

STATUS OF 2000 HALIBUT FISHERIES

Situation: The 2000 halibut season in the Council management area is nearly over. After August 21, 2000, when the incidental troll fishery was projected to reach its quota, the only remaining fisheries are the tribal ceremonial and subsistence fishery, the near-shore recreational fishery off central Oregon (through September 30), a one-day all-depth recreational fishery off central Oregon on September 22, and the very minor recreational fishery south of Humbug Mountain (through September 30).

Ms. Yvonne deReynier, National Marine Fisheries Service, will provide a preliminary report to the Council summarizing the harvest in the 2000 Pacific halibut fisheries in Area 2A (Attachment 1).

Council Action: None.

Reference Materials:

1. Preliminary Report on the 2000 Pacific Halibut Fisheries in Area 2A (Exhibit D.1, Attachment 1).

PFMC
08/29/00

PRELIMINARY REPORT ON THE 2000 PACIFIC HALIBUT FISHERIES IN AREA 2A

The 2000 Area 2A total allowable catch (TAC) of 830,000 lb set by the International Pacific Halibut Commission (IPHC) was allocated as sub-TACs as follows:

Treaty Indian	315,500 lb	(35.0% + 25,000 lb)
Non-Treaty Total	514,500 lb	(65.0% - 25,000 lb)
Non-Treaty Commercial	163,097 lb	
Washington Sport	188,307 lb	
Oregon/California Sport	<u>163,097 lb</u>	
Total	830,000 lb	

The structure of each fishery and the resulting harvests are described below.

NON-TREATY COMMERCIAL FISHERY

A sub-TAC of 163,097 lb (31.7% of the non-treaty share) was allocated to this fishery. The commercial fishery was divided into two components: 1) a directed longline fishery targeting on halibut south of Point Chehalis, WA; and 2) an incidental catch fishery during the salmon troll fisheries off Washington, Oregon, and California.

Incidental halibut catch in the salmon troll fishery A quota of 24,464 lb (15% of the non-Indian commercial fishery allocation) was allocated to the salmon troll fishery in Area 2A as an incidental catch during chinook fisheries. According to the Catch Sharing Plan, if this quota is not harvested during the May/June salmon troll fishery, the remaining quota is rolled over to the directed halibut fishery on July 1. However, if the directed fishery were unable to harvest the full commercial quota (including the roll-over) by July 31, then the incidental catch of halibut during the salmon troll fisheries would re-open on August 1, and would continue until the quota for the troll fishery was taken or the overall non-Indian commercial quota was estimated to have been achieved. The final catch ratio established preseason by the Council at the April meeting was one halibut (minimum 32") per 3 chinook landed by a salmon troller, except that one halibut could be landed without meeting the ratio requirement, and no more than 35 halibut could be landed per trip.

- A total of 20,925 lb of halibut was landed during the May/June salmon troll fishery. Of the total, 12,425 lb were landed in Oregon during the salmon fishery that extended to June 30, and 8,500 lb were landed in Washington through June 15. The remaining 3,539 lb were rolled over to the directed halibut fishery on July 1.
- Because the directed halibut fishery did not take the entire commercial allocation in July, incidental halibut landings in the salmon troll fishery were again allowed for August 1-4, concurrent with the August 2 directed commercial fishery. After August 4, the IPHC calculated landings from both commercial halibut fisheries and estimated that there would be enough halibut available to re-open the halibut opportunity in the salmon troll fisheries for August 11-21. Commercial halibut opportunities were closed after

August 21. A final estimate of halibut landed incidentally to the salmon troll fishery is not available at this time.

Directed fishery targeting on halibut A quota of 138,632 lb (85% of the non-treaty commercial fishery allocation) was allocated to the directed longline fishery targeting on halibut in southern Washington, Oregon, and California. The fishery was confined to the area south of Subarea 2A-1 (south of Point Chehalis, WA; 46° 53'18" N. lat.). One-day fishing periods of 10 hours in duration were scheduled by the IPHC for July 5, July 19, August 2, August 23, September 6, and September 20. A 32" minimum size limit was in effect for all openings. Vessel landing limits per fishing period based on vessel length were imposed by IPHC during all openings as shown in the following table. Vessels choosing to operate in this fishery could not land halibut in the incidental catch salmon troll fishery, nor operate in the recreational fishery.

Fishing period limits (dressed weight, head-off in pounds) by vessel size.

Vessel Class/Size	7/5/00 Opening	7/19/00 Opening	8/2/00 Opening
A 0 - 25 ft.	310 lb	200 lb	200 lb
B 26 - 30 ft.	390 lb	200 lb	200 lb
C 31 - 35 ft.	620 lb	200 lb	200 lb
D 36 - 40 ft.	1,715 lb	325 lb	230 lb
E 41 - 45 ft.	1,845 lb	350 lb	250 lb
F 46 - 50 ft.	2,205 lb	415 lb	300 lb
G 51 - 55 ft.	2,460 lb	465 lb	335 lb
H 56+ ft.	3,700 lb	700 lb	500 lb

- The July 5 directed commercial fishery resulted in a catch of 120,000 lb, leaving approximately 18,632 lb for later openings, plus 3,539 lb available from the incidental fishery.
- The July 21 directed commercial fishery resulted in an estimated catch of about 13,000 lb, which left approximately 9,471 lb in the commercial allocation, including the amount rolled over from the incidental salmon troll fishery.
- On August 2, the directed commercial fishery resulted in an estimated catch of about 3,000 lb, plus about 1,500 lb taken in the incidental salmon troll fishery August 1-4, leaving approximately 4,971 lb in the commercial allocation, an amount too small to hold another directed commercial fishery. The incidental catch allowance in the commercial salmon troll fishery was re-opened for August 11-21.

SPORT FISHERIES (Non-treaty).

A sub-TAC of 351,404 lb (68.3% of non-treaty share) was allocated between sport fisheries in

the Washington area (53.6%) and Oregon/California (46.4%). The allocations were further subdivided as quotas among seven geographic subareas as described below.

Washington Inside Waters Subarea (Puget Sound and Straits of Juan de Fuca). This area was allocated 49,136 lb (26.1% of the Washington sport allocation). Due to inability to monitor the catch in this area inseason, a fixed season was established preseason based on projected catch per day and number of days to achieve the sub-quota. The season was open 5 days per week (closed Tuesday and Wednesday) from May 25 through July 27. The daily bag limit was one halibut of any size per person.

- There is no catch estimate for this fishery at this time.

Northern Washington Coastal Waters Subarea (landings in Neah Bay and La Push). The coastal area off Cape Flattery to Queets River was allocated 99,773 lb (53.0% of the Washington sport allocation). The fishery was divided into two seasons with 7,000 lb set aside for the second season. The fishery was to open May 2 and continue 5 days per week (closed Sunday and Monday) until 92,773 lb were estimated to have been taken. The second season was to open July 1 and continue 5 days per week (closed Sunday and Monday) until the subarea quota of 99,773 lb was estimated to have been taken. A portion of this subarea, located about 19 miles southwest of Cape Flattery, was closed to halibut fishing. The daily bag limit was one halibut of any size per person.

- The fishery opened May 2 and continued 5 days a week, until June 16, when the initial quota of 92,773 lb was estimated to have been reached. Later calculations showed that 88,457 lb had been taken, making 11,316 lb available to the July re-opening.
- The season re-opened for July 1 and 4, as the fishery was expected to take approximately 5,000 lb per day on those days. A total of 101,114 lb (1,341 lb over quota) was actually taken.

Washington South Coast Subarea (landings in Westport). The area from the Queets River to Leadbetter Point was allocated 34,482 lb (18.3% of the Washington sport allocation). The fishery was to open on May 1 and continue 5 days per week (closed Friday and Saturday) offshore, until 1,000 lb were projected to remain in the subarea quota. An inshore fishery was to open May 2 and continue 7 days per week in waters between the Queets River and 47° 00'00" N. lat., and east of 124°40'00" W. long. through the closure of the offshore fishery until either the subarea quota were estimated to have been taken, or until September 30, whichever occurred first. The daily bag limit was one halibut of any size per person.

- The 7 day per week fishery continued until June 2, with the closed hot spot remaining closed from May 2-6, and opening on May 7. The offshore fishery closed on May 29, at which time 35,734 lb had been taken. At the time the offshore fishery was closed, 1,000 lb were estimated to remain in the quota; however, subsequent calculations showed that the entire quota had been taken and the inshore fishery was closed on June 2. No fish were taken in the inshore fishery between May 30 and June 2, and total of 35,734 lb (1,252 lb over quota) was actually taken for this area.

Columbia River Subarea (Leadbetter Point to Cape Falcon). This sport fishery subarea was allocated 8,177 lb, consisting of 2.7% of the Washington sport allocation plus 2.0% of the Oregon/California sport allocation. The fishery was to open May 1 and continue 7 days per

week until September 30 or until the quota has been taken. The daily bag limit is the first halibut taken of 32 inches or greater in length.

- This 7 day per week fishery began on May 1 and continued through to July 29, with a total of 7,728 lb landed, 449 lb under quota.

