supports the seven staff recommendations for the Area 2A commercial openings which begin on June 27. For the Area 2A directed commercial fishery, the staff recommends an opening pattern similar to 2011, starting the last week of June with a series of 10-hour periods, with fishing period limits. Therefore we recommend the following series for 2012: June 27, July 11, July 25, August 8, August 22, September 5, and September 19.

The following are comments from the Canadian and U.S. delegates regarding season dates:

### *US:*

South East Alaska preferred an earlier opening date of March 3 for marketing purposes and to minimize interactions with Sperm Whales. However, the groups from SE Alaska compromised on a March 17 opening.

### *Canada:*

Nov 18 closing date: Integrated fisheries in Canada are still ongoing with Halibut responsibilities still attached, requiring release along with being charged for the appropriate weight of the fish, upon reaching the official closing date. A later date allows the Canadians to retain their halibut and reduces their bycatch penalties.

The opening date of March 17th falls on a Saturday which enhances sales for the beginning of the season and is also a date that coincides with good tides.

## CATCH LIMIT RECOMMENDATIONS

The Conference Board supported the following catch limits for 2011 except for Area 2B and 3A

2A	0.99 million pounds
2B	7.04 million pounds
2C	2.62 million pounds
3A	11.92 million pounds
3B	5.07 million pounds
4A	1.57 million pounds
4B	1.87 million pounds
4CDE	3.095 million pounds
Total	34.175 million pounds

The Conference Board supported staff recommendations in all areas except for area 2B, 3A and 4CDE. The Conference Board U.S. and Canadian sections were in disagreement with their recommendations regarding areas 3A and 2B. The recommendation for 4CDE was accepted by both the US and Canadian Sections of the Conference Board. The total Conference Board recommendation is 34,175,000 lbs, which is 1,040,000 lbs over the IPHC staff recommendation of 33,135,000 lbs.

The Canadian and U.S. sections were in disagreement over the harvest limits in 2B and 3A. The Canadian section supported the staff recommendation in area 2b of 6.63 million lbs provided that 3A was designated as an area of special concern. The intent would be that IPHC would establish a lower harvest rate in area 3A. A 16.1% harvest rate which is used in other western areas would have generated a harvest limit of 6.9 million lbs. This proposed action was unanimously objected to by the US section and was supported by the Canadian section 13 in favour, 5 opposed, and 1 abstention.

The Canadian and U.S. sections put forward two additional motions: The Canadians recommended a harvest level of 7.04 m lbs which was supported by Canada with only 1 objection, and opposed by the US section with 15 objections and 19 abstentions.

The US section unanimously supported the staff recommendation in 3A for 11.92 m lbs while the Canadian section opposed with 10 objections and 10 abstentions.

The following are the motions and rationale for the above discussion:

## **2B**

**MOTION 1: The Conference Board recommends that the Area 2B catch limit for 2012 be set at 6.633 million pounds and that the Commissioners and IPHC staff designate all of Area 3 an “area of special concern”.**

### Rationale:

It is important to note that Canada has never accepted the IPHC’s proposed apportionment model. As we have indicated at previous IPHC Annual Meetings, Canada is concerned that the IPHC staff’s proposed apportionment methodology is strongly influenced by assumptions about relative catchability, selectivity and depth-distribution of fish among regulatory areas. The scientific uncertainties surrounding relative catchability and selectivity are unlikely to be resolved. Canada feels that the apportionment methodology is fundamentally flawed and consideration should be given to moving away from attempting to resolve the problem of allocating catch among regulatory areas by purely scientific means and consider other examples of resource sharing arrangements utilized internationally.

There is a real reluctance on the part of the Area 2B delegation to take a position on another areas catch limit; However, in the end Canada feels this discussion needed to happen for Area 3.

Canada believes a reduction in the Area 2B catch limit in 2012 is unwarranted. The Area 2B survey WPUE has been stable over past few years and the commercial WPUE has been going up in recent years and reached a new high in 2011.

