

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2017 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) solicited public comment on the Pacific Fishery Management Council (PFMC) approved proposals for changes to the Pacific Halibut Catch Sharing Plan (CSP) for fisheries in 2017. ODFW hosted a public meeting in Newport on October 4th and used an online survey to gather public input on the proposals. The meeting was also webcast, so that anglers who were unable to attend in person could still hear the discussions and weigh in. Seven individuals attended the public meeting in person, seven attended via the webinar, staff received emails or phone calls from two individuals, and 105 took the online survey. Based on this input, ODFW provides the following recommendations.

Proposed Changes to the Catch Sharing Plan

Overarching

Inseason Adjustments to Seasons

This proposal would allow inseason adjustment of the recreational halibut fisheries off Oregon based on bycatch of other limiting species, with yelloweye rockfish being the current species of concern.

Alternatives

Status quo: Inseason action can only be taken based on catches of Pacific halibut

Alternative 1: Allow consideration of inseason changes to recreational Pacific halibut fishery regulations if total projected yelloweye rockfish mortality from the recreational halibut fishery is projected to be greater than 22 percent of the total Oregon recreational yelloweye rockfish harvest guideline

Rationale

In some years, recreational halibut fisheries account for a large percentage of the total allowable Oregon recreational yelloweye rockfish impacts (>25 percent). Currently, the Catch Sharing Plan allows inseason modification of halibut regulations only due to attainment of halibut allocations, with no provisions for modification due to bycatch impacts on other species. As a result, the only option available to limit recreational yelloweye rockfish impacts off Oregon is by restricting the groundfish fishery; halibut fisheries are held harmless despite their contribution to yelloweye rockfish impacts.

This proposal would allow consideration of inseason adjustments to halibut regulations when yelloweye rockfish impacts reach a specific threshold. This would provide a more equitable and comprehensive management approach to yelloweye rockfish bycatch across the recreational halibut and groundfish fisheries in Oregon. Inseason adjustments intended to reduce mortality of yelloweye rockfish in Oregon's halibut fisheries could include the flexible management measures listed in the draft Catch Sharing Plan language under (f)(5)(ii) at the end of this report, such as shifting quota from all-depth seasons to nearshore, modifying or closing halibut seasons, or closing the expanded Stonewall Bank Yelloweye Rockfish Conservation Area, with expansions described

in the 2017-2018 Groundfish Specifications and Management measures, to halibut fishing. The Stonewall Bank is a high-relief area approximately 15 miles north of Newport, and is an area of high yelloweye rockfish encounters for hook and line fisheries. Fishing for groundfish and halibut is prohibited in a specific area called the Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA), which is defined by latitude and longitude coordinates. The Council recommended that two expansions of the Stonewall Bank YRCA be defined and available for inseason management use in groundfish regulations, beginning in 2017. These new YRCA boundaries could be implemented to close additional areas where yelloweye rockfish encounters are high, as needed inseason. The two new YRCAs that expand the Stonewall Bank area closure would also be useful in inseason management of yelloweye rockfish impacts in the halibut fishery.

In order to provide a transparent, structured plan for acting on this flexible inseason management provision, a “trigger” is established based on a threshold level of yelloweye rockfish impacts from the recreational halibut fishery. ODFW staff evaluated yelloweye rockfish interactions in the halibut fishery in several different ways, including calculating the rate of yelloweye rockfish encounters expressed as the number of yelloweye rockfish encountered per halibut landed (Figure 1), and the average total yelloweye rockfish impacts (percentage of Oregon recreational yelloweye rockfish harvest guideline) from halibut trips (Figure 2).