Oregon North Central Coast Subarea (Cape Falcon to the Siuslaw River). This sport fishery subarea was allocated 143,574 (88.03% of the Oregon/California sport allocation). Three seasons were set: 1) a restricted depth (inside 30 fathoms) fishery to commence on May 1 and continue every day until the combined North Central and South Central nearshore sub-quota of 12,324 lb was estimated to have been taken; 2) a fixed May season in all depths that was to open on May 11, 12, 13, 18, and 19, with a projected catch of 97,630 lb and; 3) a fixed August season in all depths from Cape Falcon to Humbug Mountain on August 4 or until the combined all-depth subquotas for Oregon south of Cape Falcon totaling 142,617 lb were estimated to have been taken. The daily bag limit was the first halibut taken of 32 inches or greater in length.

- The restricted 30-fathom fishery opened on May 1 and remains open. The initial sub-quota of 12,324 lb was reduced to 7,324 lb in September, when 5,000 lb were moved from the inside 30-fathom fishery to the all-depth fishery. This fishery is still in progress.
- The first fixed season in May with 5 fishing days ending May 19 had a total catch of 112,953 lb, exceeding the 97,630 lb quota. As a result, the 35,893 lb available for the August all-depth fishery was reduced by 15,323 lb.
- The August all-depth season draws on the combined quotas of the Oregon north central and south central fisheries. The initial 35,893 lb available to this fishery was reduced by a 15,323 lb overage in the May north central coast all-depth fishery, and by a 6,526 lb overage in the May south central coast all-depth fishery, leaving 14,044 available to the August all-depth fishery. Pre-season, ODFW had estimated that 30,500 lb would be needed for a single day of all-depth fishing in August; therefore, the August all-depth opportunity was cancelled. Halibut managers met to consider whether a day of all-depth fishing could be held in September, and agreed that the 14,044 lb remaining in the all-depth quota, plus 5,000 lb available to be moved from the nearshore quota, would be enough to hold a single day of all-depth fishing in late September. An all-depth fishing opportunity was set for Friday, September 22. Final landings for this area will be reported in November.

Oregon South Central Coast Subarea This sport fishery subarea was allocated 11,368 lb (6.97% of the Oregon/California sport allocation). Three seasons were set: 1) a restricted depth (inside 30 fathoms) fishery to commence on May 1 and continue every day until 2,274 lb was estimated to have been taken; 2) a fixed May season in all depths that was to open on May 11, 12, 13, 18, and 19, with a projected catch of 9,094 lb and; 3) a fixed August season in all depths from Cape Falcon to Humbug Mountain, described above. The daily bag limit was the first halibut taken of 32 inches or greater in length.

- The restricted 30-fathom fishery opened on May 1 and continues. The initial combined sub-quota of 12,324 lb was reduced to 7,324 lb in August, when 5,000 lb were moved from the inside 30-fathom fishery to the all-depth fishery.

- The first fixed season in May with 5 fishing days ending May 19 had a total catch of 15,620 lb exceeding the 9,094 lb quota. As a result, the 35,893 lb available for the August all-depth fishery was reduced by 6,526 lb.
- The final combined fixed season (Oregon central and south coast subareas) will open on September 22, as described above.

South of Humbug Mountain, Oregon and off the California Coast Subarea This sport fishery was allocated 4,893 lb (3.0% of the Oregon/California quota). This area had a pre-set season of 7 days per week from May 1 to September 30 and a bag limit of the first halibut taken of 32 inches or greater in length.

- This season is closed September 30, in accordance with the Catch Sharing Plan. Through August 13, 65 lb had been landed in Oregon from this area. No catch estimates are yet available for California, but it is very unlikely that this subarea quota will be taken.

TRIBAL FISHERIES

A sub-TAC of 315,500 lb (35% + 25,000 lb of the Area 2A TAC) was allocated to Tribal fisheries. The tribes estimated that 10,500 lb would be used for ceremonial and subsistence (C&S) fisheries and the remaining 305,000 lb was allocated to the commercial fishery. The tribal commercial fishery was scheduled to open on March 15, 2000 pursuant to regulations adopted by the IPHC and continue until the tribal commercial subquota was reached. The tribal C&S fishery was scheduled to run throughout the year.

Commercial fisheries began on March 15 and closed on May 11. The tribes landed a total of 300,130 lb in the commercial fishery (1.6% under commercial quota). The fishery was open for two unrestricted periods with no landings limits on March 15 (48 hours) and March 30 (24 hours). It was also opened on a restricted basis of 500 lb per day trip limits from March 15 through April 15. After April 15, there were several longer open periods governed by 500 lb trip limits. Reserving a portion of the commercial quota for the restricted fishery facilitated close monitoring of quota-attainment and allowed a longer commercial landings period.

The C&S fishery will continue through December 31 and tribal estimates of catch will be reported by the tribes in January 2000.

2000 Area 2A TAC and Catch (in pounds)			
	<u>TAC</u>	<u>Catch</u>	<u>Over/Under</u>
TREATY INDIAN	315,500	310,630	***
Commercial	305,000	300,130	-1.6%
Ceremonial & Subsistence	10,500	10,500 †	***
NON-INDIAN	514,500	***	***
COMMERCIAL	163,097	***	***
Troll	24,464	***	***
Directed	138,632	137,000	-1.2%
SPORT	351,404	***	--
WA Sport	188,307	***	***
OR/CA Sport	163,097	***	***
WA Inside Waters	49,136	***	***
WA North Coast	99,773	101,114	1.3%
WA South Coast	34,482	35,734	3.6%
Col River Area	8,177	7,728	-5.5%
OR Central Coast	154,942	***	***
Inside 30 fathoms (all areas)	12,324 ‡	***	***
May (North Central Coast)	97,630	112,953 ‡	15.7%
May (South Central Coast)	9,094	15,620 ‡	71.8%
August (all areas)	35,893	‡	***
OR S. of Humbug/CA	4,893	***	***
TOTAL	830,000	***	***

*** = Total catch not yet determined

† = Assumed for purposes of calculating overall catch amounts.

‡ = May all-depth catch exceeded May quota by 21,849 lb, which was then deducted from the 35,893 lb that was initially available to the August all-depth fishery, leaving 14,044 lb. ODFW, NMFS, and IPHC agreed that this amount was not sufficient for a day of all-depth fishing in August. This amount was combined with 5,000 lb moved from the inside-30-fathom fisheries, to make 19,044 lb available to a September 22 all-depth fishery.

STATUS OF BYCATCH ESTIMATE

Situation: Ms. Cyreis Schmitt, National Marine Fisheries Service (NMFS), will brief the Council on the status of bycatch estimates for Pacific halibut in the Council-area groundfish trawl fishery. NMFS and Oregon Department of Fish and Wildlife (ODFW) staff have been working on a revised bycatch estimation method using data collected from the Oregon Enhanced Data Collection Program.

The methodology and halibut bycatch estimates for the 1999 groundfish trawl fishery in International Pacific Halibut Commission (IPHC) Area 2A waters should be completed just prior to the September Council meeting. The report will be provided to the Scientific and Statistical Committee for review with the intent of providing estimates to the IPHC to use in establishing the 2001 halibut fisheries.

Council Action: None. Information only.

Reference Materials:

1. Estimates of Pacific halibut bycatch in IPHC Area 2A in 1999 (Exhibit D.2, Supplemental NMFS/ODFW Bycatch Report).

PFMC
08/30/00

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON
STATUS OF BYCATCH ESTIMATE

At the June meeting, the Scientific and Statistical Committee (SSC) raised a number of issues concerning the definition of strata for a new estimator of Pacific halibut bycatch mortality that is being developed by the National Marine Fisheries Service Northwest Fisheries Science Center. In particular, the definition of latitudinal, depth, and seasonal strata boundaries was discussed, as was the association of halibut with arrowtooth flounder. As a followup to those concerns, the SSC was briefed by Ms. Cyreis Schmitt and Mr. Mark Saelens, who together described the current status of halibut bycatch estimation in Area 2A of the groundfish trawl fishery. In addition, they provided documentation of the rationale behind the use of specific boundaries to categorize the data into homogeneous strata. The SSC was in agreement that sufficient thought had gone into the analysis following their presentation. In particular, Mr. John Wallace provided a written point-by-point explanation for the various boundary selections that were used. In finalizing the analysis the SSC recommends that care be exercised in conversions between (1) round and net weight, (2) legal and sublegal fish, and (3) pounds to kilograms. The SSC looks forward to examining the final bycatch mortality estimates, which should be available at the November meeting.

PFMC
09/12/00

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A Preliminary Assessment of The Impact of The
"Small Footrope" Regulation on The Spatial Distribution
of Oregon Bottom Trawl Effort In 2000

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September 2000
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DRAFT

Analysis Conducted

Oregon bottom trawl logbooks were analyzed to determine how the new "small footrope" regulation might have changed fishing patterns so far this year. The emphasis was placed on determining the degree to which trawl fishing effort had been shifted away from traditional shelf rockfish fishing grounds.

To delineate traditional rockfish grounds, the 1993-95 logbook data were used. All bottom trawl tows resulting in a combined rockfish catch per unit effort (CPUE) greater than 800 lbs/h were identified. Tows with depths greater than 250 fathoms were not included (about 30 out of 5800 tows). The start locations for these tows were then mapped (Figure 1) and polygons were drawn around the clusters of tow start locations. These areas were assumed to roughly represent the traditional shelf rockfish grounds for Oregon bottom trawlers.