Regardless, Canada is willing to accept a 2012 catch limit for Area 2B of 6.633 million pounds if the Commissioners and IPHC staff give consideration to designating Area 3 an “area of special

concern". Area 3 is the geographic centre of the halibut stock and Canada is very concerned, given what happens in that area impacts Area 2B. Canada believes the declines in WPUE in Area 3 and the lack of progress on addressing bycatch (mobile and fixed gear) in all the western areas warrants a more risk averse approach for all of Area 3.

Canada has addressed halibut bycatch in its regulatory area in both the fixed and mobile gear commercial groundfish fisheries. Canada has addressed the issue of unsustainable, non-directed halibut mortalities that affect the coastwide biomass. The level of bycatch and discard mortality occurring in areas 3 and 4 has a considerable negative impact on Area 2's exploitable biomass. Canada should not and must not be penalized for uncontrolled bycatch in other regulatory, which IPHC staff have indicated could be costing Area 2B approximately 1 million pounds of lost yield in each year based on current, and what Canada believes may be questionable, estimates of bycatch.

**MOTION 2: Whereas the Conference Board is not willing to recommend Area 3 be designated an "area of special concern": the Canadian section recommends an Area 2B catch limit of 7.04 million pounds for 2012, which is halfway between the Trendless Q results and the WobbleSQ results.**

Rationale:

Canada recommends an Area 2B catch limit of 7.04 million pounds for 2012, which is half way between the Trendless results and the WobbleSQ results.

Canada has concerns with adopting the WobbleSQ model fit for 2012. Specifically, Canada has concerns about the accuracy and precision of estimates given the range of error associated with the proposed WobbleSQ model fit -- the errors bars on the WobbleSQ model fit are exceptionally large, and in fact extends off the graph at one point and also encompasses the entire Trendless model fit estimates and error bars (see page 170-171 of the Bluebook).

In addition, it is our understanding that stock assessment models are highly non-linear and typically mis-specified, and therefore differences of AIC values among models (i.e.,  $\Delta AIC$ ) can only be interpreted via simulation. The IPHC procedure applies standard AIC theory based on linear models, which Canada believes is inappropriate as a stand-alone model selection criterion in this context; recommendation for 2012. Further, Canada also believes that the rationale that adopting WobbleSQ is more precautionary and is also inappropriate as such decisions should be addressed as part of the harvest policy, not as part of the model fit.

Further, Canada has addressed halibut bycatch in its regulatory area. The level of bycatch and discard mortality occurring in areas 3 and 4 has a considerable negative impact on Area 2's exploitable biomass. Canada should not and must not be penalized for uncontrolled bycatch in other regulatory areas, which IPHC staff have indicated could be costing Area 2B approximately 1 million pounds of lost yield in each year based on current, and what Canada believes may be questionable, estimates of bycatch.

**The conference board rationale for a 3.095 million lb catch limit for 4CDE is as follows:**

On page 208 of the blue book the CEY from 2002 to 2011 varies from a high of 13.820 m lbs to 1.970 m lbs. The CEY since 2004 in all but one year has been approximately 3.7 m lbs. and has shown an increase in the last 2 consecutive years to 3.9 m lbs. Additionally on page 149 of the

bb the total biomass has been increasing and the total numbers of fish seem stable at a relatively high number. The commercial CPUE for 2010 was 188 lbs per skate and 2011 the Commercial CPUE was 187 lbs per skate. The Conference Board believes in this particular area that it is reasonable to apply the past practice of slow-up, fast down policy. This results in the Conference Board recommended level of 3.095 m lbs.

The Conference Board total catch recommendation is 1,040,000 lbs over the IPHC staff recommendation, however, this falls within the parameters of 95% EBIO confidence intervals. (see page 167 bb)

### **IPHC STAFF REGULATORY PROPOSAL: 2012**

The Conference Board approved unanimously the following staff regulatory proposals which are listed on page 205 and 206 of the blue book.

