

NATIONAL MARINE FISHERIES SERVICE REPORT

Situation: The National Marine Fisheries Service (NMFS) will report on the proposed rule implementing the Council's changes to the 2004 Area 2A halibut catch sharing plan (CSP) and recreational fishery regulations. There were three primary issues addressed, (1) public meeting requirements for the Puget Sound catch area season recommendations; (2) season dates for the Washington and Oregon sport fishery; and (3) quota transfer protocol for Washington and Oregon sport fisheries. In addition, two minor revisions were made to the CSP involving, (1) extension of the South of Humber Mt. sport season end date; and (2) changing the Oregon central coast inside 30 fm sport fishery to inside 40 fm to be consistent with groundfish rules.

Council Task:

1. Receive information for discussion.

Reference Materials:

1. Exhibit F.1.a, Attachment 1: Proposed Changes to the 2004 Pacific Halibut Catch Sharing Plan for Area 2A.
2. Exhibit F.1.a, NMFS Report: NMFS Update on 2004 Pacific Halibut Management.

Agenda Order:

- a. Status of Council Management Measure Recommendations for 2004
 - b. Reports and Comments of Advisory Bodies
 - c. Public Comment
 - d. Council Discussion
- Yvonne de Reynier

PFMC
02/24/04

**PROPOSED CHANGES TO THE
2004 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 (*U.S., et al. v. State of Washington, et al.* Case No. 9213 Phase I, Subproceeding No. 92-1, Stipulation and Order, July 7, 1999), 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. 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 through September salmon troll fishery.

- (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), 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 overall quota for the non-Indian, incidental commercial troll fishery has not been harvested by salmon trollers during the May/June fishery, additional landings of halibut caught incidentally during salmon troll fisheries will be allowed in July and will continue 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 for as long as this fishery is open. Notice of the 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 July unless the July opening has been announced on the NMFS hotline.

(iv) A salmon troller 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.). This fishery may also managed with closed areas designed to protect overfished groundfish species. Any such closed areas will be described annually in federal halibut regulations and published in the *Federal Register*. 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 amount of halibut allocated to the sablefish fishery will be shared as follows: up to 70,000 lb of halibut to the primary sablefish fishery north of Pt. Chehalis. Any remaining allocation will be distributed to the Washington sport fishery among the four subareas according to the sharing described in the Plan, Section (f)(1).

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, as defined by a line extending from 48°17'30" N. lat., 124°23'70" W. long. north to 48°24'10" N. lat., 124°23'70" W. long., including Puget Sound. The structuring objective for this subarea is to provide a stable sport fishing opportunity and maximize the season length. To that end, the Puget Sound subarea may be divided into two regions with separate seasons to achieve a fair harvest opportunity within the subarea. Due to inability to monitor the catch in this area inseason, fixed seasons, which may vary and apply to different regions within the subarea, will be established preseason based on projected catch per day and number of days to achievement of the quota. Inseason adjustments may be made, and estimates of actual catch will be made postseason. The fishery will open in April or May and continue 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 management objective for this subarea is to provide a quality recreational fishing opportunity during May and the latter part of June. To meet this objective, the north coast subarea quota will be allocated as follows: 72% for the month of May and 28% for the latter part of June. The fishery will open on the first Tuesday between May 9 and 15, and continue 5 days per week (Tuesday through Saturday) until the May allocation is projected to be taken. ~~If May 1 falls on a Sunday or Monday, the fishery will open on the following Tuesday.~~ The fishery will then reopen on during the third ~~Wednesday~~ week in June and continue until the remaining quota is projected to be taken, 5 days per week (Tuesday through Saturday.) No sport fishing for halibut is allowed after September 30. If the fishery is closed prior to September 30, and there is insufficient quota remaining to reopen this subarea for another fishing day, then any remaining quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline. The daily bag limit in all fisheries is one halibut per person with no size limit. A "C-shaped" yelloweye rockfish conservation area that is closed to recreational groundfish and halibut fishing is defined by the following coordinates in the order listed:

48°18' N. lat.; 125°18' W. long.;

48°18' N. lat.; 124°59' W. long.;

48°11' N. lat.; 124°59' W. long.;
48°11' N. lat.; 125°11' W. long.;
48°04' N. lat.; 125°11' W. long.;
48°04' N. lat.; 124°59' W. long.;
48°00' N. lat.; 124°59' W. long.;
48°00' N. lat.; 125°18' W. long.;
and connecting back to 48°18' N. lat.; 125°18' 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" W. long. Beginning July 1, the halibut fishery will be open 7 days per week. The fishery will continue until September 30, or until the quota is achieved, whichever occurs first. Subsequent to this closure, if any remaining quota is insufficient for an offshore fishery, but is sufficient for a nearshore fishery, 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. If there is insufficient quota remaining to reopen this subarea for another fishing day, then any remaining quota may be transferred inseason to another Washington coastal subarea by NMFS via an update to the recreational halibut hotline. The daily bag limit is one halibut per person, with no size limit.