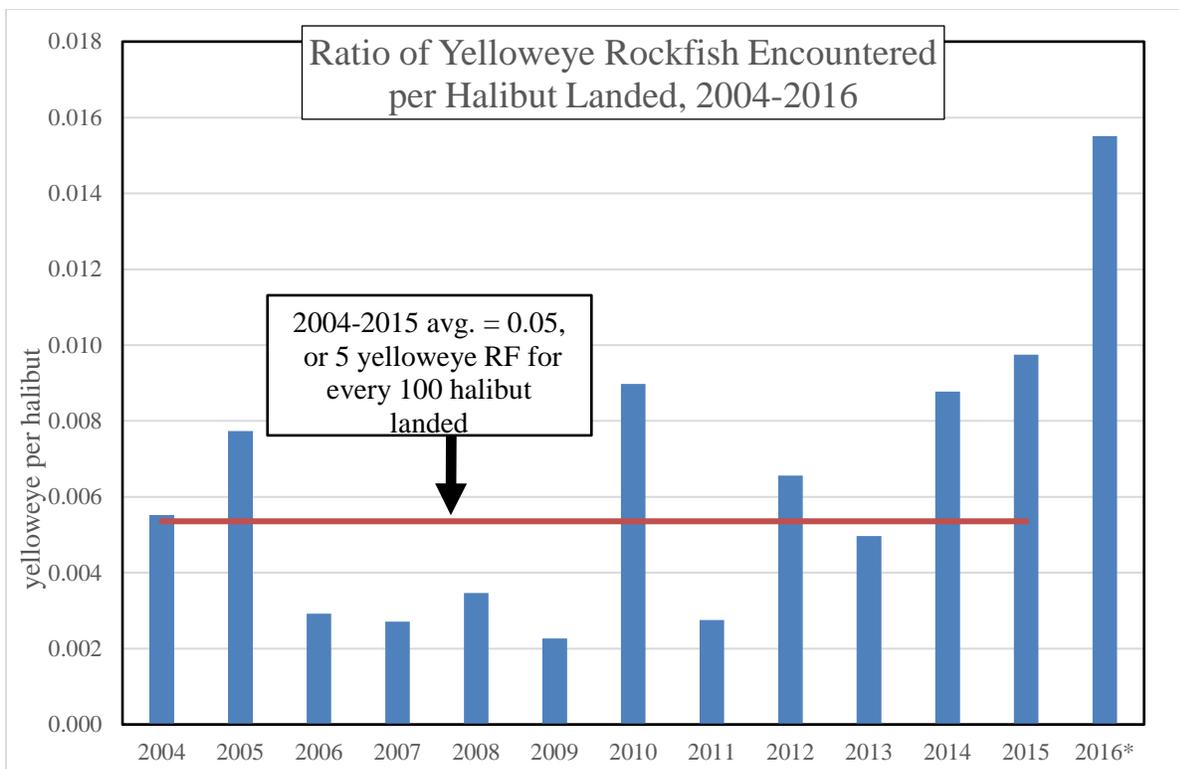


Figure 1. Ratio of yelloweye rockfish encountered per halibut landed, with 2004-2015 average. Blue bars represent the average number of yelloweye rockfish encountered per halibut landed in each year; red line is the average of those values across all years in the figure except 2016. *2016 data is only through August.

The rate of yelloweye rockfish encounters per halibut landed provides information on the relative amount of yelloweye impacts. However, the absolute amount depends on the actual number of halibut landed. If halibut landings are very low, even a high yelloweye rockfish encounter rate may not result in a problematic amount of yelloweye rockfish mortality. If the encounter rate was the inseason action trigger, this could lead to unnecessary action.

Therefore, ODFW staff looked at the total yelloweye rockfish impacts (in mt) from halibut trips as a percentage of the yelloweye rockfish harvest guideline (mt) from 2004-2015. The average over that time period is 22 percent (Figure 2).