#### **Catch sharing plans: 2A, 2B, 4CDE**

The Conference Board on three separate motions recommend the staff recommendations.

#### **Proposed changes to the IPHC regulations**

##### **Canadian commercial logbook regulations – The conference board adopted the staff recommendation.**

The IPHC staff recommends changing the IPHC logbook regulations for the Canadian fishery to match the British Columbia Integrated Groundfish Fishing Log. The recommended change would be to delete the options of recording the location as defined as a direction and distance from a point of land and of catch weights recorded by day. Therefore, location would be recorded as latitude and longitude and catch weights would be recorded by set.

##### **Area 2A logbook options – The conference board adopted the staff recommendation.**

The IPHC staff recommends adding an option to allow fishers to use the ODFW Oregon Fixed Gear Logbook for the Area 2A commercial fishery. The IPHC and ODFW staffs worked together to ensure that this logbook meets the needs of IPHC as well as ODFW.

#### **NPFMC Regulatory Proposal:**

##### **Area 2C sport fishing regulations for the charter vessels**

The IPHC has received a request from the North Pacific Fishery Management Council (Appendix 1) concerning management measures to restrict the charter halibut harvest in Area 2C, in order to stay within the Council's Guideline Harvest Level (GHL). This request would change the existing regulation of a one-fish, maximum size limit of 37 inches for halibut retained in the charter sport fishery in Area 2C. The requested regulation change is to implement a "reverse slot limit" allowing retention of one fish,  $\leq 45$  inches or  $\geq 68$  inches in length, with head on. In addition, as in the past, if the halibut was filleted the entire carcass, must be retained on board the vessel until all fillets were off loaded.

The Conference Board entertained a motion from the Alaska Charter Boat Association to support the NPFMC reverse slot limit recommendation. This motion failed in the U.S. section with 9 in favour, 12 opposed and 12 abstentions. The Canadian section chose to abstain on this vote. The principle objection to adoption of this motion was the lack of information that would indicate discard mortalities generated from the proposed action. In lieu of supporting the NPFMC proposal the Conference entertained the following motion:

**Prior to implementation a reverse slot limit; the Conference Board requests that IPHC Staff work with ADF&G to develop estimates of area 2c and 3a charter wastage; and that wastage estimates be included when estimating charter harvest.**

This passed in the U.S. section with 17 in favour, 6 opposed and 11 abstentions. The Canadian section voted 12 in favour with 4 abstentions.

The conference board passed a second motion unanimously regarding this subject which is as follows:

**The Conference Board recommends that ADF&G and IPHC work with the charter industry to develop careful release provisions for area 2c and 3a charter fishery.**

This was not intended as a regulatory action but as an education and community outreach action initially.

There is a minority report to the original motion that failed from all of the U.S. charter boat associations as follows:

On behalf of Alaska's charter industry representatives at the IPHC conference board, we appreciate the opportunity to provide additional comments in the form of a minority report regarding the proposed reverse slot limit (U45/O68) management measure proposed for Area 2C and the related items that followed by the CB motion and discussion on that issue. As indicated by comments submitted on behalf of the Southeast Alaska Guides Organization (SEAGO), this proposed management measure was recommended, through a motion that was adopted with no objection, by the North Pacific Fishery Management Council (NPFMC) following a lengthy discussion during their December meeting in Anchorage.

We reassert our support for this measure, confident that there was thorough consideration by the Charter Management Implementation Committee with information and analysis provided by analysis by Mr. Scott Meyer of the Alaska Department of Fish and Game (ADF&G). This recommendation came after numerous discussions with area 2C operators and careful deliberation by the members of that committee.