Mapping analysis was then conducted on the Oregon trawl logbooks for January through June 2000. Tow start locations were mapped for gear code 392 (sole trawl). This gear code in Oregon's 2000 logbook database is equivalent to the "small footrope" category. These start locations are shown overlaid on the high rockfish polygons in Figure 2. The data in Figure 2 suggest that the "small footrope" regulation significantly shifted fishing effort away from traditional rockfish grounds. In most of the polygons, no effort is shown. In some of the polygons, some fishing effort is shown near the edges of the "high rockfish" areas. Since these are only tow start locations, caution should be used in interpreting the data; the edge tows in particular. While these tows may have started at the edge of the "high rockfish CPUE" areas, the lack of start locations in the middle of the polygons suggests the tows may have proceeded away from, or along the side of, rocky areas rather than directly across these areas. The great abundance of tows in the 1993-95 data that originate within these polygons suggest that those tows were targeted at these areas.

We also examined trawl logbook data for gear code 391 (roller trawl) for January through June 2000 (Figure 3). We restricted our analysis to tows with a bottom depth less than 250 fathoms. These tows also largely avoided traditional shelf rockfish grounds, however in a few instances the tows were heavily clustered along the edges of the "high rock CPUE" polygons.

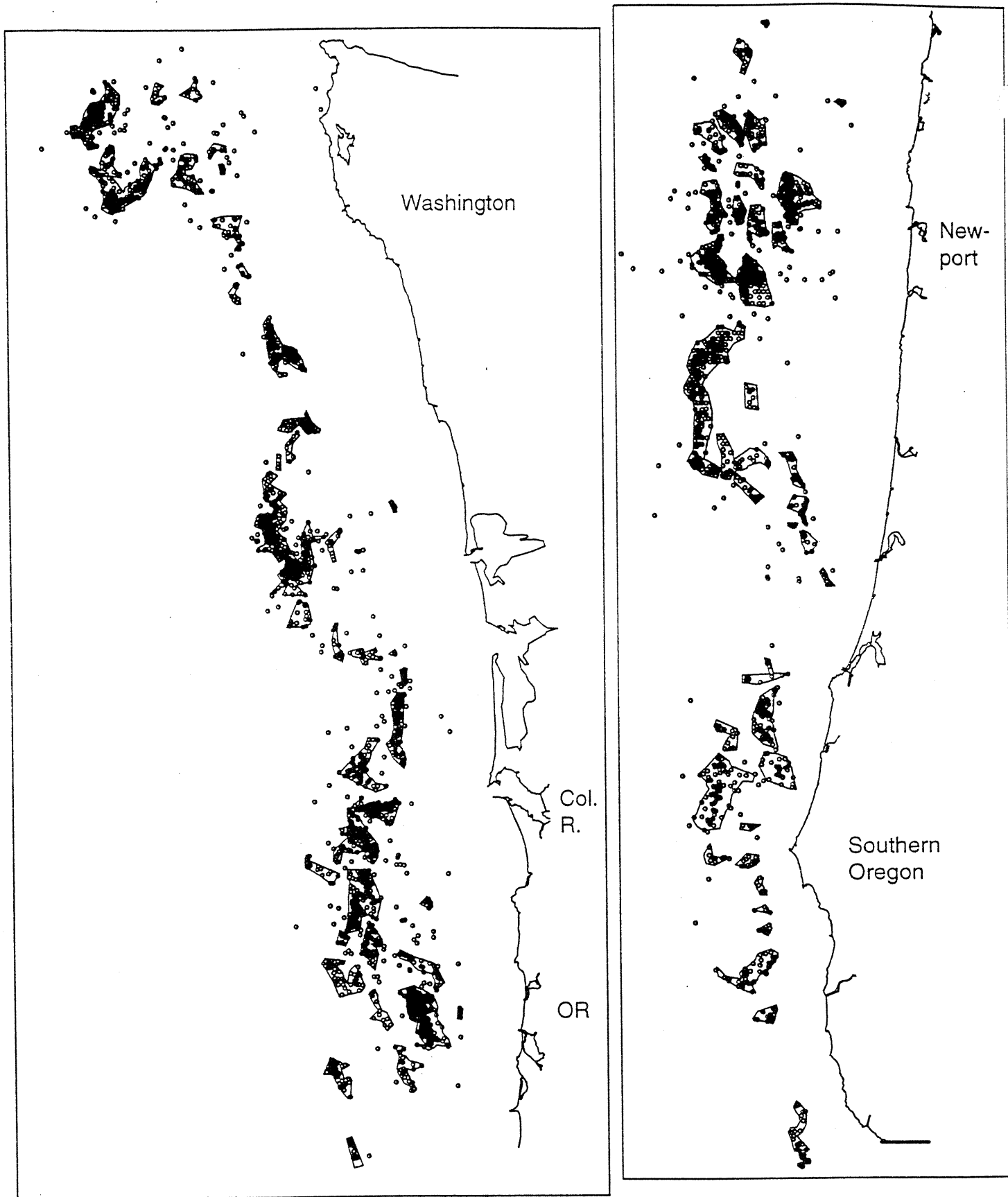


Figure 1. Distribution of high CPUE (>800 lbs/h) rockfish tows (Oregon logbooks) from 1993-95. Polygons enclose clusters of productive tows.

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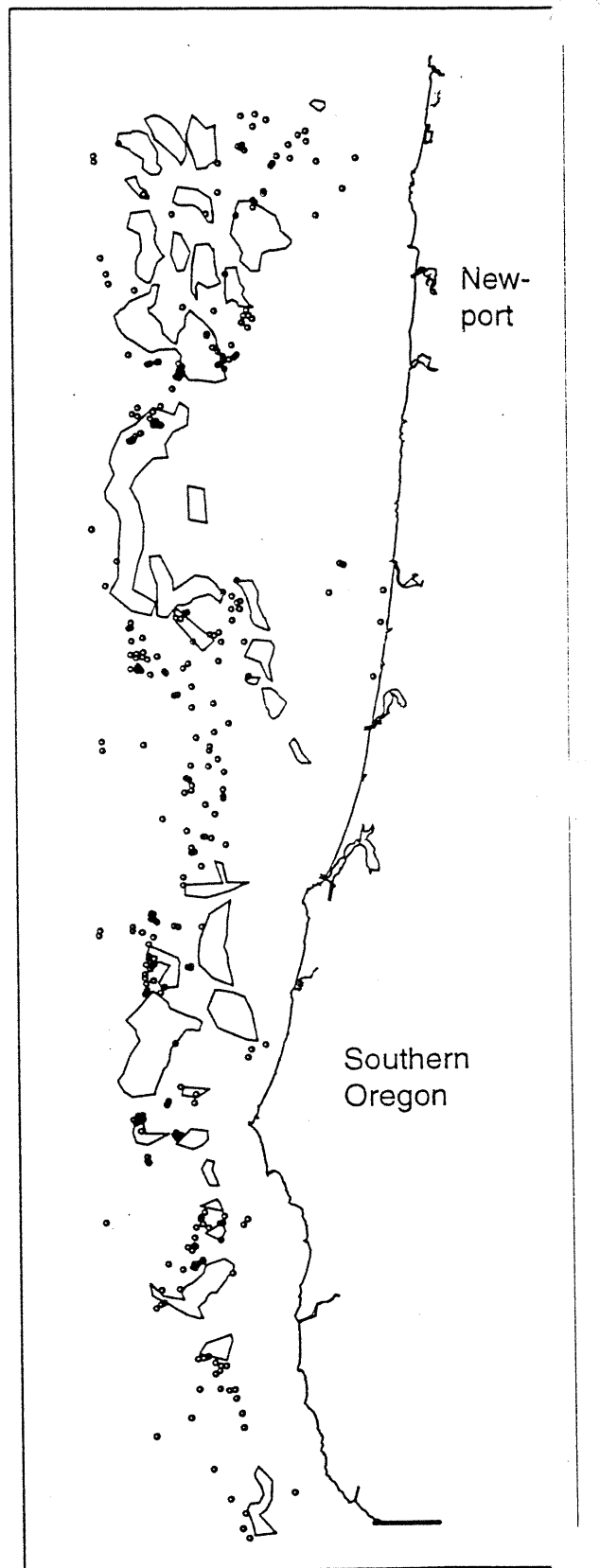
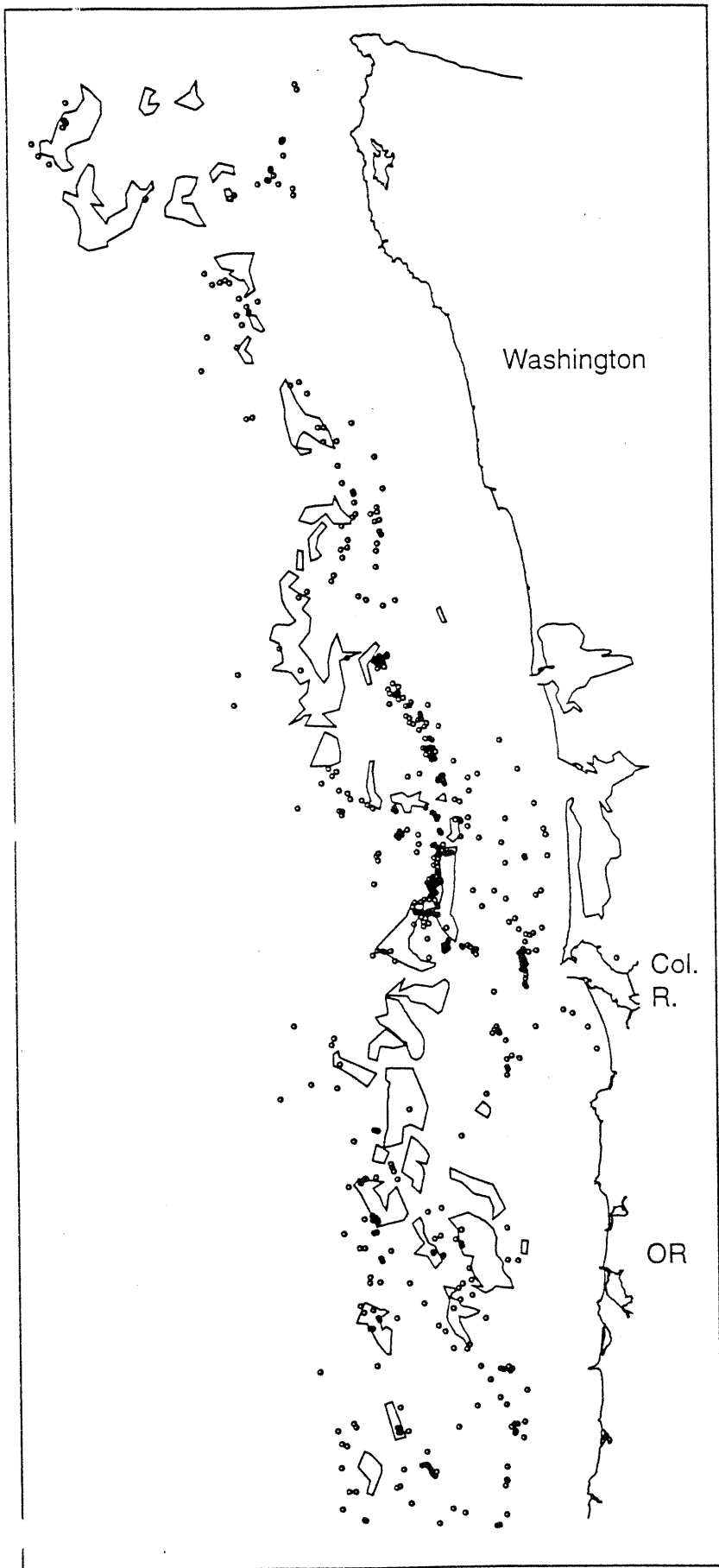