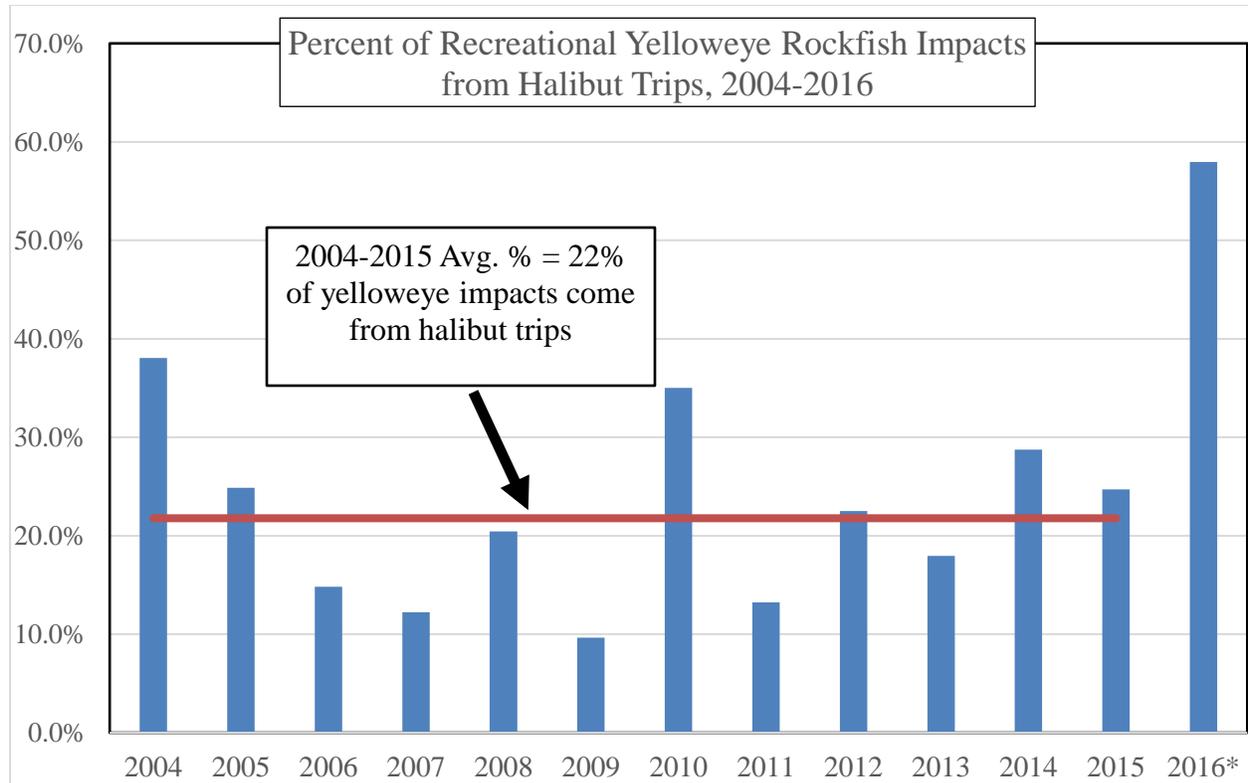


Figure 2. Percentage of yelloweye rockfish mortality from trips targeting Pacific halibut, with the average from 2004-2015. Blue bars represent the yelloweye rockfish mortality from halibut trips as a proportion of total estimated yelloweye rockfish mortality from all Oregon recreational fisheries; red line is the average proportion attributable to halibut trips across all years in the figure except 2016. *2016 data is only through August.

The total estimated yelloweye rockfish impacts from the halibut fishery in any year, as a proportion of the total allowable recreational impacts in that year, provide a more absolute picture of how much the halibut fishery is contributing to yelloweye mortality in that year. Managers can use that to evaluate the need for action to reduce yelloweye impacts in either or both of the halibut or groundfish fisheries. In addition, by defining the trigger as a percentage of the harvest guideline rather than a fixed value, the trigger will scale up or down with the yelloweye rockfish harvest guideline as it changes between years.

Therefore, **ODFW is recommending that if the projected yelloweye rockfish impacts from the halibut fisheries are greater than 22 percent of the total Oregon recreational yelloweye rockfish harvest guideline for that year, inseason actions will be considered by ODFW in consultation with the IPHC and NMFS.**

Columbia River Subarea

Lingcod retention

Washington proposed allowing retention of lingcod on halibut trips in the Columbia River Subarea north of the Washington-Oregon border only.

Alternatives

Status Quo: Retention of groundfish species, except Pacific cod, sablefish, and other species of flatfish, is prohibited when halibut are onboard during the all-depth fishery.

Alternative 1: Allow lingcod retention when halibut are onboard, north of the Washington-Oregon border only, until the Columbia River subarea halibut quota for the all-depth fishery is taken.

Alternative 2: Allow lingcod retention when halibut are onboard, north of the Washington-Oregon border only, until the Columbia River subarea halibut quota is taken in the all-depth fishery or until a maximum of 1,500 lingcod have been landed on halibut trips, whichever occurs first.

Rationale

As described by WDFW in [Agenda Item I.1.a, Supplemental WDFW Report, September 2016](#), the intent of this proposal is to attract anglers from other Washington subareas to fish for halibut out of Ilwaco, and to reduce the inequity in regulations between Washington subareas, as lingcod retention is currently allowed in other Washington subareas. In recent years, there have been requests to allow retention of lingcod on all-depth halibut trips in the Columbia River Subarea. However, due to concerns over yelloweye rockfish bycatch, these requests have not been approved by the Council. Oregon is more constrained by yelloweye rockfish than Washington, with no room in its recreational yelloweye rockfish harvest guideline to account for any increase, even 0.1 mt, in yelloweye rockfish mortality that might arise from allowing retention of lingcod. This year, a request specific to Washington waters only was submitted. All yelloweye rockfish impacts resulting from this proposal will be counted against the Washington recreational yelloweye rockfish harvest guideline. Retention of lingcod will continue to be prohibited in any Oregon subarea during all-depth halibut trips, including in the Oregon portion (south of the Washington-Oregon border) of the Columbia River subarea.

ODFW is neutral on this proposal. We note that there is the potential for confusion for anglers as there will be differential regulations within the subarea; however, we also acknowledge the potential for reduced confusion within Washington as this proposal brings the Washington portion of the Columbia River subarea in line with other Washington subareas in terms of lingcod retention.