This measure was proposed as a way to mitigate the significant harm done to 2C operators resulting from the 37" maximum size limit rule adopted in 2011. Again, merely the *opportunity* or lack thereof has a tremendous effect on charter business models. As a result we believe that a reverse slot limit, as recommended by NPFMC, is the best option available to the Southeast Alaska charter fleet for the 2012 fishing season. In selecting the U45/O68 option, the NPFMC council balanced both interests of conservation and economic impact.

After reviewing the projections made by Mr. Meyer, we concur that the NPFMC provided a reasonable recommendation that mitigated economic harm while considering critical conservation considerations. We continue to support their motion for this management measure, knowing that the most conservative assumptions (45,000+ fish and 20% high-grading) will ensure that 2C charter operators fish within GHL.

With regard to the subsequent motions and discussions, we argue that new regulations should not be held hostage to wastage accounting when none currently exists. We assert that this would constitute an unjustifiable disparity to the SE charter fleet. We concur that collecting and analyzing data for wastage among all sectors and areas is essential for making more accurate management decisions in the future. However, given the nature of charter business models, delaying a liberalized management measure, for the purposes of data collection, will negate any potential benefit that could result from it.

Lastly, we agree with and support an effort to develop an education program for safe handling practices intended to minimize mortality resulting from catch and release for sport and commercial sectors (reference Merrigan catch limit comments, 12/30/2011 – item D).

#### ALASKA CHARTER INDUSTRY REPRESENTATIVES

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/s/ Tom Ohaus, Sitka Charter Boat Owners Association  
 /s/ Ken Larson, Prince William Sound Charter Boat Association  
 /s/ Richard Yamada, Juneau Charter Boat Owners Association  
 /s/ Bryan Bondioli, Alaska Charter Association  
 /s/ Aaron Mahoney, Deep Creek Charter Association  
 /s/ Gary Ault, Homer Charter Association  
 /s/ Heath Hilyard, Southeast Alaska Guides Organization

#### INDUSTRY REGULATORY PROPOSALS 2011

##### **1. Kevin Hogan: Mandatory Weighing of all Removals:**

The conference board did not act on the Hogan proposal.

The Conference Board proposed a similar action from last year and reconfirms our recommendation to the commissioners to direct the IPHC staff to develop a regulatory proposal for consideration at the 2013 annual meeting to use jaw tags as an accounting tool for all IPHC regulatory areas. Staff should look at appropriateness for each area/fishery.

##### **2. Richard Yamada: Revise Regulations to exempt mutilation prohibition from vessels already exempted from possession limits:**

After discussion with the enforcement representatives Mr. Yamada withdrew the proposal and will work with enforcement for an amended proposal for 2013.

##### **3. Rex Murphy: Abundance based management of U32 removals:**

This proposal would attempt to establish an abundance based level of harvest for U32 halibut. After considerable discussion the conference board took no action.

#### **4. Tom Gemmell: Control 2C/3A Guided Sport Harvest to Allocation in 2012**

The conference board addressed this in previous actions.

#### **CONFERENCE BOARD DISCUSSION ITEM: BYCATCH**

#### **The conference board adopted the following 5 motions with regards to bycatch:**

##### **Motion 1:**

**Whereas: the bycatch of juvenile halibut in fisheries aimed at other species is responsible for a substantial proportion of total halibut mortalities; and**

**Whereas: these mortalities have a major impact on both the total and harvestable biomass of halibut; and**

**Whereas: the International Pacific Halibut Convention authorizes the Commission to “permit, limit, regulate or prohibit, the incidental catch of halibut that may be taken, retained, possessed, or landed from each area or portion of an area, by vessels fishing for other species of fish”; and**

**Whereas: the Convention also gives the parties power to “close to all taking of halibut in such portion or portions of an area or areas as the International Pacific Halibut Commission finds to be populated by small, immature halibut and designates as nursery grounds”;**

**Therefore be it resolved: that the IPHC Conference Board calls on the Commissioners to authorize the preparation of a staff report to the 2013 annual meeting which would identify areas which might be designated as nursery grounds, and assess the impact on future estimates of total and harvestable biomass that would result from the closure of these areas to all taking of halibut.**