(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. 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. The Washington proportion as set pre-season would be transferred to another Washington

subarea, and the Oregon proportion as set preseason would be transferred to another Oregon subarea. 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, t~~This subarea extends from Cape Falcon (45°46'00" N. lat.) 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 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. Fixed season dates will be established preseason for the Spring and Summer openings and will not be modified inseason except that the Spring and Summer openings may be modified inseason 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 and Summer fisheries 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 12 weeks of the end of the fixed season. If sufficient catch remains for an additional day of fishing after the Spring or the Summer season, openings will be provided if possible in May - July and August - October respectively. Potential additional open dates for both the Spring (May - July) and Summer (August - October) 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. ~~If pre-season catch and effort estimates determine catch rates and quotas allocated to the Oregon North Coast and South Coast subareas will result in Spring seasons of differing durations, quota may be shifted pre-season to ensure that the two subareas have the same number of fixed season days.~~ 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 4030-fathom fishery through to 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 4030-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 4030-fathom

(7355 m) curve, and continues daily until the combined subquota (8 percent of the subarea quota) is 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 October 31, whichever is earlier. Poundage that is estimated to be above the amount needed to keep this season open through October 31 will be transferred to the Summer all-depth fishery if it can be used. Any overage in the all-depth fisheries would not affect achievement of allocation set aside for the inside 4030-fathom curve fishery.

B. The second season is an all-depth fishery with two potential openings. The first opening that begins on the second Thursday in May (if the season is 5 or more fishing days) or the second Friday in May (if the season is 4 or fewer fishing days) and is allocated 6968 percent of the subarea quota. Fixed season dates for the first opening 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 first opening 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. The fixed season dates will be established preseason and 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 exceptions to avoid adverse tidal conditions. If, following the "fixed" dates, quota for this season remains unharvested, a second opening will be held. The fishery will be open every other week on Friday and Saturday except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Fridays and Saturdays will be identified preseason. The fishery will continue until there is insufficient quota for an additional day of fishing or July 31, whichever occurs first. Any remaining quota will be added to the Summer quota. No inseason adjustments will be made to the established fixed season unless the combined Oregon all-depth Spring and Summer season total subquotas are estimated to be achieved.

C. The last season is an coastwide (Cape Falcon, Oregon to Humbug Mountain, Oregon) all-depth fishery that begins on the first Friday in August and is allocated 2325 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 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) to be open every other week on Friday and Saturday except that week(s) could be skipped to avoid adverse tidal conditions. The potential open Fridays and Saturdays will be identified preseason. The fishery will continue until there is insufficient quota for an additional day of fishing or October 31, whichever occurs first. 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 Any remaining additional quota will be transferred to the fisheries inside the 4030-fathom (7355 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 Humbag 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 Spring and Summer openings and will not be modified inseason except that the Summer 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 Spring and Summer 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 Spring season or the Summer season, openings will be provided if possible in May - July and August - October respectively. Potential additional open dates for both the Spring and Summer 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. If pre-season catch and effort estimates determine catch rates and quotas allocated to the Oregon North Coast and South Coast subareas will result in Spring seasons of differing durations, quota may be shifted pre-season to ensure that the two subareas have the same number of fixed season days. 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 30-fathom fishery through to October 31 will be added to the Summer all-depth season if it can be used, 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 October 31, whichever is earlier. Poundage that is estimated to be above the amount needed to keep this season open through October 31 will be transferred to the Summer 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.~~