Central Coast Subarea

Seasons and allocations

The Central Oregon Coast Subarea is currently divided into a nearshore, a spring all-depth, and a summer all-depth season. ODFW received a proposal from our Sportfishing Advisory Committee to eliminate the summer all-depth season, redistributing the summer all-depth allocation 75 percent to the spring all-depth season and 25 percent to the nearshore season, with the intent of reducing yelloweye rockfish impacts.

Alternatives

Status Quo: The Central Oregon Coast Subarea allocations are 63 percent for the spring all-depth, 25 percent for the summer all-depth, and 12 percent for the nearshore.

Alternative 1: Eliminate the summer all-depth season and redistribute its halibut allocation 75 percent to the spring all-depth season and 25 percent to the nearshore season. The Central Oregon Coast allocations would then be 81.75 percent for the spring all-depth and 18.25 percent for the nearshore.

Rationale

This proposal was developed by ODFW's Marine Sportfishing Advisory Committee (SAC) in 2015. With data available at that time, there appeared to be a pattern of higher yelloweye rockfish impacts in the summer all-depth season than in the spring all-depth season in recent years, and the SAC proposal was intended to reduce yelloweye rockfish impacts in halibut fisheries and the potential for inseason restrictions in the groundfish fishery as a result (see discussion under the overarching proposal for flexible inseason halibut management based on bycatch). ODFW felt that there was insufficient public awareness of, and input on, this proposal in 2015 in order to consider a change of this magnitude for the 2016 fishery. The issue was thoroughly described and discussed in the 2016 public outreach process.

The three seasons in the Central Oregon Coast Subarea provide a variety of halibut fishing opportunities. The summer all-depth season was set up to allow for all-depth halibut fishing later in the summer, when the weather is thought to be better, and more families have vacation time. During 2009-2014, the summer all-depth season lasted 2-4 days. This was due to a combination of good weather and opportunities to also catch other species, such as albacore tuna, which encouraged more participation. In developing their proposal, the SAC expressed that just a few days of summer all-depth halibut fishing was not worth the risk of closing or restricting the groundfish fishery for a much longer period (potentially through the remainder of the calendar year) because of high yelloweye rockfish impacts from the summer all-depth halibut days. However, the 2015 and 2016 fisheries lasted much longer, primarily due to unfavorable August weather conditions compared to the previous 5 years. At the time of writing this report, the 2016 summer all-depth fishery is expected to remain open through the scheduled season closing date of October 31 (14 open days).

From 2006-2013, with the exception of 2007 when the spring encounters were slightly higher, encounters with yelloweye rockfish were higher in the summer all-depth season than they were in the spring all-depth season (Figure 3). Possible explanations included a combination of yelloweye rockfish being either more prevalent in the area during summer; more "on the bite" at that time of

year; or, with short seasons, anglers may be less willing to move from known halibut grounds despite encountering yelloweye rockfish.