Figure 2. Comparison of geographic distribution of Oregon small footrope trawl effort (small circles-gear 392) with high rockfish CPUE areas (polygons) from 1993-95.

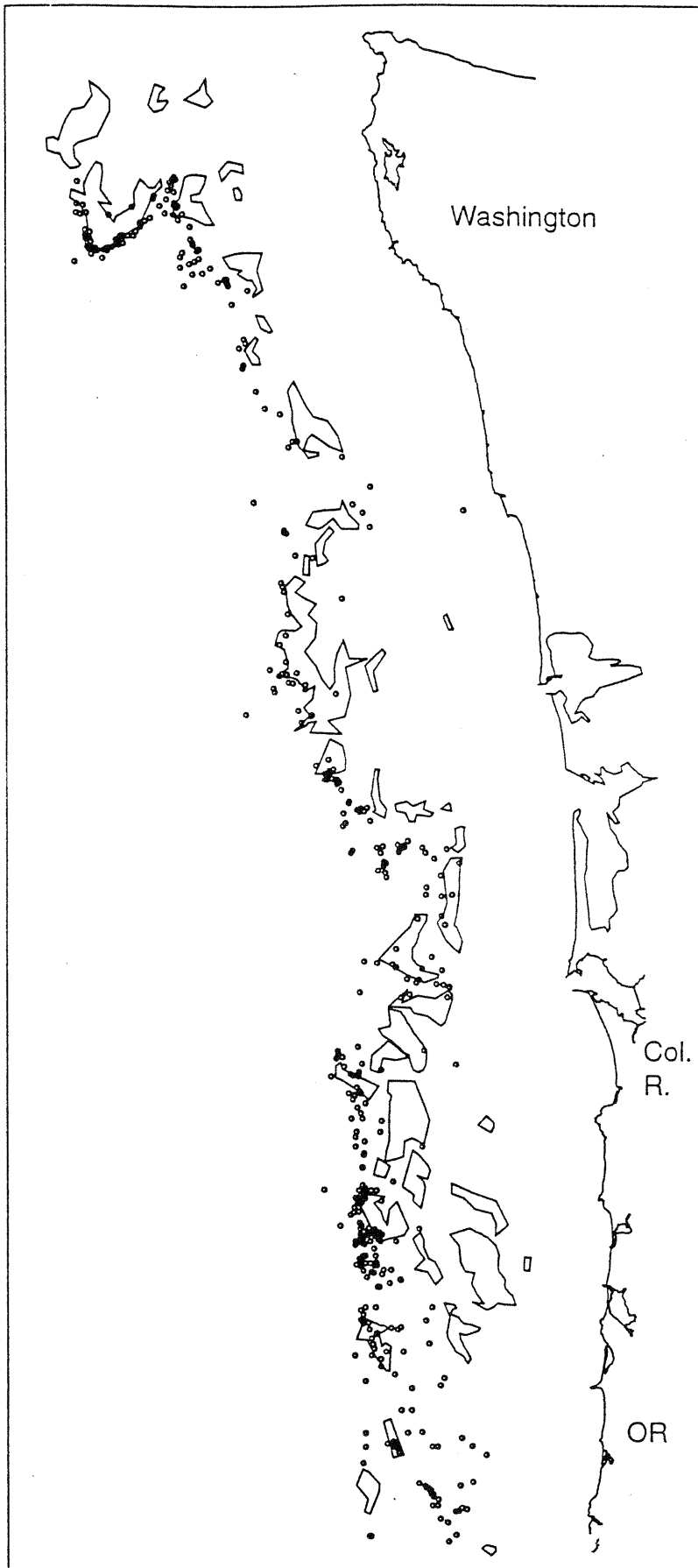


Figure 3. A comparison of January through June 2000 roller trawl gear (391) versus high rockfish CPUE areas (polygons) from 1993-95.

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Estimates of Pacific Halibut Bycatch in IPHC Area 2A in 1998 & 1999

September 12, 2000

A series of analyses have been conducted with the objective of estimating halibut bycatch in the bottom trawl fishery for groundfish and shrimp off the west coast. Halibut bycatch was estimated for 1987, 1992 and 1995. New estimates are calculated for 1998 and an estimate for halibut bycatch for Oregon trawl fisheries in 1999.

Bottom Trawl Fishery for Groundfish

EDCP Method

A new method was utilized to estimate the 1998 halibut bycatch in the bottom trawl fisheries for groundfish. This method, termed "EDCP Method", utilizes new data on encounter rates and halibut size (weight and % legal size) collected during the voluntary observer program (Enhanced Data Collection Program) off Oregon and Washington in 1995-1998. The EDCP data contain observations for 1,744 tows. The EDCP encounter rates were stratified by season, depth, latitude, and catch of arrowtooth flounder. The average weight of halibut and the percentage of legal-sized fish were also estimated for each of these strata in the EDCP data.

Table 1. Estimated 1998 halibut bycatch in the bottom trawl fishery for groundfish in IPHC Area 2A, and estimated 1999 halibut bycatch in the bottom trawl fishery for Oregon.

Year/ Area	Bottom Trawl Effort (Hours)	Estimated Halibut Bycatch (Number)	Estimated Halibut Bycatch (Round, Kilograms)	Bycatch Mortality of Legal Size (Number)	Bycatch Mortality of Legal Size (Round, Kilograms)
98 OR	76,870	83,025	683,272	11,696	107,328
98 WA	51,672	204,588	1,474,913	19,358	151,973
98 TOT	128,542	287,612	2,158,185	31,053	259,301
99 OR	69,276	88,383	726,841	11,754	107,152

Shrimp Trawl Fishery

Three estimates of halibut bycatch in 1998 for PSMFC areas 2B-3C were produced by ODFW staff.

Methods

The three bycatch estimates were based on three different data sources: 1) bycatch rates observed during 128 tows by Pikitch, et al., during 1985-87; 2) control net catch rates from 166 tows observed by Hannah, et al. (1996); and 3) data compiled from shrimp fishing trips observed during 1996-99 by the EDCP, combined with control net catches from ODFW research charters during the same time period (for a total of 203 observed tows).

The approximate number of tows in the 1998 Oregon shrimp fishery was over 10,000. The halibut bycatch estimates for this fishery are based on expanding the encounter rates (pounds of halibut per single-rig equivalent hour) by the effort expended by vessels landing shrimp in Oregon ports only. Bycatch from vessels landing shrimp into Washington ports is not included.

The estimates are not stratified by depth because the depth range of the shrimp fishery is very restricted and the amount of data is very limited.

Table 2. Estimated 1998 halibut bycatch in the shrimp trawl fishery in areas 2B-3C.