(viii) 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 October 31/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 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.
- (3) Possession limits. The sport possession limit on land is two daily bag limits, regardless of condition, but only one daily bag limit may be possessed on the vessel.
- (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 another Washington sport subarea.
 - (D) If any of the sport fishery subareas south of Leadbetter Point, WA are not projected to utilize their respective quotas by their season ending dates, NMFS may take inseason action to transfer any projected unused quota to another Oregon sport subarea.
 - (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.
- (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 206-526-6667 or 800-662-9825 (May through October~~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) Inseason actions will be effective on the date specified in the Federal Register notice or at the time that the action is filed for public inspection with the Office of the Federal Register, whichever is later.
 - (B) If time allows, NMFS will invite public comment prior to the effective date of any inseason action filed with the *Federal Register*. If the 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: 69 FR ##### (March #, 2004)
 68 FR 10989##### (March 7###, 2003)
 67 FR 12885 (March 20, 2002)
 66 FR 15801 (March 21, 2001)
 65 FR 14909 (March 20, 2000)
 64 FR 13519 (March 19, 1999)
 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)

NMFS UPDATE ON 2004 PACIFIC HALIBUT MANAGEMENT

The International Pacific Halibut Commission (IPHC) held its annual meeting January 20-23, 2004, in Juneau, Alaska. At that meeting, the IPHC set an Area 2A (waters off Washington, Oregon, and California) total allowable catch (TAC) of 1,480,000 pounds, a 13% increase over the 2003 Area 2A TAC. On February 23, 2004 (69 FR 8162,) NMFS published a proposed rule to implement the 2004 TAC and the Council's recommended changes to the Catch Sharing Plan. In November 2003, the Council had recommended, (1) provide more flexibility for Washington inseason sport fishery management; (2) revise the public announcement process for the Puget Sound sport fishery; (3) revise season dates for the Washington north and south coast sport fisheries; (4) combine the Oregon north and south central subareas; (5) revise the "additional fishing days" season structure for Oregon's spring and summer sport fisheries; (6) extend the season closing date for Oregon/California sport fisheries in the South of Humbug Mountain subarea; (7) change the depth restriction for Oregon's nearshore sport fishery; and (8) revise the inshore boundary of the Rockfish Conservation Area to 40 fm, so it matches commercial hook-and-line fishery restrictions for groundfish. NMFS expects that rule to be finalized in early April, prior to the start of the Area 2A recreational fisheries.

Area 2A TAC Comparison, 2003 & 2004 (in pounds)		
	2003	2004
Treaty Tribes	483,500	543,000
Commercial	456,500	523,600
Ceremonial & Subsistence	27,000	19,400
Non-Treaty	826,500	937,000
Commercial	332,000	367,029
Salmon Troll Incidental	39,300	44,554
Directed	222,700	252,475
Sablefish Incidental	70,000	70,000
Recreational	494,500	
WA Sport	232,499	272,942
OR/CA Sport	262,001	297,029
WA Inside Waters	63,278	76,220
WA North Coast	113,915	126,857
WA South Coast	48,623	61,565
Columbia River	11,923	14,241
OR Central, Inside 30 fm	19,797	22,574
OR North Central (May)	156,835	
OR South Central (May)	14,609	194,703*
OR Central, August	57,660	64,901
South of Humbug Mt.	7,860	8,911
TOTAL	1,310,000	1,480,000

* North and South Central sub-areas combined for 2004 and beyond

REPORT ON INTERNATIONAL PACIFIC HALIBUT COMMISSION ANNUAL MEETING

Situation: Mr. Phil Anderson, Council representative to the International Pacific Halibut Commission (IPHC), and Executive Director, Dr. Don McIsaac, attended the annual meeting of the IPHC in January, where the overall halibut harvest levels for 2004 were set, including that for Area 2A (Exhibit F.2.a, IPHC News Release). Mr. Anderson will provide a brief summary of the results of the meeting.

Council Task:

1. Receive information for discussion.

Reference Materials:

1. Exhibit F.2.a, IPHC News Release.

Agenda Order:

- a. Agendum Overview
- b. Summary of Meeting
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. Council Discussion

Chuck Tracy
Phil Anderson

PFMC
02/20/04

News Release

P.O. Box 95009, SEATTLE, WASHINGTON 98145-2009

January 26, 2004

HALIBUT COMMISSION COMPLETES 2004 ANNUAL MEETING

The International Pacific Halibut Commission completed its Eightieth Annual Meeting in Juneau, Alaska, with Dr. James Balsiger of Juneau, Alaska presiding as Chair. The Commission is recommending to the governments of Canada and the United States, catch limits for 2004 totaling 76,505,000 pounds, an increase from a comparable value of 75,990,000 pounds in 2003.

