

North Pacific Fishery Management Council

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March 6, 2018

Mr. Paul Ryall, Chairman
International Pacific Halibut Commission
2320 West Commodore Way
Salmon Bay, Suite 300
Seattle, WA, 98199-1287

Dear Mr. Ryall,

Thank you for the Commissioners letter dated January 17, 2018 regarding the NPFMC's abundance-based management (ABM) of Prohibited Species Catch (PSC) of halibut in the Bering Sea-Aleutian Islands (BSAI) areas. While I provided some initial comments at the Annual Meeting in Portland prior to the Commissioners' catch limit decisions, members of the NPFMC agreed that a more formal written response was appropriate.

The Council greatly appreciates the Commission's continued interest in providing scientific expertise in the ABM analysis from Dr. Hicks, who also serves on our BSAI Plan Team. We also recognize the contributions of Dr. Stewart on our SSC, and other IPHC staff, such as Dr. Webster, in various US domestic fisheries management arenas. The collaborative scientific work across the NPFMC and IPHC benefits both organizations and is important to maintain.

The changes the Council made in October to the purpose and need statement of the BSAI ABM analysis do not change the interpretation of the objectives of that analysis. As the maker of the motion stated, "the change is intended to clarify the current jurisdiction and accurately reflect the authority the Council and IPHC currently operate under. This jurisdictional alignment is similar to what the agency recommended during development of Amendment 111 (the BSAI Chinook salmon bycatch management package). It does not signal or represent a change in intent by the Council." The audio tapes of the meeting and the Council's discussion and subsequent approval of the motion confirm that the Council believes that the language does not change the objectives.

The Commissioners' letter also states an expectation that "further efforts to reduce halibut bycatch mortality in Alaskan waters will be consistent with the magnitude of reductions achieved in other IPHC regulatory areas." While comparisons between areas may reveal lessons and 'best practices' to consider, we note that regulatory bodies responsible for achieving a variety of different management objectives are likely to evaluate success differently. In the NPFMC, the evaluation of halibut bycatch management will be based on conservation objectives for the halibut resource, and balancing social and economic objectives among the different user groups. Tracking halibut mortality per ton of groundfish harvested by different gear types may provide a more relevant metric of efficiency in halibut use, consistent with these objectives.

The Council is keenly interested in the IPHC stock assessments and related science. Areas of current IPHC research that could have implications for how the Council manages halibut include the Management Strategy Evaluation (MSE) and development of a harvest policy and target SPR;

understanding movement rates of halibut between regulatory areas and how that variability affects abundance by area; potential revision to the current 32" size limit; understanding the footprints of both the directed halibut fisheries and groundfish fisheries that take halibut incidentally, and other uncertainties identified in the stock assessment documents. It is also important for the Council to understand how that science informs the Commissioners' decisions to set catch limits by regulatory area and coastwide, since these decisions can result in direct and indirect impacts in the Council process, as well as the halibut stock.

We note with some concern that the combined harvest levels suggested by the U.S. and Canada result in a total fishing intensity of SPR 41%, which is higher than the reference level of SPR 46% that the IPHC has previously identified as an interim harvest policy or 'hand rail'. This is especially concerning since the risk metrics in the harvest decision table indicate there is substantial risk that the spawning biomass and TCEY will fall further through 2021 than it would if catch limits were set at the reference SPR of 46%. We also note that the realized SPR of 40% in 2017 was higher than the expected SPR 45% when catch limits were set. Based on this difference between expected and realized SPR, and statements at the Annual Meeting by Scientific Research Board member Dr. Sean Cox that realized SPR is often greater than the fishing intensity under expected SPR, it appears quite possible that the realized SPR for 2018 will end up being different than the anticipated SPR 41%. Given this scenario, the Council is concerned about the effects of higher fishing intensity on the halibut stock and the impact that has on the Council's ability to fulfill domestic management objectives for the halibut resource.

As noted in the IPHC stock assessment documents, the IPHC has not established fishing mortality control rules that establish upper bounds for determining annual catch limits (Acceptable Biological Catch limit, ABC) or threshold limits (Overfishing limit, OFL) for the halibut stock. These fishing mortality control rules and associated reference points are used in U.S. domestic fisheries management and other bodies throughout the world to prevent overfishing. The decision by the IPHC to develop a target SPR through the MSE process seemed to be a move towards developing an OFL or ABC limit threshold to establish a clear delineation between population levels that are primarily of yield concern and levels that pose elevated risk to long term conservation objectives. This would align IPHC management more closely to the approach the NPFMC uses in all of its harvest specifications, as well as in the development of an abundance-based approach to PSC limits in the BSAI.

The Council is very interested to understand whether the decisions by U.S. and Canadian Commissioners to suggest catch limits resulting in a fishing intensity greater than the reference SPR 46% represents a change in the interim harvest policy identified several years ago. This could have implications for the Council's ability to achieve management objectives in the development of ABM for PSC limits, since catch limits set by the IPHC in excess of a limit threshold or reference SPR will by definition reduce productivity and make it more difficult for the NPFMC to achieve management objectives for both the directed fisheries and U.S. groundfish fisheries that take halibut incidentally. It also affects the Council's decision about how to select among ABM alternatives, as estimating the impact of alternatives on the directed fishery is complicated when assumptions regarding catch limits must be made with increasing uncertainty.

The Council is also interested to understand more specifically the process outlined by the U.S. and Canadian Commissioners to develop an interim stock distribution process through the Management Strategy Advisory Board (MSAB) that incorporates social and economic factors. This too may have implications for the Council's halibut management programs, including our IFQ program, and catch sharing plans in Areas 2C and 3A, and Area 4. This also appears to be new territory for the Commission given the lack of a policy framework, such as the National Standards in the MSA that guide the NPFMC.

We look forward to seeing additional details as to how the IPHC will incorporate social and economic factors into decisions on allowable catch allocations among the different management areas.

The Council will continue to work on ABM of PSC limits in the BSAI, improvements in the estimation of bycatch mortality, and other issues important to both the IPHC and the Council, as outlined in our Halibut Management Framework. Throughout our annual meeting cycle, the Council may also consider whether changes in the condition of the halibut stock or progress in understanding the various factors that effect abundance warrant a new focus or additional work by the Council under the Halibut Management Framework.

Finally, the recent IPHC letter highlights once again the differences in some policy objectives between the two bodies. While sustaining and conserving the halibut resource is a shared objective, the Council seeks to balance the harvest and incidental catch of halibut among all user groups, whereas the Commission essentially seeks to optimize harvest for the directed fleet. It's important for both bodies to keep this in mind when considering our complementary and coordinated efforts in management. Despite this difference in policy objectives there is still plenty of opportunity to make meaningful progress in science and management that is beneficial to the resource and all users, and the 2017 stock assessment underscores the need to continue those efforts.

We look forward to working together on these matters.

Sincerely,

A handwritten signature in blue ink that reads "Dan Hull". The signature is written in a cursive, flowing style.

Dan Hull, Chairman

CC: Dr. David Wilson, Executive Director IPHC
Dr. Jim Balsiger, NOAA Fisheries Alaska Region
Mr. Chris Oliver, Assistant Administrator NOAA Fisheries
Mr. Colin Brinkman, State Department