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**IPHC Pacific Halibut Fishery Regulations:  
Vessel Clearance in IPHC Regulatory Area 4 (Sect. 16)**

PREPARED BY: IPHC SECRETARIAT (03 JANUARY 2020)

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**PURPOSE**

To address the need for clearances when a National Oceanic and Atmospheric Administration (NOAA) Fisheries observer or electronic monitoring device is present.

**BACKGROUND**

The International Pacific Halibut Commission (IPHC) requires vessels to obtain clearances to fish in IPHC Regulatory Area 4 and to offload fish from IPHC Regulatory Area 4 when the vessel is used to fish in another IPHC Regulatory Area during the same fishing season.

**DISCUSSION**

In 2003, IPHC regulations were modified to allow for a clearance exemption when a vessel has a NOAA Fisheries approved Vessel Monitoring System (VMS) on board and follows prescribed protocols.

The IPHC Secretariat proposes that the Commission expand this clearance exemption to include when a NOAA Fisheries observer or electronic monitoring (EM) device is in use.

**Benefits/Drawbacks:** The benefit is that the exemption will allow for greater flexibility in meeting the clearance requirement for vessels fishing in IPHC Regulatory Area 4 and other IPHC Regulatory Areas, while encouraging additional observer coverage. There are no apparent drawbacks.

**Sectors Affected:** This proposal affects the directed commercial sectors of the Pacific halibut fishery fishing in IPHC Regulatory Area 4 and other IPHC Regulatory Areas during the same season.

**RECOMMENDATIONS:**

That the Commission:

- 1) **NOTE** regulatory proposal IPHC-2020-AM096-PropA4, which addresses the need for clearances when a National Oceanic and Atmospheric Administration (NOAA) Fisheries observer or electronic monitoring device is present, and recommends changes to the IPHC Fishery Regulations.

- 2) **ADOPT** the recommended changes to the IPHC Fishery Regulations as provided in [Appendix A](#).

**ADDITIONAL DOCUMENTATION / REFERENCES**

None

**APPENDICES:**

[APPENDIX A](#): Suggested regulatory language

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**APPENDIX A****SUGGESTED REGULATORY LANGUAGE****16. Vessel Clearance in IPHC Regulatory Area 4**

(1) ....

(16) Any vessel that carries a NOAA Fisheries observer, a NOAA Fisheries electronic monitoring system, or a transmitting VMS transmitter while fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and until all Pacific halibut caught in any of these IPHC Regulatory Areas is landed, is exempt from the clearance requirements of paragraph (1) of this section, provided that:

(a) the operator of the vessel carries a NOAA Fisheries' observer or functioning electronic monitoring system in compliance with regulations published at 50 CFR Subpart E, or vessel monitoring system regulations published at 50 CFR 679.28(f)(3), (4) and (5); and

(b) the operator of the vessel notifies NOAA Fisheries Office for Law Enforcement at 800-304-4846 (select option 1 to speak to an Enforcement Data Clerk) between the hours of 06:00 and 00:00 (midnight) local time within 72 hours before fishing for Pacific halibut in IPHC Regulatory Areas 4A, 4B, 4C, or 4D and receives a VMS confirmation number.