The Commission staff reported on the assessment of the Pacific halibut stock in 2003. There were some significant changes in the assessment, including the first separate assessment of the male and female components of the stock. Lower growth rates of halibut in recent years and different growth rates between the sexes prompted the staff to perform the separate assessments and insure that mortality on the females was not excessive. Staff also undertook the first analytic assessments of Areas 3B, 4A, and 4B. Changes in the rate at which fish, especially males, recruit to the fishing gear will require additional analyses over the coming year, to determine if the existing 32-inch size limit is still appropriate. In addition, over the coming year the Commission staff will continue to investigate a new harvest policy that may result in greater stability in the yield from the fishery and insulate the process of setting catch limits from technological changes in the assessment. A joint industry – Commission working group will address and report on this issue during 2004. The halibut stock is healthy in the central and southern portions of the range (Areas 3A through 2A) but is believed to have declined in Areas 3B through Area 4, and lower catch limits are required in those areas.

Seasons and Catch Limits

The Commission received regulatory proposals for 2004 from the scientific staff, Canadian and United States harvesters and processors, and other fishery agencies. The Commission will recommend to the governments the following catch limits for 2004 in Area 2A (California, Oregon, and Washington), Area 2B (British Columbia), Area 2C (southeastern Alaska), Area 3A (central Gulf), Area 3B (western Gulf), Area 4A (eastern Aleutians), Area 4B (western Aleutians), Area 4C (Pribilof Islands), Area 4D (northwestern Bering Sea), and Area 4E (Bering Sea flats):

2004 Catch Limits

Area	Catch Limit (pounds)
2A Non-treaty directed commercial (south of Point Chehalis)	252,475
2A Non-treaty incidental catch in salmon troll	44,554
2A Non-treaty incidental catch in sablefish longline fishery (north of Point Chehalis)	70,000
2A Treaty Indian commercial	523,600
2A Treaty Indian ceremonial and subsistence (year-round)	19,400
2A Sport – North of Columbia River	272,942
<u>2A Sport – South of Columbia River</u>	<u>297,029</u>
Area 2A total	1,480,000
2B (includes sport catch allocation)	13,800,000
2C	10,500,000
3A	25,060,000
3B	15,600,000
4A	3,470,000
4B	2,810,000
4C	1,720,000
4D	1,720,000
<u>4E</u>	<u>345,000</u>
<u>Area 4 total</u>	<u>10,065,000</u>
Total	76,505,000

The Department of Fisheries and Oceans, Canada will allocate the adopted Area 2B catch limit between sport and commercial fisheries.

The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC), which allows the Commission to set biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch-sharing plan allows Area 4D Community Development Quota (CDQ) harvest to be taken in Area 4E.

The catch-sharing plan implemented by the Pacific Fishery Management Council (PFMC) for Area 2A was adopted by the Commission and is reflected in the catch limits adopted for the Area 2A fisheries. Area 2A fishing dates for an incidental commercial halibut fishery concurrent with salmon troll fishing seasons and the incidental commercial halibut fishery during the sablefish fishery north of Point Chehalis will be established under United States domestic regulations established by National Marine Fisheries Service (NMFS). The remainder of the Area 2A catch-sharing plan, including sport fishing seasons and depth restrictions, will be determined under regulations promulgated by NMFS. For further information of the depth restrictions in the commercial directed halibut fishery, incidental halibut during the sablefish fishery, and the sport fisheries, call the NMFS hotline (1-800-662-9825).

In Area 2A, seven 10-hour fishing periods for the non-treaty directed commercial fishery are recommended: June 23, July 14, July 28, August 11, August 25, September 15, and September 29, 2004. All fishing periods will begin at 8:00 a.m. and end at 6:00 p.m. local time, and will be further restricted by fishing period limits announced at a later date.

The staff reported to the Commission on a joint agency – industry meeting that investigated the logistic issues that must be addressed to extend the halibut fishing season. The working group agreed generally that a 10.5-month season could be implemented with approximately one year lead time but a 12-month season was significantly more difficult to implement. To facilitate a potential future extension of the commercial halibut season, the Commission will recommend to NMFS that the Quota Share regulations be amended to reference the dates of the halibut and sablefish seasons, rather than specific dates of the year. The Commission conducted extensive discussions on the season extension issue and received several industry proposals and public testimony. After reviewing staff information and proposals from the harvesting and processing sector, the Commission voted on a season similar to 2003. Further, it was agreed to open the season on a Sunday to facilitate marketing. Therefore, the treaty Indian commercial fishery in Area 2A, the Canadian Individual Vessel Quota (IVQ) fishery in Area 2B, and the United States Individual Fishing Quota (IFQ) and CDQ fisheries in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E will all commence at 12 noon local time on February 29 and terminate at 12 noon local time on November 15, 2004. The IPHC staff was directed to evaluate March landings including daily landing patterns, fish quality, and fish size. The staff was also instructed to review the possibilities of winter tagging work to further evaluate migratory concerns.

