

**RETAINING INCIDENTAL HALIBUT CATCH IN THE
 2001 SABLEFISH FISHERY NORTH OF POINT CHEHALIS**

The National Marine Fisheries Service (NMFS), International Pacific Halibut Commission (IPHC), Washington Department of Fish and Wildlife (WDFW), and Council staff discussed options to provide for the incidental take of 47,946 pounds of Pacific halibut in the primary sablefish fishery north of Point Chehalis, Washington as provided in the Pacific Halibut Catch Sharing Plan (CSP). A number of options to regulate the incidental catch were discussed as described below.

Initial consideration of regulatory options to manage the incidental halibut harvest in the sablefish fishery included allocating the halibut among vessels or permits with the possible weighting of such allocations by sablefish tier or vessel length. However, upon further consideration, the group believes that implementing an incidental catch ratio of halibut to sablefish may be a better way to comply with the intent of the halibut CSP, avoid targeted halibut fishing, and provide equitable distribution of the available halibut consistent with sablefish fishing opportunity. Preliminary analysis indicates that the ratio would likely be in the range of one halibut per 200 to 400 pounds of sablefish (dressed weight). The ratio will be further defined after potential participants in the incidental halibut fishery north of Point Chehalis are identified through the IPHC licensing process. A proposed timeline and regulatory process for this option are listed below.

Proposed Process and Timeline to Implement Incidental Halibut Fishery

Date	Action	Agency
March	Notify fishers of proposed regulations	Council/NMFS
April	Adopt framework regulations for implementation by NMFS; complete EA; and issue proposed annual restrictions for public review	Council/NMFS
Mar - Apr	Issue licenses to retain halibut in sablefish fishery	IPHC
June	Adopt halibut ratio (or other restriction for retention in sablefish fishery	Council/NMFS
Aug - Oct	Monitor halibut catch in-season to ensure quota is not exceeded; schedule conference call with appropriate parties; close fishery when approaching halibut quota and notify fishers	States/IPHC/Council/NMFS

Existing IPHC Regulations

- Licenses are required to fish for, transport, possess, or sell halibut caught incidentally in the sablefish fishery north of Point Chehalis.
- Requests for licenses must be submitted to IPHC by April 30, 2001.
- Vessel operators must complete and submit IPHC logbooks for each licensed vessel.
- Vessels cannot be used for fishing for a minimum of 72 hours before participating in the directed halibut fishery south of Point Chehalis.
- A vessel issued a commercial halibut license may not be used to sport fish for halibut.

Proposed Framework Regulations

To implement the landing ratio or other annual restrictions that provide for management of the incidental halibut harvest in the sablefish fishery north of Point Chehalis, the regulations at 50 CFR 300 need to be modified. This is the same section of the regulations which allow the Council to set various landing restrictions each year for the incidental halibut harvest in the salmon troll fishery. The regulations could be modified as follows (new text is underlined):

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§ 300.63 Catch sharing plans, local area management plans, and domestic management measures.

Catch sharing plans (CSP) and local area management plans (LAMP) may be developed by the appropriate regional fishery management council, and approved by NMFS, for portions of the fishery. Any approved CSP or LAMP may be obtained from the Administrator, Northwest Region, or the Administrator, Alaska Region.

- (a) The catch sharing plan for area 2A provides a framework that shall be applied to the annual Area 2A total allowable catch (TAC) adopted by the Commission, and shall be implemented through domestic and Commission regulations, which will be published in the Federal Register each year before March 15. The Area 2A CSP allocates halibut among the treaty Indian fishery, segments of the non-Indian commercial fishery, and segments of the recreational fishery.
- (1) Each year, before January 1, NMFS will publish a proposal to govern the recreational fishery under the CSP for the following year and will seek public comment. The comment period will extend until after the Commission's annual meeting, so the public will have the opportunity to consider the final area 2A total allowable catch (TAC) before submitting comments. After the Commission's annual meeting and review of public comments, NMFS will publish in the Federal Register the final rule governing sport fishing in area 2A. Annual management measures may be adjusted inseason by NMFS.
- (2) A portion of the commercial TAC is allocated as incidental catch in the salmon troll fishery in Area 2A and a portion of the Area 2A recreational TAC is allocated as incidental catch in the directed longline sablefish fishery north of Point Chehalis, Washington. Each year, the landing restrictions necessary to keep ~~the fishery~~ these fisheries within ~~its~~ their respective allocations will be recommended by the Pacific Fishery Management Council at its spring meetings, and will be published in the *Federal Register* along with the annual salmon and sablefish management measures.
 - (a) The incidental harvest of halibut in the directed sablefish fishery north of Point Chehalis is allowed only by vessels using longline gear and possessing the appropriate incidental halibut harvest license issued by the IPHC.
 - (b) It is unlawful to fish for, transport, possess, or sell halibut caught incidentally in the sablefish fishery south of Point Chehalis (even if the halibut were caught north of Point Chehalis).
- (3) The commercial longline fishery in area 2A is governed by the annual management measures published pursuant to §§ 300.62 and 300.63.
- (4) The treaty Indian fishery is governed by § 300.64 and tribal regulations. The annual quota for the fishery will be announced with the Commission regulations under § 300.62

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Proposed Preliminary Annual NMFS Regulations

- Properly licensed vessels may retain and land 1 halibut for every 300 pounds (dressed weight) of sablefish landed and up to 2 additional halibut in excess of the 1 per 300 pound ratio per landing. (The additional 2 halibut are intended as a buffer against miscalculations in total poundage of sablefish.)^{1/}

PFMC
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1/ The exact ratio will be determined at the June Council meeting when the vessels licensed for the incidental fishery will be known.