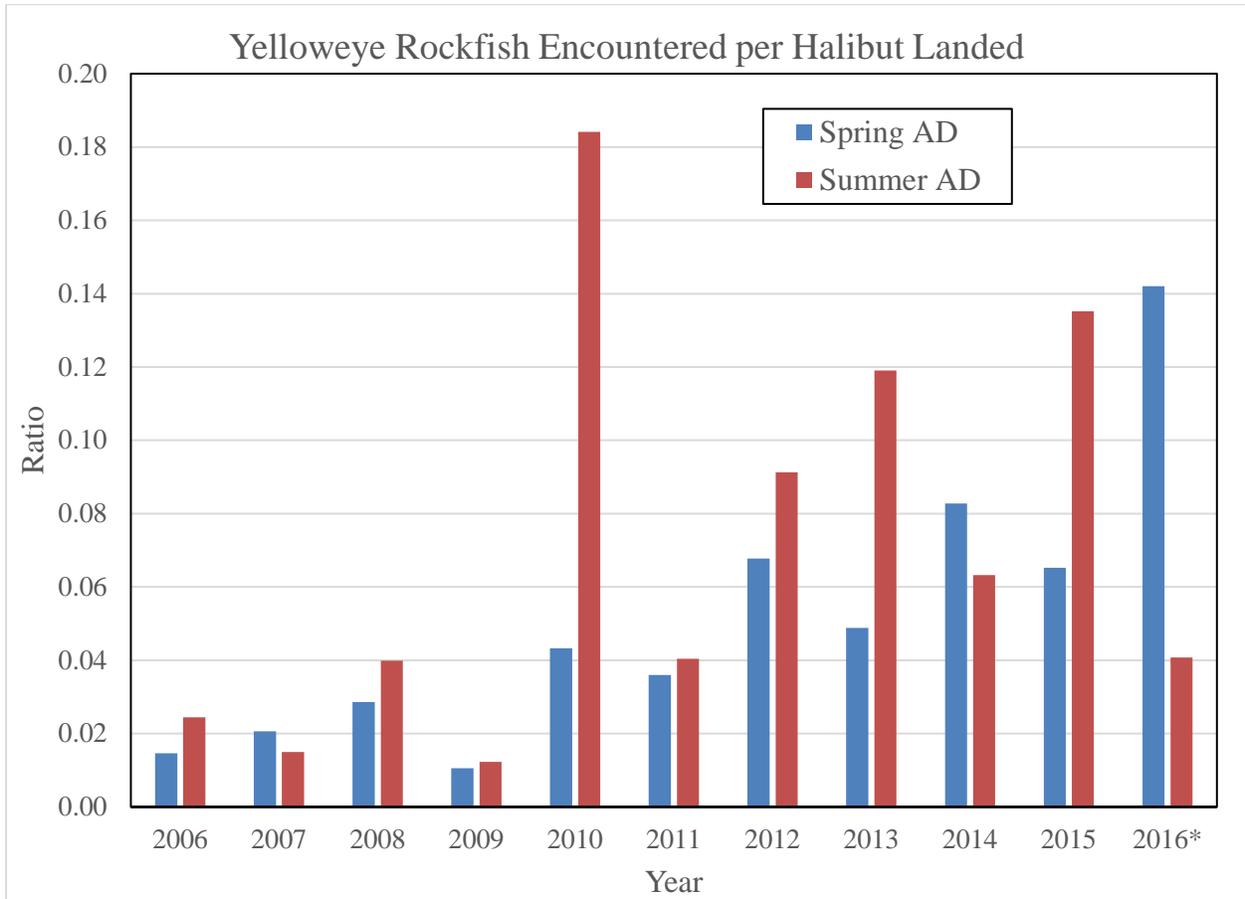


Figure 3. Yelloweye rockfish encounters per number of Pacific halibut landed in the Central Oregon Coast Subarea spring and summer all-depth seasons, 2006-2016. * 2016 data is only through August.

In 2014 the encounter rate in the spring all-depth season was higher than during the summer season; however 2015 once again had higher encounter rates during the summer than in the spring (Figure 3). In 2016, the initial spring all-depth opening had exceptionally good weather and higher effort than seen in recent summer openings. There was also a high yelloweye rockfish encounter rate, with more yelloweye rockfish encountered during the first 2016 opening (3 days) than in all of 2014. The increased effort and high encounter rate were compounded by a low rate of descending device use when releasing yelloweye rockfish during this year’s spring all-depth fishery (~35 percent; down from ~65 percent in 2015), leading to higher yelloweye rockfish mortality than in any previous spring all-depth season.

In contrast, the 2016 summer all-depth season had relatively low yelloweye rockfish encounters. Additionally, prior to the summer all-depth season, ODFW staff undertook a large outreach and education campaign about barotrauma and descending yelloweye rockfish, distributing brochures and free devices (provided by the Pacific States Marine Fisheries Commission), and developing a

new website with information on barotrauma and recompression, and videos demonstrating how to use various descending devices (<http://www.dfw.state.or.us/MRP/recompression/index.asp>). The reported rate of descending device usage increased to approximately 60 percent in the summer all-depth fishery.

The change in patterns of yelloweye rockfish impacts in the last few years weakens the hypothesis that the summer fishery is frequently responsible for a disproportionate share of the impacts. Overall, it appears that effort levels, primarily driven by weather and ocean conditions, are a larger factor in yelloweye rockfish encounters than which halibut season is being fished.

During discussions with SAC and at the public meetings this fall, the overarching proposal to allow changes to halibut fisheries inseason based on yelloweye rockfish bycatch was discussed in conjunction with this proposal. Due to the uncertainty in predicting when and where yelloweye rockfish encounters might occur, which was seen more clearly with the addition of 2015 and preliminary 2016 data, many who provided input, including members of SAC, thought that allowing changes inseason would be a better tool to manage yelloweye rockfish impacts in the sport halibut fisheries, as it would be more flexible and would not automatically eliminate a very popular season.

If the provision to adjust the halibut fisheries inseason based on bycatch of yelloweye rockfish is approved, then ODFW recommends maintaining the status quo seasons and allocations.