Regulatory Changes and Issues

The Commission approved changes to the regulations that define tag fish retention. The changes included defining the tag as an external tag, and clarifying that any fisher at any time can retain a halibut that has an IPHC tag attached. The halibut needs to have the tag attached at the time of landing and it will be made available to the Commission or an authorized officer. Only commercially licensed halibut vessels can sell legal-sized tagged halibut.

For the U.S. fishery, the requirement to mark the setline or skate marker buoys was revised to state that the vessel name could be in addition to a vessel's state license or registration number but not used as the only marking.

The Commission revised the regulation referring to the Prohibited Species Donation Program administered by NMFS to state that a person can "retain, possess, and dispose" of halibut from this program. The change allows the offal of halibut donated under this program to be used as fish meal and oil.

The Commission removed an obsolete regulation that made implementation of the Customary and Traditional Fishing Regulations in Alaska contingent on NMFS' publication of regulations for this fishery. Other regulations pertaining to the Customary and Traditional Fishery in Alaska remain in effect.

Other Actions

There were several issues discussed that the staff will be continuing to review in 2004, including a hook size study, as the fleet's gear has changed over the last several years, and a review of the 32-inch size limit.

The staff proposal to require an IPHC permit for retaining halibut for research was not approved. The Commission agreed with the intent of the proposal but wished to consider the impacts of this requirement on other agency activities. The Commission asked staff to work with other agency staff to review the current permitting process and provide additional information for further evaluation.

The Commission reviewed the request from the Alaska Food Coalition for a food bank donation program in the Gulf of Alaska. There were some concerns with the proposal, and the staff was directed to provide the Alaska Food Coalition with feedback on the proposal.

The Commission honoured Mr. Lawren Best of Sooke, British Columbia as the second recipient of the IPHC Merit Scholarship. Mr. Best attended the meeting and was presented with a certificate and plaque, as well as the scholarship of \$2,000 (U.S.). The Commissioners expressed their continued support for the scholarship program and commended the Scholarship Committee for their efforts in assessing the candidates.

The Commission noted that halibut bycatch mortality in non-target fisheries was reduced slightly in 2003, continuing the trend initiated by the 1991 Commission agreement to achieve lower bycatch mortality levels. However, the Commission agrees that further reductions are desirable and that current levels of mortality reduce yield to the directed halibut fisheries. The Commission will continue to work with agencies of the two governments to achieve reductions in halibut bycatch mortality.

The recommended regulations for the 2004 halibut fishery will become official as soon as they are approved by the Canadian and United States Governments. The Commission will publish and distribute regulation pamphlets.

The next Annual Meeting of the Commission is planned for Victoria, British Columbia from January 18 to 21, 2005. The Canadian Government commissioner, Dr. Richard Beamish, was elected Chair for the coming year. The United States Government commissioner, Dr. James Balsiger, was elected as Vice Chair. Other Canadian commissioners are Clifford Atleo and John Secord. The other United States commissioners are Ralph Hoard and Phillip Lestenkof. Dr. Bruce Leaman is the Executive Director of the Commission.

- END -

Bruce M. Leaman, Executive Director
Phone: (206) 634-1838
Web: www.iphc.washington.edu

SUMMARY OF THE INTERNATIONAL PACIFIC HALIBUT COMMISSION ANNUAL MEETING

The International Pacific Halibut Commission (IPHC) meeting was held in Juneau, Alaska the week of January 19, 2004. Pacific Fishery Management Council, NOAA Fisheries, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, and tribal fishery managers from Area 2A attended the meeting. The primary issues affecting Area 2A that were discussed include: whether to move to a Conditional Constant Catch harvest policy; what the appropriate total allowable catch (TAC) in 2004 for Area 2A would be in the absence of changing the harvest policy; whether to consider a 10.5-month season, which would affect 2A tribal halibut fisheries; and the proposed elimination of the IPHC setline survey in 2A.