**MOTION 2: The Conference Board re-affirm its 2010 and 2011 recommendations for IPHC to advocate for bycatch reductions. The Conference Board also confirms its support for the Commissioner-led bycatch initiative approved at the 2011 annual meeting and updated for 2012. Consistent with the bycatch initiative’s first objective, the Conference Board recommends that IPHC work with the U.S. and Canada to develop defined minimum standards of accuracy for monitoring all removals from directed and non-directed fisheries (commercial, recreational, subsistence/personal use).**

Rationale:

At the 2010 IPHC Annual Meeting in Seattle, the Conference Board recommended that: “Commissioners direct IPHC staff to retain experts (e.g., stock assessment scientists, statisticians) to undertake an independent peer review to define a minimum standard for catch monitoring in all fisheries (commercial, recreational, subsistence/personal use) where halibut mortalities occur (directed or bycatch) and review the catch accounting and catch monitoring

programs and procedures in place in these fisheries to determine if they meet the defined minimum standard. The terms of reference for the review would be developed with input from IPHC staff and management agencies and stakeholders from both countries and address factors such as, but not limited to, bycatch rates by fishery and bycatch “hot spots”. Commissioners did not action this recommendation to IPHC staff.

At the 2011 IPHC Annual Meeting in Victoria, the Conference Board unanimously supported the following motion:

The Conference Board believes that accurate accounting of all removals is critical for development of accurate stock assessment, and for understanding the health of the halibut resource and the exploitable biomass available to the directed fisheries. Therefore the Conference Board recommends that the IPHC strongly encourages NMFS to implement the Restructured Observer Program in 2013 as planned, not 2014.

The Conference Board recommends that the IPHC request NMFS to use its regulatory authority to deploy additional observers on vessels harvesting groundfish in the GOA, including those vessels under 60 ft., to improve the estimation of halibut bycatch that the IPHC requires to manage the halibut stocks.

The Conference Board recommends that the IPHC advocates for bycatch reduction and provides necessary staff expertise to support the NPFMC review of the current bycatch levels in the GOA and BS and the affects of this bycatch on the halibut resource and the catch limits available to the directed fisheries in the U.S. and Canada.

The Conference Board recommends that the IPHC work with the U.S. and Canada to define minimum standards of accuracy for monitoring fisheries where halibut are encountered.

The Commissioner-led initiative on bycatch represents a significant step in the right direction and Canada would like the Conference Board to recommend, consistent with the bycatch initiative’s first objective, IPHC work with the U.S. and Canada to develop defined minimum standards of accuracy for monitoring all removals from directed and non-directed fisheries (commercial, recreational, subsistence/personal use).

**Motion 3:**

**The conference board requests IPHC staff evaluate priority needs for at sea observer coverage in order to improve estimates of halibut bycatch. These priorities should be forwarded to the NPFMC for consideration as they prioritize observer deployment in 2013 under the restructured observer program.**

**Motion 4:**

**Conference board requests that directed halibut industry be invited to identify an individual to participate as a panel member in the April 24/25 joint halibut bycatch workshop. (please confer with the co-chairs of the Conference Board)**

**Motion 5:**

**The Conference board requests the IPHC initiate a review of Halibut Bycatch mortality associated with the ADF&G managed fisheries in state waters:**

Rationale

- Mortality associated with these fisheries is a significant deduction in several areas.
- The mortality estimates have not been updated for many years.
- There have been significant changes in gear and harvest levels in many of these fisheries.

Note: There are presumed halibut bycatch mortalities that have not been updated since the 1980s which occur in the Alaskan instate fisheries.

