



United States Department of State

*Assistant Secretary of State for Oceans and
International Environmental and Scientific Affairs*

Washington, D.C. 20520

Dr. James W. Balsiger
Chairman
International Pacific Halibut Commission
P.O. Box 95009
Seattle, WA 98145-2009

MAR - 1 2007

Dear Dr. Balsiger:

On behalf of the Secretary of State, after consulting with and obtaining the concurrence of the Department of Commerce, I accept on behalf of the United States all but one of the recommendations proposed by the International Pacific Halibut Commission (IPHC) for the 2007 Pacific halibut fishery, pursuant to Section 4 of the Northern Pacific Halibut Act of 1982 (16 U.S.C. § 773b), and in accordance with Article III of the Convention Between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa, March 2, 1953 (the "Convention"). The United States does not accept Regulation 25(2)(b)(i) and (ii), which concerns a reduction of daily bag limits for halibut caught from sport charter vessels in Regulatory Areas 2C and 3A.

The Convention establishes a procedure under which the Commission is to conserve and manage the halibut resource in part through the promulgation of regulatory recommendations to the United States and Canada. The Governments of the two Parties must then determine whether to approve those recommendations.

This year, the IPHC – acting within its mandate to conserve the halibut resource – recommended to the United States that restrictions be imposed on the sport charter fleet operating off the coast of Alaska so that IPHC management objectives could be achieved in Areas 2C and 3A for the 2007 fishing season. For the last several years, the Alaskan sport charter fleet has exceeded the recommended guideline harvest levels (GHLs) established by the North Pacific Fishery Management Council process in those two areas, and domestic management agencies have not yet implemented regulations designed to effectively bring the harvest within the GHLs.

The Departments of State and Commerce share with the IPHC the goal of effective, long-term conservation of the halibut resource, and we commend the IPHC for its regulatory recommendations designed to achieve this objective. We understand that the North Pacific Council also has been engaged in a process to secure effective management of the Alaskan sport charter fleet in the long-term. The Departments therefore undertook consultations to determine how best to manage the Alaskan sport charter fleet for the 2007 fishing season, pending a comprehensive resolution of this issue through the Council process.

For the 2007 fishing season, we have received assurances that the State of Alaska will exercise its regulatory authority to restrict retention of halibut by charter skippers and crew in both Areas 2C and 3A. Additionally, the Secretary of Commerce has embarked on a process for the development of regulations with a view to imposing in Area 2C regulations that would reduce halibut mortality to levels comparable to those that would be achieved through implementation of the proposed IPHC sport charter regulation for the 2007 season. The Department of Commerce is also actively working with the State of Alaska to enhance monitoring and compliance of charter regulations.

The Department of State appreciates that this approach for the 2007 season will not fully satisfy all interested people or organizations. The Department notes with disappointment that the IPHC recommendation in question arose in part due to the inability of domestic processes in the United States to resolve this matter previously. We therefore strongly encourage the North Pacific Council, the State of Alaska, and all affected agencies and stakeholders to develop comprehensive measures to resolve this issue for 2008 and beyond. The long-term interests of the resource demand such a result.

The Department of State commends the IPHC for its stewardship of the Pacific halibut resource and its leadership in effective bilateral fisheries management. Throughout the 80 years of its existence, the IPHC has facilitated unprecedented cooperation between the United States and Canada and has successfully managed the shared halibut stock to historically high biomass levels. The entire regulatory package proposed by the IPHC for the 2007 halibut fishery is consistent with the IPHC's tradition of conserving the valuable Pacific halibut resource. We are pleased to accept all of the IPHC recommendations, except Regulation 25(2)(b)(i) and (ii). The Department of Commerce will shortly publish regulations consistent with these recommendations in order to provide public notice of their effectiveness.

Sincerely,

A handwritten signature in black ink, appearing to read "Reno L. Harnish". The signature is fluid and cursive, with a horizontal line at the end.

Reno L. Harnish, Acting

cc: Mr. Bruce Leaman, Executive Director, International Pacific Halibut
Commission