With regard to the Conditional Constant Catch harvest policy, IPHC staff had a proposal to move halibut fisheries in all areas under this new harvest policy. This policy would set a ceiling on the amount of halibut that could be harvested. For Area 2A, this ceiling would be 1.69 million pounds. When the setline constant exploitation yield (CEY) is within 90% of this ceiling, the resulting TAC would be set at the ceiling level. When the setline CEY is < 90%, then the TAC would be set at the setline CEY. When the setline CEY is above the ceiling, the TAC would remain at the ceiling.

The U.S. and Canadian Commissioners, as well as the industry members present, expressed concern over the proposed Constant Catch harvest policy, and requested IPHC staff develop TAC recommendations using the current setline CEY harvest policy. As a result, IPHC staff recommended the Area 2A TAC be increased to 1.48 million pounds in 2004 (from 1.31 million pounds in 2003). The increase is a result of a decrease in the estimate of mortality of legal-sized halibut in the trawl groundfish fishery (reduced from 530,000 pounds in 2001 to 286,000 pounds in 2002) combined with the results of the 2003 setline survey off the West Coast. The Halibut Commission adopted the IPHC staff-recommended TAC and approved the Pacific Fishery Management Council's Halibut Catch Sharing Plan for Area 2A.

A working group made up of agency, tribal, and industry representatives met last summer and recommended that IPHC consider a 10.5-month season for 2004 and consider a 12-month season in the future. After reviewing staff information and proposals from the harvesting and processing sectors, the Commission adopted a 10.5-month season for this year; therefore, the treaty Indian commercial fishery in Area 2A will begin on February 29, and all halibut fisheries must close by November 15.

To accommodate budget reductions, IPHC staff recommended the setline survey in Area 2A be eliminated in 2004. This has caused concern for fishery managers who rely on the survey to assist in estimating bycatch in the halibut and groundfish longline fisheries. Further, state agency staff have been able to collect biological samples of the incidental catch of rockfish, particularly yelloweye, by meeting the research vessel shoreside. These data are no longer available from fisheries and have been used to support the yelloweye rockfish stock assessment. IPHC staff are interested in exploring other funding avenues to continue this valuable research in Area 2A.

The 2005 IPHC meeting is scheduled for January 18-21 in Victoria, BC, Canada.

**PUBLIC REVIEW OPTIONS FOR THE 2004 INCIDENTAL CATCH REGULATIONS
 IN THE SALMON TROLL AND FIXED GEAR SABLEFISH FISHERIES**

Situation: Regulations governing the incidental harvest of halibut in the salmon troll fishery and the commercial sablefish fishery north of Point Chehalis require the Council to adopt recommended halibut landing restrictions to allow incidental harvest while assuring the quotas are not exceeded.

Salmon Troll Fishery

The halibut regulations allocate 15% of the non-Indian commercial halibut allocation in Area 2A to the salmon troll fishery as an incidental catch during May and June (with provision for additional harvest from July through September if sufficient quota remains). A change in the regulations in 2001 directs that the primary management objective is to harvest the incidental quota in the May/June salmon troll fishery, and a secondary objective is to harvest any remaining quota during July through September.

The table below provides the number of licenses, allocation, harvest, and landing restrictions for the incidental halibut fishery since the initial season in 1995. The Council has successfully used landing ratios and a total trip limit to assure a manageable progression of the fishery in past years.

Incidental Halibut Management in Area 2A Salmon Troll Fishery										
Year	Licenses Issued ^{a/}					Pounds of Halibut			Restriction	
	WA	OR	CA	AK-2A	Total	Allocation	May/June Harvest	Total Harvest	Halibut per Chinook	Trip Limit
1995	14	104	2	5	125	16,068	2,125	2,125	1 per each 20	none
1996	22	82	5	14	123	16,068	9,521	9,521	1 + 1 per each 15	20
1997	59	187	10	19	275	21,635	17,570	17,570	1 + 1 per each 10	20
1998	44	188	15	18	265	25,344	9,123	13,124	1 + 1 per each 8	25
1999	54	193	12	25	284	23,490	9,955	9,955	1 + 1 per each 5	35
2000	49	154	8	24	235	24,464	20,925	22,350	1 + 1 per each 3	35
2001	63	232	13	37	347	34,046	-	34,100	1 + 1 per each 3	35
2002	60	223	7	41	331	39,300	-	41,000	1 + 1 per each 3	35
2003	60	209	10	44	323	39,300	23,296	41,917	1 + 1 per each 3	35
2004	-	-	-	-	-	44,554			-	-

a/ Licenses are issued by vessel number in the following order: AK, WA, OR, CA (i.e., if a vessel has both Alaska and Washington vessel numbers, the license would be issued to the Alaska vessel number).