**Other issues: The Conference Board adopted the following two motions:**

**1. Slow up fast down or slow up full down:**

**Motion:**

**The Conference Board requests IPHC commissioners review the slow –up full down policy prior to the fall 2012 interim meeting. We recommend considering:**

- 1. Re-instating the original slow-up, fast down policy (50% down – 33% up)**
- 2. Modifying the slow-up, full down to allow 50% of any increase.**
- 3. Using different approaches based on area specific indicators.**

This is responsive to:

- Several proposals requesting the review
- Slow-up, fast down has been an important tool to reduce volatility while refining the numerous stock assessment and apportionment variations experienced over the past 10 years.
- No other west coast fishery is managed under a harvest policy as asymmetrical as slow up-full down.

**2. The Conference Board recommends that IPHC staff work with appropriate agencies to develop wastage and mortality estimates for all recreational fisheries in IPHC management areas.**

*Addendum: Canadian Stakeholder discussion document*

## 2012 Canadian Stakeholder Discussion Paper

### Catch Limit Allocation Principles

Catch limit allocations must provide for fair and sustainable access to the Pacific Halibut resource. Stock assessment and advice must be scientifically sound, and account for all removals by area. When determining catch limit allocations now and into the future, Canada proposes that the following principles be considered:

1. The total coastwide removals limit must be conservation-based.
2. Parties to the treaty must be directly accountable for all removals.
3. All removals from both directed<sup>1</sup> and non-directed<sup>2</sup> fisheries must be monitored at a defined minimum standard of accuracy.
4. Actions in one area that result in negative impacts to another area must be mitigated.

Consistent with these principles Canada has made significant advancements in catch monitoring and accountability for total removals, but continues to be impacted by management decisions in other regulatory areas. For example, the level of bycatch and discard mortality occurring in areas 3 and 4 has a considerable negative impact on Area 2's exploitable biomass. While work to better understand the sources and impacts of bycatch has begun in earnest through the Commission's Halibut Bycatch Working Group, progress must still be made to (1) better account for bycatch mortality through improved catch monitoring and (2) ensure that responsibility for bycatch mortality is carried by the national party in whose jurisdiction the mortalities have occurred. To advance these concerns, Canada continues to support ongoing work aimed at better understanding the implications of current halibut bycatch and exploring possible actions to address these concerns. The following objectives were accepted by the Commission in 2011 and Canada supports continuing this work in 2012:

1. To gain a better understanding of the amount of halibut bycatch occurring in each regulatory area.
2. To gain a better understanding of the impact of bycatch on the halibut resource and on the available harvest.
3. To explore options for reducing the overall level of halibut bycatch.
4. To explore options for mitigating the impact of bycatch in one regulatory area on the available harvest in other regulatory areas.

### Canada does not accept the IPHC's apportionment methodology

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<sup>1</sup> Directed fisheries are those fisheries specifically engaged in harvesting Pacific Halibut

<sup>2</sup> Non-directed fisheries are those fisheries not specifically engaged in harvesting Pacific Halibut, but where Halibut is incidentally caught

Currently, the IPHC estimates exploitable biomass in each regulatory area as a percentage of the estimated coastwide exploitable biomass. The "apportionment" methodology estimates the proportion of biomass in each regulatory area as a function of the relative survey catch rate (WPUE) in each area scaled to the amount of habitat available (total bottom area between depths of 0 and 400 fathoms). Catch limits within each regulatory area are in turn determined by applying a target harvest rate to the exploitable biomass estimated from the above calculation. While this approach uses data readily available to the IPHC staff, the methodology depends on assumptions that have not been or cannot be tested; therefore Canada is unable to support the current apportionment methods. Canada acknowledges the changes that have been made to address various concerns raised since 2007. However, the overall methodology is still unacceptable. In particular, Canada is concerned that the apportionment method incorrectly estimates exploitable biomass in regulatory areas, and that bottom area is not an appropriate surrogate for national entitlement to a migratory species, especially when the impact of large extractions of halibut biomass to the North and West of Canada are not being taken into account when calculating entitlement.

