

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON PROPOSED CHANGES TO THE PACIFIC HALIBUT CATCH SHARING PLAN FOR THE 2009 FISHERY

The Oregon Department of Fish and Wildlife (ODFW) held two public meetings to discuss Pacific Fishery Management Council (PFMC) approved proposals for changes to the Pacific Halibut Catch Sharing Plan (CSP) for sport fisheries off Oregon in 2009. The meetings occurred on October 7 and 8 in Newport and Astoria, respectively. Based on the meeting comments, and other public input, the ODFW recommends the PFMC take the following actions relative to the CSP for the 2009 fishery.

### **Recommended Changes to the CSP:**

#### **Columbia River Subarea – *Spring Fishery Openings Thursday-Saturday***

Change the structuring of the spring fishery from 7 days per week to every Thursday, Friday and Saturday. The purpose of the change is to extend the duration of the spring season. Open days on Thursday, Friday and Saturday were suggested by the public as salmon seasons are often closed on Fridays and Saturdays.

#### **Central Coast Subarea – *Allow the retention of Pacific cod***

Allow the retention of Pacific cod with a halibut on the vessel during all-depth openings. Current language specifies that all groundfish, except sablefish, cannot be retained with a halibut on the vessel during all-depth openings. Although Pacific cod are rarely encountered south of Cape Falcon, allowing retention in the Oregon central coast fishery helps to simplify regulations as the groundfish species allowed in the all-depth halibut fishery north and south of Cape Falcon would be the same. Pacific cod and sablefish are currently allowed in the Columbia River subarea when a halibut is on the vessel.

### **Proposed Changes to the CSP Not Supported:**

#### **Central Coast Subarea – *Weekly vs every other week openings in Spring after “Fixed Dates”***

The proposal is to allow fishing on *every* Thursday, Friday and Saturday in the spring all-depth fishery if pounds remain after the “fixed days” opening. Presently the fishery opens *every other* Thursday, Friday and Saturday if pounds remain after the “fixed days”. Weekly openings would provide additional opportunity to harvest the entire spring quota, which has not been taken in the last two years with the remaining poundage rolled into the summer fishery. Public comment indicated a concern that if the Area 2A TAC is significantly reduced the fishery may be very short and continuing openings *every other* Thursday, Friday and Saturday after the “fixed days” may be preferred as it may extend the duration of the spring season over a couple of months. Therefore, ODFW is not recommending moving this proposal forward for 2009. The proposal may be reconsidered for the 2010 fishery.

**Central Coast and Columbia River Subareas – *Extend the open area of the inside 40-fathom fishery north to the Columbia River***

The proposal is to extend the open area of the inside 40-fathom fishery north from Cape Falcon to the Columbia River. Under the proposal the fishery would be open from Humbug Mt. to the Columbia River and catch would count toward the Oregon central coast subarea allocation. The intent of the proposal was to allow the retention of halibut caught incidentally in the nearshore groundfish fishery north of Cape Falcon. Due to unresolved enforcement and landing issues this proposal is not recommended for 2009. Further discussion of this proposal will occur throughout 2009, and ODFW may consider it for the 2010 fishery.

**Columbia River and Central Coast Subareas – *Allow the retention of lingcod***

The proposal is to allow the retention of lingcod with a halibut on the vessel. Due to the depleted status of yelloweye rockfish and concern has been expressed that some anglers would target lingcod increasing the incidental impacts on yelloweye rockfish, thus this proposal is not recommended.

**Informational Report:**

The ODFW re-iterates its support for investigating the issue of halibut bycatch in the fixed gear commercial sablefish fisheries for the purpose of bycatch accounting and the possibility of allowing incidental halibut retention south of Point Chehalis, and encourages Council Staff to pursue an informational report on the subject in 2009.

## ODFW proposed changes to the Catch Sharing Plan (CSP)

Proposed changes to the CSP are shown in bold and are underlined.

### (iv) Columbia River subarea.

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea is also allocated 5.0 percent of the Oregon/California sport allocation or an amount equal to the contribution from the Washington sport allocation, whichever is greater. This subarea is defined as waters south of Leadbetter Point, WA (46°38.17' N. lat.) and north of Cape Falcon, OR (45°46.00' N. lat.). The fishery will open on ~~May 1~~ **the first Thursday in May**, and continue ~~7 days per week~~ **3 days per week, Thursday-Saturday** until 70 percent of the subarea allocation is taken or until the third Sunday in July, whichever is earlier. The fishery will reopen on the first Friday in August and continue 3 days per week, Friday-Sunday until the remainder of the subarea quota has been taken, or until September 30, whichever is earlier. Subsequent to this closure, if there is insufficient quota remaining in the Columbia River subarea for another fishing day, then any remaining quota may be transferred inseason to another Washington and/or Oregon subarea by NMFS via an update to the recreational halibut hotline. Any remaining quota would be transferred to each state in proportion to its contribution. The daily bag limit is one halibut per person, with no size limit. No groundfish may be taken and retained, possessed or landed, except sablefish and Pacific cod when allowed by groundfish regulations, if halibut are on board the vessel.

### (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 92.0 percent of the Oregon/California sport allocation minus any amount of pounds needed to contribute to the Oregon portion of the Columbia River subarea quota. 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, principally for charterboat and larger private boat anglers, and provide a period of fishing opportunity in the summer for nearshore waters for small boat anglers. Any poundage remaining unharvested in the Spring all-depth subquota will be added to the Summer all-depth sub-quota. 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 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, no groundfish may be taken and retained, possessed or landed, except sablefish **and Pacific cod** when allowed by groundfish regulations, if halibut are on board the vessel.

Recreational fishing for groundfish and halibut is prohibited within the Stonewall Bank YRCA. The Stonewall Bank YRCA is an area off central Oregon, near Stonewall Bank, and is defined by straight lines connecting latitude and longitude coordinates. Coordinates for the Stonewall Bank YRCA are specified in groundfish regulations at 50 CFR 660.390 and will be specifically defined annually in federal halibut regulations published in the *Federal Register*.

ODFW will sponsor a public workshop 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 opens on May 1, only in waters inside the 40-fathom (73 m) curve, and continues daily until the subquota (8 percent of the subarea quota) is taken, or until October 31, whichever is earlier. 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 is an all-depth fishery with two potential openings and is allocated 69 percent of the subarea quota. 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 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 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.

C. The last season is an all-depth fishery that begins on the first Friday in August and is allocated 23 percent of the subarea quota. The fishery will be structured to be open every other week on Friday through Sunday 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 through Sundays will be identified preseason. 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 through Sunday (versus every other Friday through Sunday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. The inseason 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 through Sunday, the fishery will re-open on every Friday through Sunday (versus every other Friday through Sunday), if determined to be appropriate through joint consultation between IPHC, NMFS, and ODFW. After the Labor Day weekend, the IPHC, NMFS, 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 inseason action will be announced by NMFS via an update to the recreational halibut hotline.