Retention of Groundfish Species

Retention of most groundfish species is prohibited when participating in the all-depth halibut fishery to limit impacts to yelloweye rockfish. There currently is no provision or exception to that regulation for when recreational groundfish is also open to all depths.

Alternatives

Status Quo: On all-depth halibut days, groundfish may not be retained except for sablefish, Pacific cod, and other flatfish species.

Alternative 1: On all-depth halibut days, groundfish may not be retained except for sablefish, Pacific cod, and other flatfish species, unless the recreational groundfish fishery is also open to all depth, then all groundfish allowed under current groundfish regulations may be retained.

Rationale

Yelloweye rockfish has been considered overfished since 2004. Seasonal depth restrictions (restricted to shoreward of 30 fathoms April-September) in the recreational groundfish fishery and limits on which groundfish species may be retained when participating in the all-depth halibut fishery are the primary regulations in place to limit impacts to yelloweye rockfish.

In recent years the summer all-depth halibut fishery has been open 2-4 days, closing in late August. However, in 2015 and 2016, summer all-depth halibut fishing was slower, and the fishery remained open on scheduled days until the end of October. In both 2015 and 2016, the Oregon recreational

groundfish fishery was able to reopen to all depths beginning October 1. With groundfish open to all depth in October, anglers questioned why they could not retain groundfish species on the October all-depth halibut days. The Catch Sharing Plan does not currently have an exception to the groundfish restrictions for when groundfish is also open to all-depths. A number of anglers asked for this to be changed.

Given the anticipated yelloweye rockfish harvest guideline levels, there will likely not be major changes to the structure of the recreational groundfish fishery. Therefore, the month of October is the only time period that this proposal would effect. By October, many anglers have moved on to other activities such as hunting, and the weather often limits the number of fishable days. Therefore, the potential number of angler trips is not anticipated to be great. There were 240 angler trips in October 2015, and 140 through mid-October in 2016. Due to the low anticipated effort, additional impacts to yelloweye rockfish should be nominal. Therefore, **ODFW recommends allowing retention of groundfish species during all-depth halibut trips when the groundfish fishery is also open to all depths.**

Retention of Other Flatfish Species

During the Central Oregon Coast nearshore fishery groundfish may be retained when halibut are onboard the vessel, in areas open to groundfish. This proposal would allow retention of other species of flatfish seaward of the seasonal groundfish depth restriction (usually 30 fathoms) when participating in the nearshore halibut fishery (restricted to shoreward of 40 fathoms).

Alternatives

Status Quo: Retention of groundfish outside of the seasonal depth restriction is prohibited

Alternative 1: Retention of other flatfish species (flounder, sole, sanddab, and halibut other than Pacific) is allowed seaward of the seasonal groundfish depth restriction when participating in the nearshore halibut fishery

Rationale

Beginning in 2015, retention of other species of flatfish has been allowed during all-depth halibut fishing, seaward of the seasonal bottomfish restriction (usually restricted to inside the 30 fathom line from April 1 through September 30). This has allowed for some additional harvest opportunity for anglers participating in the all-depth halibut fisheries, with minimal potential for additional impacts to yelloweye rockfish. Flatfish generally live over soft substrates, whereas yelloweye rockfish generally prefer harder substrates and structure. This proposal would allow the same to occur when anglers are participating in the nearshore halibut fishery, which is open inside the 40 fathom line. As in the all-depth fishery, the potential for additional yelloweye rockfish impacts are nominal. Therefore, **ODFW recommends allowing retention of other flatfish species seaward of the seasonal bottomfish depth restriction when anglers are participating in the nearshore halibut fishery.**

Southern Oregon Subarea

No proposed changes for this subarea.

Proposed Language Modifications for the CSP

Draft CSP language is included below. ODFW staff intends to work with National Marine Fisheries and Council staff to refine the CSP language, as needed.

(f) SPORT FISHERIES

The non-Indian sport fisheries are allocated 69.3 percent of the non-Indian share, which is approximately 45.0 percent of the Area 2A TAC. The allocation is further divided as subquotas among seven geographic subareas.

(1) Subarea management. The sport fishery is divided into seven sport fishery subareas, each having separate allocations and management measures as follows.

...

(v) Oregon central coast subarea.