Data Source	Single-rig Equivalent Hours (sreh) Observed	Bycatch Rate (lbs/sreh)	Fishing Effort (sreh) in Oregon Landings	Bycatch Estimate (Round, kg)	Bycatch Mortality (Round, kg)
Pikitch (1)	---	1.22	34,543	19,155	9,578
Hannah (2)	236.5	2.60	34,543	40,824	20,412
EDCP (3)	551.1	2.12	34,543	33,287	16,644

PROPOSED CHANGES TO THE CATCH SHARING PLAN AND ANNUAL REGULATIONS

Situation: Each September meeting, the Council considers proposed changes to the halibut regulations. The purpose of this consideration is for relatively minor adjustments in the annual regulations (primarily in the recreational fishery) or catch sharing plan, not major changes in catch allocation among areas or gear groups. Attachment 1 contains the current catch sharing plan. The plan includes the equitable adjustment agreement, first implemented in 2000, which transfers 25,000 pounds dressed weight of halibut from the standard non-treaty allocation to the treaty Indian allocation. This transfer is to occur each year for eight years (2000 through 2007).

Washington Department of Fish and Wildlife and Oregon Department of Fish and Wildlife will hold public meetings prior to the September Council meeting to consider changes in the halibut regulations. Any recommendations resulting from these meetings will be presented for review at the Council meeting. The Council will take final action on proposed changes for 2001 at the October-November meeting.

Council Action:

1. Adopt, for public review, any proposed changes to season structuring and minor changes to the catch sharing plan in 2001.

Reference Material:

1. 2000 Pacific Halibut Catch Sharing Plan for Area 2A (Exhibit D.3, Attachment 1).

PFMC
08/29/00

2000 PACIFIC HALIBUT CATCH SHARING PLAN FOR AREA 2A

(a) FRAMEWORK

This Plan constitutes a framework that shall be applied to the annual Area 2A total allowable catch (TAC) approved by the International Pacific Halibut Commission (IPHC) each January. The framework shall be implemented in both IPHC regulations and domestic regulations (implemented by NMFS) as published in the *Federal Register*.

(b) ALLOCATIONS

(1) Except as provided below under (b)(2), this Plan allocates 35 percent of the Area 2A TAC to U.S. treaty Indian tribes in the State of Washington in subarea 2A-1, and 65 percent to non-Indian fisheries in Area 2A. The allocation to non-Indian fisheries is divided into three shares, with the Washington sport fishery (north of the Columbia River) receiving 36.6 percent, the Oregon/California sport fishery receiving 31.7 percent, and the commercial fishery receiving 31.7 percent. Allocations within the non-Indian commercial and sport fisheries are described in sections (e) and (f) of this Plan. These allocations may be changed if new information becomes available that indicates a change is necessary and/or the Pacific Fishery Management Council takes action to reconsider its allocation recommendations. Such changes will be made after appropriate rulemaking is completed and published in the *Federal Register*.

(2) To meet the requirements of U.S. District Court Stipulation and Order (Case No. 9213 Phase I, Subproceeding No. 92-1), 25,000 lb (11.3 mt) dressed weight of halibut will be transferred from the non-treaty Area 2A halibut allocation to the treaty allocation in Area 2A-1 each year for eight years commencing in the year 2000 and ending in the year 2007, for a total transfer of 200,000 lb (90.7 mt). To accelerate the total transfer, more than 25,000 lb (11.3 mt) may be transferred in any year upon prior written agreement of the parties to the stipulation.

(c) SUBQUOTAS

The allocations in this Plan are distributed as subquotas to ensure that any overage or underage by any one group will not affect achievement of an allocation set aside for another group. The specific allocative measures in the treaty Indian, non-Indian commercial, and non-Indian sport fisheries in Area 2A are described in paragraphs (d) through (f) of this Plan.

(d) TREATY INDIAN FISHERIES

Except as provided above in (b)(2), thirty-five percent of the Area 2A TAC is allocated to 12 treaty Indian tribes in subarea 2A-1, which includes that portion of Area 2A north of Point Chehalis, WA (46°53'18" N. lat.) and east of 125°44'00" W. long. The treaty Indian allocation is to provide for a tribal commercial fishery and a ceremonial and subsistence fishery. These two fisheries are managed separately; any overages in the commercial fishery do not affect the ceremonial and subsistence fishery. The commercial fishery is managed to achieve an established subquota, while the ceremonial and subsistence fishery is managed for a year-round season. The tribes will estimate the ceremonial and subsistence harvest expectations in January of each year, and the remainder of the allocation will be for the tribal commercial fishery.

- (1) The tribal ceremonial and subsistence fishery begins on January 1 and continues through December 31. No size or bag limits will apply to the ceremonial and subsistence fishery, except that when the tribal commercial fishery is closed, treaty Indians may take and retain not more than two halibut per day per person for subsistence purposes. Ceremonial fisheries shall be managed by tribal regulations promulgated inseason to meet the needs of specific ceremonial events. Halibut taken for ceremonial and subsistence purposes may not be offered for sale or sold.
- (2) The tribal commercial fishery begins between March 1 and April 1 and continues through November 15 or until the tribal commercial subquota is taken, whichever is earlier. Any halibut sold by treaty Indians during the commercial fishing season must comply with IPHC regulations on size limits for the non-Indian fishery.

(e) NON-INDIAN COMMERCIAL FISHERIES

The non-Indian commercial fishery is allocated 31.7 percent of the non-Indian share of the Area 2A TAC for a directed halibut fishery and an incidental catch fishery during the salmon troll fishery. The non-Indian commercial allocation is approximately 20.6 percent of the Area 2A TAC. Incidental catch of halibut in the primary directed sablefish fishery north of Point Chehalis, WA will be authorized if the Washington sport allocation exceeds 224,110 lb (101.7 mt) as described in section (e)(3) of this Plan. The structuring and management of these three fisheries is as follows.

(1) Incidental halibut catch in the salmon troll fishery.

Fifteen percent of the non-Indian commercial fishery allocation is allocated to the salmon troll fishery in Area 2A as an incidental catch during salmon fisheries. The quota for this incidental catch fishery is approximately 3.1 percent of the Area 2A TAC.

- (i) The Council will recommend landing restrictions at its spring public meeting each year to control the amount of halibut caught incidentally in the troll fishery. The landing restrictions will be based on the number of incidental harvest license applications submitted to the IPHC, halibut catch rates, the amount of allocation, and other pertinent factors, and may include catch or landing ratios, landing limits, or other means to control the rate of halibut harvest. NMFS will publish the landing restrictions annually in the *Federal Register*, along with the salmon management measures.
- (ii) Inseason adjustments to the incidental halibut catch fishery.
 - (A) NMFS may make inseason adjustments to the landing restrictions, if requested by the Council Chairman, as necessary to assure that the incidental harvest rate is appropriate for salmon and halibut availability, does not encourage target fishing on halibut, and does not increase the likelihood of exceeding the quota for this fishery. In determining whether to make such inseason adjustments, NMFS will consult with the applicable state representative(s) on the

Halibut Managers Group, a representative of the Council's Salmon Advisory Sub-Panel, and Council staff.

(B) Notice and effectiveness of inseason adjustments will be made by NMFS in accordance with paragraph (f)(5) of this Plan.

- (iii) If the quota for this fishery is not harvested during the May/June salmon troll fishery, the IPHC will move any remaining quota from this fishery to the directed halibut fishery on July 1.
- (iv) If the overall quota for the non-Indian commercial fishery has not been harvested by July 31 and the quota for the salmon troll fishery was not harvested during the May/June fishery, landings of halibut caught incidentally during salmon troll fisheries will be allowed effective August 1 and will continue (while additional directed fishery openings are set to harvest all of the remaining commercial allocation) until the amount of halibut that was initially available as quota for the troll fishery is taken or the overall non-Indian commercial quota is estimated to have been achieved by the IPHC. Landing restrictions implemented for the May/June salmon troll fishery will apply to this reopening of the fishery. Notice of the August opening of this fishery will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825. No halibut retention in the salmon troll fishery will be allowed in August unless the August opening has been announced on the NMFS hotline.
- (v) A salmon trawler may participate in this fishery or in the directed commercial fishery targeting halibut, but not in both.

(2) Directed fishery targeting halibut.

Eighty-five percent of the non-Indian commercial fishery allocation is allocated to the directed fishery targeting halibut (e.g., longline fishery) in southern Washington, Oregon, and California. The allocation for this directed catch fishery is approximately 17.5 percent of the Area 2A TAC. This fishery is confined to the area south of Subarea 2A-1 (south of Point Chehalis, WA; 46°53'18" N. lat.). After June 30, the overall quota for the non-Indian commercial fishery will be available to the directed commercial fishery in accordance with the specifications provided in §(e)(1)(iii) and (iv) above. The commercial fishery opening date(s), duration, and vessel trip limits, as necessary to ensure that the quota for the non-Indian commercial fisheries is not exceeded, will be determined by the IPHC and implemented in IPHC regulations. If the IPHC determines that poundage remaining in the quota for the non-Indian commercial fisheries is insufficient to allow an additional day of directed halibut fishing, the remaining halibut will be made available for incidental catch of halibut in the fall salmon troll fisheries (independent of the incidental harvest allocation).

(3) Incidental catch in the sablefish fishery north of Point Chehalis.

If the Area 2A TAC is greater than 900,000 lb (408.2 mt), the primary directed sablefish fishery north of Point Chehalis will be allocated the Washington sport allocation that is in excess of 214,110 lb (97.1 mt), provided a minimum of 10,000 lb (4.5 mt) is available (i.e., the Washington sport allocation is 224,110 lb (101.7 mt) or greater). If the amount above 214,110 lb (97.1 mt) is less than 10,000 lb (4.5 mt), then the excess will be allocated to the Washington sport subareas according to section (f) of this Plan.