Commercial Sablefish Fishery North of Point Chehalis

The total Area 2A halibut quota is large enough this year (over 900,000 pounds) to provide for an incidental halibut harvest in the commercial sablefish fishery north of Point Chehalis. This incidental fishery is allocated that portion of the Washington sport allocation in excess of 214,110 pounds, provided a minimum of 10,000 pounds is available, up to a maximum of

70,000 pounds. For 2004, the available incidental harvest is the maximum of 70,000 pounds. The Council will need to consider landing or other restrictions necessary to manage this fishery within its quota.

In 2003, the allocation was 70,000 pounds of halibut. The season opened on April 1, but retention of halibut was prohibited until May 1; the season continued through October 31. Regulations restricted incidental halibut landings to 150 pounds (dressed weight) of halibut for every 1,000 pounds (dressed weight) of sablefish landed and up to two additional halibut in excess of the 150 pounds per 1,000-pound ratio per landing. Final landings for this fishery were 65,325 pounds.

Council Action:

- 1. Adopt for public review a range of landing restrictions for halibut caught incidentally in the May/June troll season to match with the troll salmon management options and assure a reasonable utilization of the incidental catch while not exceeding the quota.**
- 2. Adopt for public review, a range of landing restrictions for incidental halibut harvest in the commercial sablefish fishery north of Point Chehalis.**

Reference Materials:

None.

Agenda Order:

- | | |
|-----------------------------------------------------------------------------------------------------|-------------|
| a. Agendum Overview | Chuck Tracy |
| b. State Proposals for the Salmon Troll Fishery | |
| c. State Proposals for the Fixed Gear Sablefish Fishery | |
| d. Tribal Comments | Jim Harp |
| e. Reports and Comments of Advisory Bodies | |
| f. Public Comment | |
| g. Council Action: Adopt Public Review Options for 2004 Incidental Halibut Catch Regulations | |

PFMC
02/24/04

TRIBAL COMMENTS

Mr. Chairman,

I would just like to reiterate that the tribes have expressed concern for the bycatch discard mortality of halibut for many years now.

I continue to support this proposed action to allocate incidental halibut to the non-treaty sablefish fishery because it is a step in the right direction of eliminating discard mortality.

I also support the allowance of halibut caught incidentally in the salmon troll fishery to be landed and counted in the non-Indian commercial halibut allocation as it was in 2003.

Thank you.

GROUND FISH ADVISORY SUBPANEL STATEMENT ON
PUBLIC REVIEW OPTIONS FOR THE 2004 INCIDENTAL CATCH REGULATIONS IN
THE SALMON TROLL AND FIXED GEAR SABLEFISH FISHERIES

The Groundfish Advisory Subpanel (GAP) reviewed the options for allowing retention of halibut in the fixed gear sablefish fishery north of Point Chehalis.

The GAP believes the current allowance of halibut retention in this fishery is reasonable and provides sufficient opportunity for incidental catch. The GAP supports retaining the status quo for incidental catch in the fixed gear fishery.

A minority of the GAP believes halibut incidentally taken in the trawl fishery should be retained up to a reasonable level which would prevent targeting of halibut in the trawl fishery in order to comply with the Magnuson-Stevens Act requirements to reduce bycatch (in the form of discards) to the extent practicable.

PFMC
03/09/04

SALMON ADVISORY SUBPANEL REPORT ON
PUBLIC REVIEW OPTIONS FOR THE 2004 INCIDENTAL CATCH REGULATIONS IN
THE SALMON TROLL AND FIXED GEAR SABLEFISH FISHERIES

The Salmon Advisory Subpanel (SAS) proposes the following options for the incidental halibut catch in the salmon troll fishery:

- Option 1. Status quo. One halibut may be retained without salmon aboard vessel. One halibut for every three salmon aboard vessel with a maximum of 35 halibut per trip.
- Option 2. One halibut may be retained without salmon aboard vessel. One halibut for every three salmon aboard vessel with a maximum of 25 halibut per trip.

PFMC
3/10/04