The primary concern is that use of the survey catch rate in the current apportionment method assumes constant catchability among all regulatory areas (i.e. the probability of catching a halibut is similar across ecosystems, habitat type and competitor assemblages). Hook timing adjustments made to compensate for differences in species composition are probably insufficient, as many other factors, such as bottom type and structure can affect the efficiency of survey gear in a given area. Furthermore, it is unlikely that gear selectivity is constant among regulatory areas. Selectivity is partly determined by the fishing gear but it is also a function of availability of fish to the gear. Availability may be affected by differential age and size composition of the halibut stock among areas.

In addition, the bottom area used in the apportionment method is calculated for habitat between 0-400 fathoms. The inclusion of depths greater than 300 fathoms is to accommodate recent commercial fishing between 300-400 fathoms in area 4, particularly area 4A. These depths are not fished to a great degree in any of the other areas, and the impact of this re-classification of bottom area to apply in the apportionment scheme reduced Area 2B's proportion of coast-wide habitat by 18.5% (from 9.2% to 7.5%). Other areas declined on average by 20%, while area 4CDE increased by 20%. This highlights the extent to which the current apportionment method is influenced by selection of bottom area, which is somewhat subjective, and which has a large impact on the apportionment of biomass to regulatory areas. Furthermore, since the survey, and therefore the WPUE in each regulatory area, only covers the depth range 20-275 fathoms, there is potential for bias in the apportionment methodology if halibut density in unsurveyed depths is different to that in surveyed depths.

Canada takes the position that the IPHC's apportionment methodology is strongly influenced by assumptions about relative catchability, selectivity and depth-distribution of fish among regulatory areas. Scientific uncertainties surrounding relative catchability and selectivity are unlikely to be resolvable with available resources in the near future, if at all.

Canada feels that the apportionment methodology is fundamentally flawed due to irresolvable scientific uncertainties, and perhaps consideration should be given to move away from attempting to resolve the problem of allocating catch among regulatory areas by purely scientific means and consider other examples of resource sharing arrangements utilized internationally. This type of work would align with the IPHC's desire to advance a Management Strategy Evaluation for Pacific Halibut.

### **Canada's Position for 2012**

While Canada believes that progress has been achieved in the provision of harvest advice over the past year, more work remains if we are to satisfy the principles outlined above.

- Canada continues to support the stock assessment improvements aimed at ensuring direct accountability for all removals; however, as non-directed removals of small halibut negatively impact coast-wide fishing opportunities, additional effort is required to address the treatment of under-26 mortality.
- To ensure that all removals from directed and non-directed fisheries are monitored at a defined minimum standard of accuracy (consistent with principle 3 above and the recommendation received from Conference Board in 2010), Canada supports the development of a bi-lateral working group led by IPHC staff to start developing a defined minimum standard of accuracy for monitoring and reporting of halibut catch in the recreational fishery. In the future, this work can be expanded to include the development of standards for the other harvesting sectors as well (see attached proposal).
- Given the intrinsic uncertainties associated with the apportionment methodology (as well as with the coastwide assessment model itself) Canada suggests that provision of harvest advice as a single catch limit derived from a single point estimate of biomass is unacceptable. Provision of risk-based advice, in the form of decision tables or similar, that provides predicted stock status over a range of alternative management options and alternative plausible states of nature is current best practice for stock assessments in the USA and Canada. In this context, stock status implies size of the halibut stock or level of fishing mortality relative to pre-defined reference points that are directly related to management objectives.
- Canada feels a peer-review of the Slow Up-Fast Down/Slow Up Full Down policy should be conducted.
- Canada supports the work by IPHC staff to develop a Management Strategy Evaluation (MSE) approach for Pacific Halibut. This process may allow both parties to the Treaty to assess the consequences of a range of management strategies or options and have the results presented in a way which illustrates the tradeoffs in performance across a range of management objectives. It is imperative that the MSE process be open, transparent and collaborative from the beginning.