The Council will recommend landing restrictions at its spring public meeting each year to control the amount of halibut caught incidentally in this fishery. The landing restrictions will be based on the amount of the allocation and other pertinent factors, and may include catch or landing ratios, landing limits, or other means to control the rate of halibut landings. NMFS will publish the landing restrictions annually in the Federal Register.

(4) Commercial license restrictions/declarations.

Commercial fishers must choose either (1) to operate in the directed commercial fishery in Area 2A and/or retain halibut caught incidentally in the primary directed sablefish fishery north of Point Chehalis, WA or (2) to retain halibut caught incidentally during the salmon troll fishery. Commercial fishers operating in the directed halibut fishery and/or retaining halibut incidentally caught in the primary directed sablefish fishery must send their license application to the IPHC postmarked no later than April 30, or the first weekday in May, if April 30 falls on a weekend, in order to obtain a license to fish for halibut in Area 2A. Commercial fishers operating in the salmon troll fishery who seek to retain incidentally caught halibut must send their application for a license to the IPHC for the incidental catch of halibut in Area 2A postmarked no later than March 31, or the first weekday in April, if March 31 falls on a weekend. Fishing vessels licensed by IPHC to fish commercially in Area 2A are prohibited from operating in the sport fisheries in Area 2A.

(f) SPORT FISHERIES

The non-Indian sport fisheries are allocated 68.3 percent of the non-Indian share, which is approximately 44.4 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.

(i) Washington inside waters (Puget Sound) subarea.

This sport fishery subarea is allocated 23.5 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 32 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 defined as all U.S. waters east of the mouth of the Sekiu River **##get lat/long from wdfw##**, including Puget Sound. The structuring objective for this subarea is to provide a stable sport fishing opportunity and maximize the season length. Due to inability to monitor the catch in this area inseason,

a fixed season will be established preseason based on projected catch per day and number of days to achievement of the quota. No inseason adjustments will be made, and estimates of actual catch will be made postseason. The fishery will open in May and continue at least through July 4, or until a date established preseason (and published in the sport fishery regulations) when the quota is predicted to be taken, or until September 30, whichever is earlier. The Washington Department of Fish and Wildlife will sponsor a public workshop shortly after the IPHC annual meeting to develop recommendations to NMFS on the opening date and weekly structure of the fishery each year. The daily bag limit is one fish per person, with no size limit.

(ii) Washington north coast subarea.

This sport fishery subarea is allocated 62.2 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 32 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 defined as all U.S. waters west of the mouth of the Sekiu River, as defined above in paragraph (f)(1)(i), and north of the Queets River (47°31'42" N. lat.). The structuring objective for this subarea is to maximize the season length for viable fishing opportunity and, if possible, stagger the seasons to spread out this opportunity to anglers who utilize these remote grounds. The fishery opens on May 1, and continues 5 days per week (Tuesday through Saturday). If May 1 falls on a Sunday or Monday, the fishery will open on the following Tuesday. The highest priority is for the season to last through the month of May. If sufficient quota remains, the second priority is to establish a fishery that will be open July 1, through at least July 4. If the preseason prediction indicates that these two goals can be met without utilizing the quota for this subarea, then the next priority is to extend the fishery into June and continue for 5 days per week (Tuesday through Saturday) for as long a period as possible.

No sport fishing for halibut is allowed after September 30. The daily bag limit in all fisheries is one halibut per person with no size limit. A closure to sport fishing for halibut will be established in an area that is approximately 19.5 nm (36.1 km) southwest of Cape Flattery. The size of this closed area may be modified preseason by NMFS to maximize the season length. The closed area is defined as the area within a rectangle defined by these four corners: 48°18'00" N. lat., 125°11'00" W. long.; 48°18'00" N. lat., 124°59'00" W. long.; 48°04'00" N. lat., 125°11'00" W. long.; 48°04'00" N. lat., 124°59'00" W. long.

(iii) Washington south coast subarea.

This sport fishery is allocated 12.3 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 32 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 defined as waters south of the Queets River (47°31'42" N. lat.) and north of Leadbetter Point (46°38'10" N. lat.). The structuring objective for this subarea is to maximize the season length, while maintaining a quality fishing experience.

The fishery will open on May 1. If May 1 falls on a Friday or Saturday, the fishery will open on the following Sunday. The fishery will be open Sunday through Thursday in all

areas, except where prohibited, and the fishery will be open 7 days per week in the area from Queets River south to 47°00'00" N. lat. and east of 124°40'00". The fishery will continue until September 30, or until 1,000 lb (454 kg) are projected to remain in the subarea quota, whichever occurs first. Immediately following this closure, the area from the Queets River south to 47°00'00" N. lat. and east of 124°40'00" W. long. will reopen for 7 days per week until either the subarea quota is estimated to have been taken and the season is closed by the IPHC, or until September 30, whichever occurs first. The daily bag limit is one halibut per person, with no size limit. Sport fishing for halibut is prohibited in the area within a rectangle defined by these four corners: 47°19'00" N. lat., 124°53'00" W. long.; 47°19'00" N. lat., 124°48'00" W. long.; 47°16'00" N. lat., 124°53'00" W. long.; 47°16'00" N. lat., 124°48'00" W. long. If a decision is made inseason to open this closed area to sport fishing for halibut, that decision will become effective upon announcement on the NMFS halibut hotline, at (206) 526-6667 or (800) 662-9825.

(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 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 also is allocated 2.0 percent of the Oregon/California sport allocation. This subarea is defined as waters south of Leadbetter Point, WA (46°38'10" N. lat.) and north of Cape Falcon, OR (45°46'00" N. lat.). The fishery will open on May 1, and continue 7 days per week until the subquota is estimated to have been taken, or September 30, whichever is earlier. The daily bag limit is the first halibut taken, per person, of 32 inches (81.3 cm) or greater in length.

(v) Oregon north central coast subarea.

If the Area 2A TAC is 388,350 lb (176.2 mt) and greater, this subarea extends from Cape Falcon to the Siuslaw River at the Florence north jetty (44°01'08" N. lat.) and is allocated 88.03 percent of the Oregon/California sport allocation, which is approximately 18.13 percent of the Area 2A TAC. If the Area 2A TAC is less than 388,350 lb (176.2 mt), this subarea extends from Cape Falcon to the Humbug Mountain, Oregon (42°40'30" N. lat.) and is allocated 95.0 percent of the Oregon/California sport allocation. The structuring objectives for this subarea are to provide two periods of fishing opportunity in May and in August 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. Fixed season dates will be established pre-season for the May and August openings and will not be modified inseason except that the August openings may be modified inseason if the combined Oregon all-depth quotas are estimated to be achieved. Recent year catch rates will be used as a guideline for estimating the catch rate for the May and August 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 season subquotas. ODFW will monitor landings and provide a post-season estimate of catch within 2 weeks of the end

of the fixed season. If sufficient catch remains for an additional day of fishing after the May season or the August season, openings will be provided if possible in May and August respectively. Potential additional open dates for both the May and August seasons will be announced pre-season. If a decision is made in-season to allow fishing on one or more additional days, notice of the opening will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825. No all-depth halibut fishing will be allowed on the additional dates unless the opening date has been announced on the NMFS hotline.

Any poundage remaining unharvested in the May all-depth subquota will be added to the August all-depth sub-quota. Any poundage that is not needed to extend the inside 30-fathom fishery through to September 30 will be added to the August all-depth season if it can be utilized, and any poundage remaining unharvested from the August all-depth fishery will be added to the inside 30-fathom fishery subquotas. The daily bag limit for all seasons is the first halibut taken, per person, of 32 inches (81.3 cm) or greater in length. 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 30-fathom (55 m) curve, and continues daily until the combined subquotas for the north central and south central inside 30-fathom fisheries (7 percent of the north central subarea quota plus 20 percent of the south central subarea quota) are taken, or until September 30, whichever is earlier. Poundage that is estimated to be above the amount needed to keep this season open through September 30 will be transferred to the August all-depth fishery if it can be utilized. Any overage in the all-depth fisheries would not affect achievement of allocation set aside for the inside 30-fathom curve fishery.

B. The second season is an all-depth fishery that begins on the second Thursday in May and is allocated 68 percent of the subarea quota. Fixed season dates will be established pre-season based on projected catch per day and number of days to achievement of the subquota for this season. No in-season adjustments will be made, except that additional opening days (established pre-season) may be allowed if any quota for this season remains unharvested. The fishery 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.

C. The last season is a coastwide (Cape Falcon, Oregon to Humbug Mountain, Oregon) all-depth fishery that begins on the first Friday in August and is allocated 25 percent of the subarea quota. Fixed season dates will be established pre-season based on projected catch per day and number of days to achievement of the combined Oregon all-depth quotas for the Central and South Oregon Coast subareas. The fishery will be structured for 2 days per week (Friday and Saturday). No in-season adjustments will be made (unless the combined Oregon all-depth quotas are estimated to be achieved), except that additional opening days may be allowed if quota remains unharvested. If quota remains unharvested, but is insufficient for one day of an all-depth fishery, that additional quota will be transferred to the fisheries inside the 30-fathom (55 m) curve.

(vi) Oregon south central coast subarea.