This subarea extends from Cape Falcon (45°46.00' N. lat.) to Humbug Mountain, Oregon (42°40.50' N. lat.) and is allocated 93.79 percent of the Oregon sport allocation. If the overall 2A TAC is 700,000 pounds (317.5 mt) or greater, the structuring objectives for this subarea are to provide two periods of fishing opportunity in Spring and in Summer in productive deeper water areas along the coast, and provide a period of fishing opportunity in the summer for nearshore waters. If the overall 2A TAC is less than 700,000 pounds (317.5 mt), the structuring objectives for this subarea are to provide a period of fishing opportunity beginning in Spring in productive deeper water areas along the coast, and provide a period of fishing opportunity in nearshore waters. Any poundage remaining unharvested in the Spring all-depth subquota will be added to either the Summer all-depth sub-quota or the nearshore subquota based on need, determined via joint consultation between IPHC, NMFS, PFMC, and ODFW. If the 2A TAC exceeds 700,000 pounds, any poundage that is not needed to extend the inside 40-fathom (73 m) fishery through October 31 will be added to the Summer all-depth season if it can be used, and any poundage remaining unharvested from the Summer all-depth fishery will be added to the inside 40-fathom (73 m) fishery subquota, if it can be used. If inseason it is determined via joint consultation between IPHC, NMFS, PFMC, and ODFW, that the combined all-depth and inside 40-fathom (73 m) fisheries will not harvest the entire quota to the subarea, quota may be transferred inseason to another subarea south of Leadbetter Point, WA by NMFS via an update to the recreational halibut hotline. The daily bag limit is one halibut per person, unless otherwise specified, with no size limit. During days open to all-depth halibut fishing when the groundfish fishery is restricted by depth, no groundfish may be taken and retained, possessed, or landed, except sablefish, Pacific cod and flatfish species when allowed by groundfish regulations, if halibut are on board the vessel. **During days open to all-depth halibut fishing when the groundfish fishery is open to all depths, any groundfish species permitted under the groundfish regulations may be retained, possessed or landed if halibut are on board the vessel. During days open to nearshore halibut fishing, flatfish species may be taken and retained seaward of the seasonal groundfish depth restrictions, if halibut are on board the vessel.** Recreational fishing for groundfish and halibut is prohibited within the Stonewall Bank YRCA. The Stonewall Bank YRCAs are areas off central Oregon, near Stonewall Bank, and are defined by straight lines connecting latitude and longitude coordinates. Coordinates for the

Stonewall Bank YRCA are specified in groundfish regulations at 50 CFR 660.70 (f). The groundfish regulations also define two areas that may be used inseason to expand the area covered by the Stonewall Bank YRCA; these areas are defined at 50 CFR 660.70 (g) and (h). ODFW will sponsor a public input process shortly after the IPHC annual meeting to develop recommendations to NMFS on the open dates for each season each year. The three seasons for this subarea are as follows.

- A. The first season (nearshore fishery) opens June 1, 7 days per week, only in waters inside the 40-fathom (73 m) curve. The fishery continues until the subquota is taken, or until October 31, whichever is earlier and is allocated 12 percent of the subarea quota if the 2A TAC is above 700,000 pounds (317.5 mt) or greater or 25 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt). Any overage in the all-depth fisheries would not affect achievement of allocation set aside for the inside 40-fathom (73 m) curve fishery.
- B. The second season (Spring fishery) is an all-depth fishery with two potential openings and is allocated 63 percent of the subarea quota if the TAC is 700,000 pounds (317.5 mt) or greater, or 75 percent of the subarea quota if the 2A TAC is less than 700,000 pounds (317.5 mt). Fixed season dates will be established preseason for the first Spring opening and will not be modified inseason except if the combined Oregon all-depth Spring and Summer season total quotas are estimated to be achieved. Recent year catch rates will be used as a guideline for estimating the catch rate for the Spring fishery each year. The number of fixed season days established will be based on the projected catch per day with the intent of not exceeding the subarea subquota for this season. The first opening will be structured for 2 days per week (Friday and Saturday) if the season is for 4 or fewer fishing days. The fishery will be structured for 3 days per week (Thursday through Saturday) if the season is for 5 or more fishing days. The fixed season dates will occur in consecutive weeks starting the second Thursday in May (if the season is 5 or more fishing days) or second Friday in May (if the season is 4 or fewer fishing days), with possible exceptions to avoid adverse tidal conditions. If, following the “fixed” dates, quota for this season remains unharvested, a second opening will be held. If it is determined appropriate through joint consultation between IPHC, NMFS, PFMC, and ODFW, fishing may be allowed on one or more additional days. Notice of the opening(s) will be announced by NMFS via an update to the recreational halibut hotline. The fishery will be open every other week on Thursday through Saturday except that week(s) may be skipped to avoid adverse tidal conditions. The potential open Thursdays through Saturdays will be identified preseason. The fishery will continue until there is insufficient quota for an additional day of fishing or July 31, whichever is earlier if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) the fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever is earlier.
- C. The last season (summer fishery) is an all-depth fishery that begins on the first Friday in August and is allocated 25 percent of the subarea quota if the 2A TAC is 700,000 pounds (317.5 mt) or greater. If the 2A TAC is less than 700,000 pounds (317.5 mt) then 0 percent of the subarea quota will be allocated to this season. The fishery will be