If the Area 2A TAC is 388,350 lb (176.2 mt) and greater, this subarea extends from the Siuslaw River at the Florence north jetty (44°01'08" N. lat.) to Humbug Mountain, Oregon (42°40'30" N. lat.) and is allocated 6.97 percent of the Oregon/California sport allocation, which is approximately 1.43 percent of the Area 2A TAC. If the Area 2A TAC is less than 388,350 lb (176.2 mt), this subarea will be included in the Oregon Central Coast subarea. The structuring objective for this subarea is to create a south coast management zone that has the same objectives as the Oregon central coast subarea and is designed to accommodate the needs of both charterboat and private boat anglers in the south coast subarea where weather and bar crossing conditions very often do not allow scheduled fishing trips. Fixed season dates will be established preseason for the May and August openings and will not be modified inseason except that the August openings may be modified inseason if the combined Oregon all-depth quotas are estimated to be achieved. Recent year catch rates will be used as a guideline for estimating the catch rate for the May and August 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 season subquotas. ODFW will monitor landings and provide a post-season estimate of catch within 2 weeks of the end of the fixed season. If sufficient quota remains for an additional day of fishing after the May season or the August season, openings will be provided if possible in May and August respectively. Potential additional open dates for both the May and August seasons will be announced preseason. If a decision is made inseason to allow fishing on one or more additional days, notice of the opening will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825. No all-depth halibut fishing will be allowed on the additional dates unless the opening date has been announced on the NMFS hotline. Any poundage remaining unharvested in the May all-depth subquota will be added to the August all-depth sub-quota. Any poundage that is not needed to extend the inside 30-fathom fishery through to September 30 will be added to the August all-depth season if it can be utilized, and any poundage remaining unharvested from the August all-depth fishery will be added to the inside 30-fathom fishery subquotas. The daily bag limit for all seasons is the first halibut taken, per person, of 32 inches (81.3 cm) or greater in length. 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 30-fathom (55 m) curve, and continues daily until the combined subquotas for the north central and south central inside 30-fathom fisheries (7 percent of the north central subarea quota plus 20 percent of the south central subarea quota) are taken, or until September 30, whichever is earlier. Poundage that is estimated to be above the amount needed to keep this season open through September 30 will be transferred to the August all-depth fishery if it can be utilized. Any overage in the all-depth

fisheries would not affect achievement of allocation set aside for the inside 30-fathom curve fishery.

B. The second season is an all-depth fishery that begins on the second Thursday in May and is allocated 80 percent of the subarea quota. Fixed season dates will be established preseason based on projected catch per day and number of days to achievement of the subquota for this season. No inseason adjustments will be made, except that additional opening days (established preseason) may be allowed if any quota for this season remains unharvested. The fishery 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.

C. The last season is a coastwide (Cape Falcon, OR to Humbug Mountain, OR) all-depth fishery that begins on the first Friday in August. Fixed season dates will be established preseason based on projected catch per day and number of days to achievement of the combined Oregon all-depth quotas for the Central and South Oregon Coast subareas. The fishery will be structured for 2 days per week (Friday and Saturday). No inseason adjustments will be made (unless the combined Oregon all-depth quotas are estimated to be achieved), except that additional opening days may be allowed if quota remains unharvested. If quota remains unharvested, but is insufficient for one day of an all-depth fishery, that additional quota will be transferred to the fisheries inside the 30 fathom (55 m) curve.

(vii) South of Humbug Mountain subarea.

This sport fishery subarea is allocated 3.0 percent of the Oregon/California subquota, which is approximately 0.62 percent of the Area 2A TAC. This area is defined as the area south of Humbug Mountain, OR (42°40'30" N. lat.), including California waters. The structuring objective for this subarea is to provide anglers the opportunity to fish in a continuous, fixed season that is open from May 1 through September 30. The daily bag limit is the first halibut taken, per person, of 32 inches (81.3 cm) or greater in length. Due to inability to monitor the catch in this area inseason, a fixed season will be established preseason by NMFS based on projected catch per day and number of days to achievement of the subquota; no inseason adjustments will be made, and estimates of actual catch will be made post season.

- (2) Port of landing management. All sport fishing in Area 2A (except for fish caught in the Washington north coast subarea and landed in Neah Bay) will be managed on a "port of landing" basis, whereby any halibut landed into a port will count toward the quota for the subarea in which that port is located, and the regulations governing the subarea of landing apply, regardless of the specific area of catch. The one exception is for halibut caught west of the Bonilla-Tatoosh line and landed in Neah Bay, which are counted against the Washington north coast subarea quota, and are governed by the regulations governing the Washington north coast subarea.

- (3) Possession limits. The sport possession limit on land north of Leadbetter Point, WA is two daily bag limits, regardless of condition, but only one daily bag limit may be possessed on the vessel. The possession limit on land south of Leadbetter Point, WA is the same as the bag limit.
- (4) Ban on sport vessels in the commercial fishery. Vessels operating in the sport fishery for halibut in Area 2A are prohibited from operating in the commercial halibut fishery in Area 2A. Sport fishers and charterboat operators must determine, prior to May 1 of each year, whether they will operate in the commercial halibut fisheries in Area 2A which requires a commercial fishing license from the IPHC. Sport fishing for halibut in Area 2A is prohibited from a vessel licensed to fish commercially for halibut in Area 2A.
- (5) Flexible inseason management provisions.
- (i) The Regional Administrator, NMFS Northwest 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 inseason action to transfer any projected unused quota to a Washington sport subarea projected to have the fewest number of sport fishing days in the calendar year.
- (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 north of Cape Falcon, OR consistent with the standards in section (f)(5)(i)(C) of this Plan.
- (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 Northwest Region, NMFS, at 800-662-9825 (May through September) and by U.S. Coast Guard broadcasts. These broadcasts are announced on Channel 16 VHF-FM and 2182 kHz at frequent intervals. The announcements designate the channel or frequency over which the notice to mariners will be immediately broadcast. Since provisions of these regulations may be altered by inseason actions, sport fishermen should monitor either the telephone hotline or U.S. Coast Guard broadcasts for current information for the area in which they are fishing.

- (iv) Effective dates.
 - (A) With the exception of opening the Washington South Coast sport fishery closed area designated above at (f)(1)(iii), 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. The Washington South Coast sport fishery closed area may be opened to sport fishing inseason, effective upon announcement on the NMFS halibut hotline. If the Washington South Coast sport fishery closed area is opened inseason, that opening will also be announced in the *Federal Register*.
 - (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 Regional 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 Regional 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 Northwest Regional Office, NMFS, Sustainable Fisheries Division, 7600 Sand Point Way NE, Seattle, WA.

(6) Sport fishery closure provisions.

The IPHC shall determine and announce closing dates to the public for any subarea in which a subquota is estimated to have been taken. When the IPHC has determined that a subquota has been taken, and has announced a date on which the season will close, no person shall sport fish for halibut in that area after that date for the rest of the year, unless a reopening of that area for sport halibut fishing is scheduled by NMFS as an inseason action, or announced by the IPHC.

(g) PROCEDURES FOR IMPLEMENTATION

Each year, NMFS will publish a proposed rule with any regulatory modifications necessary to implement the Plan for the following year, with a request for public comments. The comment period will extend until after the IPHC annual meeting, so that the public will have the opportunity to consider the final Area 2A TAC before submitting comments. After the Area 2A TAC is known, and after NMFS reviews public comments, NMFS will implement final rules governing the sport fisheries. The final ratio of halibut to chinook to be allowed as incidental catch in the salmon troll fishery will be published with the annual salmon management measures.

Sources: 63 FR 13000 (March 17, 1998)
 62 FR 12759 (March 18, 1997)
 61 FR 11337 (March 20, 1996)
 60 FR 14651 (March 20, 1995)
 59 FR 22522 (May 2, 1994)
 58 FR 17791 (April 6, 1993)

PROPOSALS FOR MODIFYING THE PACIFIC HALIBUT CATCH SHARING PLAN
FOR THE 2001 OREGON FISHERY

The Oregon Department of Fish and Wildlife held a public meeting on August 28, 2000 to discuss proposed changes to the Pacific Halibut Catch Sharing Plan for Oregon fisheries. Several issues submitted by anglers were discussed without consensus support. The participants expressed frustration at the annual process where they reshape the Oregon recreational fishery. They concluded that it is time to request additional allocation to the Oregon recreational fishery, as the annual Cape Falcon to Humbug Mountain all-depth fishery has been reduced to just a few days. Both economic and safety concerns were identified. Although the group would prefer an overall increase to the area 2A allowable catch, their second choice was a reallocation between areas 2A-1 and 2A-2 reflecting the relative abundance amongst the two subareas. The third choice was a reallocation from the area 2A-2 non-treaty commercial fishery to the recreational fishery. The final proposal from participating anglers was to retain the present allocation to the commercial troll salmon fishery, but transfer the directed non-treaty commercial fishery allocation to the Oregon recreational fishery.

The Oregon Department of Fish and Wildlife, based on the results of the public meeting, proposes no change to the catch-sharing plan for 2001. A change in allocation first requires review and direction by the Oregon Fish and Wildlife (OFWC) Commission. There is insufficient time to review this issue with the OFWC prior to the September Pacific Fisheries Management Council meeting.

The following proposals for the 2001 Oregon recreational halibut fishery were discussed without consensus support at the meeting:

1. Combine May all-depth fisheries Cape Falcon to Florence and Florence to Humbug Mountain into one quota fishery.
2. Create separate all-depth quotas for charter and private vessels split 50/50.
3. Create separate port quotas.
4. Split the Columbia River area quota into two quotas, one for Washington and one for Oregon.
5. Structure all-depth fisheries to occur on weekends.
6. Allow boats to catch halibut in closed areas as long as they are landed into open ports.
7. Allocate annual recreational halibut harvest in a similar manner to the "controlled hunt" process where tags are allocated based on a draw.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED CHANGES TO
THE PACIFIC HALIBUT CATCH SHARING PLAN FOR AREA 2A FOR 2001

The Washington Department of Fish and Wildlife recommends that the following changes to the Pacific Halibut Catch Sharing Plan for Area 2A to be distributed for public review:

(e) NON-INDIAN COMMERCIAL FISHERIES

(1) Incidental halibut catch in the salmon troll fishery

Add sentence to end: "The primary management objective for this fishery is to harvest the troll quota as an incidental catch during the May/June salmon troll fishery. The secondary management objective is to harvest the remaining troll quota as an incidental catch during the July, August, and September salmon troll fishery."

(ii) (A)

Change last sentence: "In determining whether to make such inseason adjustments, NMFS will consult with the applicable state representative(s) ~~on the Halibut Managers Group~~, a representative of the Council's Salmon Advisory Sub-Panel, and Council staff.

(iii)

Delete this sentence: "~~If the quota for this fishery is not harvested during the May/June salmon troll fishery, the IPHC will move any remaining quota from this fishery to the directed halibut fishery on July 1.~~"

(iv)

Change this section to: "If the overall quota for the non-Indian commercial fishery has not been harvested ~~by July 31 and the quota for the salmon troll fishery was not harvested~~ during the May/June fishery, landings of halibut caught incidentally during salmon troll fisheries will be allowed effective ~~August~~ July 1 and will continue ~~(while additional directed fishery openings are set to harvest all of the remaining commercial allocation)~~ until the amount of halibut that was initially available as quota for the troll fishery is taken or the overall non-Indian commercial quota is estimated to have been achieved by the IPHC. Landing restrictions implemented for the May/June salmon troll fishery will apply to this reopening of the fishery. Notice of the ~~August~~ July opening of this fishery will be announced on the NMFS hotline (206) 526-6667 or (800) 662-9825. No halibut retention in the salmon troll fishery will be allowed in ~~August~~ July unless the ~~August~~ July opening has been announced on the NMFS hotline."

(f) SPORT FISHERIES

(ii) Washington north coast subarea

Change 4th sentence and delete 5th sentence: "The fishery ~~opens on May 1~~ will open in May and continues 5 days per week (Tuesday through Saturday). ~~If May 1 falls on a Sunday or Monday, the fishery will open on the following Tuesday.~~"

(iii) Washington south coast subarea

Change 4th sentence and delete 5th sentence: “The fishery will open ~~on May 1~~ in May. ~~If May 1 falls on a Friday or Saturday, the fishery will open on the following Sunday.~~”

Change 7th sentence: “The fishery will continue until September 30, or until ~~1,000 lb (454 kg) are projected to remain in the subarea quota~~ the quota is achieved, whichever occurs first.”

Change the 8th sentence and delete the last two sentences: “~~Immediately following this closure,~~ Subsequent to this closure, if any remaining quota is insufficient for an offshore fishery, but is sufficient for a nearshore fishery (e.g., > 500 lbs.), the area from the Queets River south to 47°00'00"N. lat. and east of 124°40'00"W. long. will reopen for 7 days per week until either the remaining subarea quota is estimated to have been taken and the season is closed by the IPHC, or until September 30, whichever occurs first. The daily bag limit is one halibut per person, with no size limit. ~~Sport fishing for halibut is prohibited in the area within a rectangle defined by these four corners: 47°16'00"N. lat., 124°53'00"W. long.; 47°19'00"N. lat., 124°48'00"W. long.; 47°16'00"N. lat., 124°53'00"W. long.; 47°16'00"N. lat., 124°48'00"W. long. If a decision is made inseason to open this closed area to sport fishing for halibut, that decision will become effective upon announcement on the NMFS halibut hotline, at (206) 526-6667 or (800) 662-9825.~~”



Washington Trollers Association
 PO Box 7431
 Bellevue WA 98008
 (425)747-9287; Fax (425)747-2568
 Doug Fricke, President

Washington Trollers Association

September 5, 2000

Pacific Fishery Management Council
 2130 SW Fifth Avenue, Suite 224
 Portland OR 97201

Re: Proposal to Change the 2001 Pacific Halibut Catch Sharing Plan for Area 2A.

Dear Chairman Lone and Council Members:

As the Pacific Halibut Catch Sharing Plan for Area 2A is now written, a commercial salmon troller who is licensed for halibut catch may retain halibut only during the period of May 1 through June 30, and after July 31 if quota remains unharvested. In recent years both Oregon and Washington have conducted chinook directed fisheries outside this time frame. Washington in 1999 had a successful Chinook directed Plug Fishery starting in July. Halibut caught during July cannot be retained even if there is sufficient quota remaining in both the overall commercial quota and the 15% troll allocation.

The 15% troll allocation is a reflection of the historic harvest of halibut by salmon trollers during the years 1960 through 1983. After about 1983, trollers' access to halibut was severely restricted by fleet reductions and cutbacks in salmon seasons. The derby style halibut opening, where fishing was often open for only a period of hours, was completely incompatible with the trollers slower fishing technique, taking salmon and halibut simultaneously. To substantiate this we have included a chart of troll halibut landings from 1960 through 1991. For these reasons we feel we should have more liberty in the time frame to harvest our 15% allocation. Historically, trollers harvested halibut whenever the salmon season was open.

We propose the Catch Sharing Plan be changed to allow the retention of halibut during all salmon troll openings after May 1, provided the openings have a chinook landing allowance. Halibut retention during these openings would be allowed to continue until the halibut troll allocation is reached. Trollers have addressed conservation of the halibut resource through landing limits and a ratio fishery. We intend to continue similar limits and ratios in the future. There have not been overages in our fishery. We feel our request to retain halibut during this additional time frame is well within the intent of the allocation. This extended harvest opportunity will provide additional benefits to local coastal communities by allowing fresh local caught halibut to be marketed for a longer part of the year.

*Quality Troll Caught
 Salmon for Consumers*



Halibut caught in the troll fishery are landed at a slow rate. Even with this change there is little danger of exceeding the quota. The ratio of chinook per halibut and landing limits is sufficient control. Retention of halibut in the troll fishery would be stopped when the 15% troll allocation is reached.

We have never felt that the roll over to the long line fishery was appropriate because the troll allocation was historically taken over the entire troll season from May through September; therefore we are proposing there not be a roll over unless it is obvious that the troll harvest cannot be reached in the season set for that particular year.

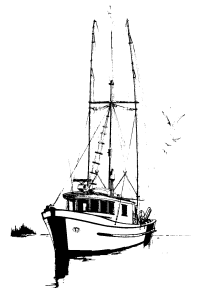
In addition, the trollers request that the word non-directed be used in place of incidental to describe our catch of halibut during the troll season. There is a negative connotation to the word *incidental* indicating accidental or by-catch rather than non-directed which allows us to catch but not to target.

Please review the Catch Sharing Plan and consider the changes that would reflect the above requests. Thank you for this consideration.

Sincerely,

Douglas H. Fricke

Douglas H. Fricke, President
Washington Trollers Association



**COMPARISON of WEST COAST LONGLINE and TROLL
COMMERCIAL HALIBUT LANDINGS
AREA 2A or STATISTICAL AREA 00-05PRE-1981 (from IPHC Data)**

YEAR ↓	TOTAL US CATCH (1000's lbs)	TOTAL US TROLL CATCH (1000's lbs)	US TROLL LANDINGS as a percent of total landings	AVERAGES ↓
1960	885	232	26.2%	<i>Note during the years 1960 through 1983 the percent of total landings average is set at 15%</i>
1961	497	67	13.5%	
1962	449	33	7.3%	
1963	412	21	5.1%	
1964	280	15	5.3%	
1965	214	26	12.1%	
1966	183	26	14.2%	
1967	199	15	7.5%	
1968	138	12	8.7%	
1969	170	76	44.7%	
1970	158	9	5.7%	
1971	295	72	24.4%	
1972	333	127	38.1%	
1973	216	34	15.7%	
1974	514	42	8.1%	
1975	460	45	9.8%	
1976	233	33	14.2%	
1977	200	25	12.5%	
1978	94	14	15.0%	
1979	97	7	7.2%	
1980	22	6	27.2%	
1981	202	35	17.3%	
1982	211	23	11.0%	
1983	265	20	7.5%	
1984	431	5	1.1%	<i>Note this shaded area (years '84 thru '91) results in a 1% troll landing average</i>
1985	493	11	2.2%	
1986	17 Ind* 564 N.I.**	10	1.8%	
1987	44 Ind 548 N.I.	4	0.7%	
1988	94 Ind 392 N.I.	1	0.3%	
1989	142 Ind 330 N.I.	<1	0.3%	
1990	122 Ind 203 N.I.	2	0.3%	
1991	120 Ind 226 N.I.	N/A	1.0%	

* Ind = Treaty Indian

**N.I = Non Treaty