structured to be open every other week on Friday and Saturday except that week(s) may be skipped to avoid adverse tidal conditions. The fishery will continue until there is insufficient quota remaining to reopen for another fishing day or October 31, whichever is earlier. The potential open Fridays and Saturdays will be identified pre-season. If after the first scheduled open period, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 60,000 lb (27.2 mt) or more, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), if determined to be appropriate through joint consultation between IPHC, NMFS, PFMC, and ODFW. The in-season action will be announced by NMFS via an update to the recreational halibut hotline. If after the Labor Day weekend, the remaining Cape Falcon to Humbug Mountain entire season quota (combined all-depth and inside 40-fathom (73 m) quotas) is 30,000 lb (13.6 mt) or more and the fishery is not already open every Friday and Saturday, the fishery will re-open on every Friday and Saturday (versus every other Friday and Saturday), if determined to be appropriate through joint consultation between IPHC, NMFS, PFMC, and ODFW. After the Labor Day weekend, the IPHC, NMFS, PFMC, and ODFW will consult to determine whether increasing the Oregon Central Coast bag limit to two fish is warranted with the intent that the quota for the subarea is taken by September 30. If the quota is not taken by September 30, the season will remain open, maintaining the bag limit in effect at that time, through October 31 or quota attainment, whichever is earlier. The in-season action will be announced by NMFS via an update to the recreational halibut hotline.

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(5) Flexible in-season management provisions.

- (i) The Regional Administrator, NMFS West Coast Region, after consultation with the Chairman of the Pacific Fishery Management Council, the IPHC Executive Director, and the Fisheries Director(s) of the affected state(s), or their designees, is authorized to modify regulations during the season after making the following determinations.
 - (A) The action is necessary to allow allocation objectives to be met.
 - (B) The action will not result in exceeding the catch limit for the area.
 - (C) If any of the sport fishery subareas north of Cape Falcon, OR are not projected to utilize their respective quotas by September 30, NMFS may take in-season action to transfer any projected unused quota to another Washington sport subarea.
 - (D) If any of the sport fishery subareas south of Leadbetter Point, WA are not projected to utilize their respective quotas by their season ending dates, NMFS may take in-season action to transfer any projected unused quota to another Oregon sport subarea.

- (E) **Notwithstanding (f)(5)(i)(A), if the total estimated yelloweye rockfish bycatch mortality from recreational halibut trips in all Oregon subareas is projected to exceed 22 percent of the annual Oregon recreational yelloweye rockfish harvest guideline, NMFS may take inseason action to reduce yelloweye rockfish bycatch mortality in the halibut fishery while allowing allocation objectives to be met to the extent possible.**
- (ii) Flexible inseason management provisions include, but are not limited to, the following:
- (A) Modification of sport fishing periods;
 - (B) Modification of sport fishing bag limits;
 - (C) Modification of sport fishing size limits;
 - (D) Modification of sport fishing days per calendar week; and
 - (E) Modification of subarea quotas; **and**
 - (F) **Modification of Stonewall Bank YRCA restrictions off Oregon.**
- (iii) Notice procedures.
- (A) Inseason actions taken by NMFS will be published in the Federal Register.
 - (B) Actual notice of inseason management actions will be provided by a telephone hotline administered by the West Coast Region, NMFS, at 206- 526-6667 or 800-662-9825. Since provisions of these regulations may be altered by inseason actions, sport fishermen should monitor the telephone hotline for current information for the area in which they are fishing.
- (iv) Effective dates.
- (A) Inseason actions will be effective on the date specified in the Federal Register notice or at the time that the action is filed for public inspection with the Office of the Federal Register, whichever is later.
 - (B) If time allows, NMFS will invite public comment prior to the effective date of any inseason action filed with the Federal Register. If the West Coast Administrator determines, for good cause, that an inseason action must be filed without affording a prior opportunity for public comment, public comments will be received for a period of 15 days after of the action in the Federal Register.

- (C) Inseason actions will remain in effect until the stated expiration date or until rescinded, modified, or superseded. However, no inseason action has any effect beyond the end of the calendar year in which it is issued.
- (v) Availability of data. The West Coast Administrator will compile, in aggregate form, all data and other information relevant to the action being taken and will make them available for public review during normal office hours at the West Coast Regional Office, NMFS, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA.