

• E-mail: For California ESUs, send e-mail comments to critical.habitat.swr@noaa.gov. For ESUs in Washington, Oregon, or Idaho, send e-mail comments to critical.habitat.nwr@noaa.gov. In the subject line of your e-mail please include the pertinent docket and RIN numbers specified above.

• Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

• Agency Web Site: <http://ocio.nmfs.noaa.gov/ibrm-ssi/index.shtml>. Follow the instructions for submitting comments at <http://ocio.nmfs.noaa.gov/ibrm-ssi/process.shtml>.

• Mail: For California ESUs, submit written comments and information to: Assistant Regional Administrator, Protected Resources Division, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. For ESUs in Washington, Oregon, or Idaho, submit written comments and information to: Chief, NMFS, Protected Resources Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737. You may hand-deliver written comments to our offices during normal business hours at the addresses given above (although after February 18, 2005, the Portland address will change to 1201 NE Lloyd Blvd., Suite 1100, Portland, OR 97232).

• Fax: Submit fax comments to the NMFS Southwest Regional Office at 562-980-4027, or the NMFS Northwest Regional Office at 503-230-5441.

**FOR FURTHER INFORMATION CONTACT:** In California, contact Craig Wingert at the address above or at 562-980-4021. In Washington, Oregon, and Idaho, contact Steve Stone at the above address or at 503-231-2317. The proposed rules, maps, and other materials relating to these proposals can be found on the agency's Southwest Region website at <http://swr.nmfs.noaa.gov/salmon.htm> and the Northwest Region website at <http://www.nwr.noaa.gov/1salmon/salmesa/crithab/CHsite.htm>.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 10 and 14, 2004, NMFS published separate critical habitat proposed rules addressing 20 ESUs of Pacific salmon and *O. mykiss* (inclusive of anadromous steelhead and resident rainbow trout) listed under the ESA. The first proposed rule (69 FR 71880, December 10, 2004) addressed 7 ESUs in California and announced a public comment period extending through February 8, 2005. The second proposed rule (69 FR 74572, December 14, 2004) addressed 13 ESUs in Washington,

Oregon, and Idaho, and announced a public comment period extending through February 14, 2005. The timeline for completion of these proposed rules was established pursuant to litigation between NMFS and the Pacific Coast Federation of Fishermen's Associations, Institute for Fisheries Resources, the Center for Biological Diversity, the Oregon Natural Resources Council, the Pacific Rivers Council, and the Environmental Protection Information Center (PCFFA *et al.*) and are subject to a Consent Decree and Stipulated Order of Dismissal (Consent Decree) approved by the D.C. District Court.

We received several requests, including a request from PCFFA *et al.*, to extend the public comment period. We recently submitted to the D.C. District Court a joint request with PCFFA *et al.* to extend the comment period and to modify the schedule for submission of final rules designating critical habitat for the 20 ESUs to the **Federal Register** established in the Consent Decree. The court approved the joint request on January 26, 2005. Pursuant to that approval we are extending the deadline for accepting public comments on both proposed rules until March 14, 2005. Also, on or before August 15, 2005, we will complete both rulemakings by submitting to the **Federal Register** for publication the final rules designating critical habitat for those of the 20 ESUs that are included on the lists of threatened and endangered species as of August 15, 2005. These extensions will allow the public additional time to provide information related to the proposed designations and will provide us with the time needed to review, consider, and respond to comments.

**Authority:** 16 U.S.C. 1531 *et seq.*

Dated: January 1, 2005.

**William T. Hogarth,**

*Assistant Administrator, National Marine Fisheries Service.*

[FR Doc. 05-2292 Filed 2-4-05; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 300**

[Docket No. 050125016-5016-01; I.D. 011805C]

**RIN 0648-AS61**

**Pacific Halibut Fisheries; Catch Sharing Plan**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule.

**SUMMARY:** NMFS proposes to approve and implement changes to the International Pacific Halibut Commission's (IPHC) regulatory Area 2A off Washington, Oregon, and California (Area 2A) Pacific Halibut Catch Sharing Plan (Plan) to: allow remaining quota from Washington's south coast subarea to be used to accommodate incidental catch in the south coast nearshore fishery; allow quota projected to be unused to be transferred from Oregon's central coast subarea to another subarea south of Leadbetter Point, WA; revise the season structure for Oregon's all-depth spring and summer sport fisheries; provide more flexibility for Oregon's inseason sport fishery management (triggers for additional fishery openings and bag limits in the all-depth summer fishery); revise the public announcement process for Oregon's all-depth summer sport fishery; revise the Columbia River subarea quota contributions from Oregon/California; remove the minimum length requirement in all subareas south of Leadbetter Point, WA; prohibit retention of all groundfish, except sablefish, in Oregon's and possibly Washington's Columbia River fishery on all days and in the Central Coast fisheries on "all-depth" days; implement a closed area off Oregon's coast; and revise all coordinates from degrees minutes seconds to degrees decimal minutes. NMFS also proposes to revise the coordinates for the closed area to Oregon's central coast recreational fishery and to non-treaty commercial halibut fishing in Area 2A. NMFS is also proposing to implement the portions of the Plan and management measures that are not implemented through the IPHC, which includes the sport fishery management measures for Area 2A, the flexible inseason management provisions in Area 2A, fishery election in Area 2A,

and Area 2A non-treaty commercial fishery closed areas. These actions are intended to enhance the conservation of Pacific halibut, to protect yelloweye rockfish and other overfished groundfish species from incidental catch in the halibut fisheries, and to provide greater angler opportunity where available.

**DATES:** Comments on the proposed changes to the Plan and on the proposed domestic Area 2A halibut management measures must be received no later than 5 p.m., local time on March 16, 2005.

**ADDRESSES:** Copies of the Plan, Environmental Assessment (EA)/Regulatory Impact Review (RIR)/Initial Regulatory Flexibility Analysis (IRFA), and/or Categorical Exclusion (CE) are available from D. Robert Lohn, Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070. Electronic copies of the Plan, including proposed changes for 2005, and of the draft EA/RIR/IRFA are also available at the NMFS Northwest Region website: <http://www.nwr.noaa.gov>, click on "Pacific Halibut."

You may submit comments on the proposed rule for the Plan and to domestic Area 2A halibut management measures or supporting documents, identified by [011805C], by any of the following methods:

- E-mail:

*PHalibut2005.nwr@noaa.gov*. Include the I.D. number in the subject line of the message.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, Attn: Jamie Goen, 7600 Sand Point Way NE, Seattle, WA 98115-0070.

- Fax: 206-526-6736, Attn: Jamie Goen.

**FOR FURTHER INFORMATION CONTACT:**

Jamie Goen or Yvonne deReynier (Northwest Region, NMFS), phone: 206-526-6150, fax: 206-526-6736 or e-mail: [jamie.goen@noaa.gov](mailto:jamie.goen@noaa.gov) or [yvonne.dereynier@noaa.gov](mailto:yvonne.dereynier@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Northern Pacific Halibut Act (Halibut Act) of 1982, at 16 U.S.C. 773c, gives the Secretary of Commerce (Secretary) general responsibility for implementing the provisions of the Halibut Convention between the United States and Canada (Halibut Convention). It requires the Secretary to adopt regulations as may be necessary to carry out the purposes and objectives of the Halibut Convention and the Halibut Act. Section 773c(c) of the Halibut Act

authorizes the Regional Fishery Management Councils to develop regulations governing the Pacific halibut catch in their corresponding U.S. Convention waters that are in addition to, but not in conflict with, regulations of the IPHC. Each year between 1988 and 1995, the Pacific Fishery Management Council (Pacific Council) developed a catch sharing plan in accordance with the Halibut Act to allocate the total allowable catch (TAC) of Pacific halibut between treaty Indian and non-treaty harvesters and among non-treaty commercial and sport fisheries in Area 2A.

In 1995, NMFS implemented the Pacific Council-recommended long-term Plan (60 FR 14651, March 20, 1995). In each of the intervening years between 1995 and the present, minor revisions to the Plan have been made to adjust for the changing needs of the fisheries. The Plan allocates 35 percent of the Area 2A TAC plus 25,000 lb (11.3 mt) to Washington treaty Indian tribes in Subarea 2A-1 and 65 percent minus 25,000 lb (11.3 mt) 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. The commercial fishery is further divided into a directed commercial fishery that is allocated 85 percent of the commercial allocation and an incidental catch in the salmon troll fishery that is allocated 15 percent of the commercial allocation. The directed commercial fishery in Area 2A is confined to southern Washington (south of 46°53.30' N. lat.), Oregon, and California. North of 46°53.30' N. lat. (Pt. Chehalis), the Plan allows for incidental halibut retention in the primary limited entry longline sablefish fishery when the overall Area 2A TAC is above 900,000 lb (408.2 mt). The Plan also divides the sport fisheries into seven geographic subareas, each with separate allocations, seasons, and bag limits.

*Pacific Council Recommended Changes to the Plan and Domestic Fishing Regulations*

Each year, the states (Washington Department of Fish and Wildlife (WDFW) and Oregon Department of Fish and Wildlife (ODFW)) and tribes consider whether changes to the Plan are needed or desired by their fishery participants. Fishery managers from the states hold public meetings before both the September and November Pacific Council meetings to get public input on revisions to the Plan. At the September

2004 Pacific Council meeting, the states recommended several changes to the Plan and the tribes announced that they had no proposal for revising the Plan in 2005. Following the meeting, the states again reviewed their proposals with the public and drafted their recommended revisions for review by the Pacific Council.

At its November 1-5, 2004, meeting in Portland, OR, the Pacific Council considered the results of state-sponsored workshops on the proposed changes to the Plan and public comments, and made the final recommendations for modifications to the Plan as follows:

(1) Allow remaining quota from Washington's south coast subarea to be used to accommodate incidental catch in the south coast nearshore fishery.

(2) Revise the Columbia River subarea quota contributions from Oregon/California to equal the amount of pounds contributed by Washington.

(3) Remove the minimum length requirement in all subareas south of Leadbetter Point, WA.

(4) Revise the season structure for Oregon's all-depth spring and summer sport fisheries in Oregon's central coast subarea (Cape Falcon to Humbug Mountain) from 2-days to 3-days by adding Thursdays to all spring fishery openings after the initial fixed day openings and by adding Sundays to all summer fishery openings.

(5) Provide more flexibility for Oregon's inseason sport fishery management by adding triggers for additional fishery openings and bag limits in the central coast all-depth summer fishery as follows: (a) if after the first scheduled open period of the summer fishery, the remaining central coast quota (combined all-depth and inside 40-fm (73-m) fishery quotas) is 60,000 lbs (27.2 mt) or more, the fishery reopens every Friday through Sunday until October 31 or quota attainment, whichever is earlier; and (b) if after the third scheduled open period of the summer fishery, the remaining central coast quota (combined all-depth and inside 40-fm (73-m) fishery quotas) is 30,000 lbs (13.6 mt) or more, the fishery reopens every Friday through Sunday until October 31 or quota attainment, whichever is earlier, and the bag limit would increase to two fish per person per day.

(6) Prohibit the retention of all groundfish, except sablefish when allowed by groundfish regulation, in the Columbia River fishery during all days and in the Central Coast fisheries during "all-depth" days.

(7) Revise the public announcement process for the Oregon central coast all-

depth summer sport fishery to allow inseason changes to transfer quota and to change the fishery season dates based on the triggers mentioned above to be announced by NMFS via an update to the recreational halibut hotline (i.e., no **Federal Register** document would be required).

(8) Allow quota projected to be unused to be transferred from Oregon's central coast subarea to another subarea south of Leadbetter Point, WA.

(9) Implement a closed area to recreational halibut fishing off Oregon's central coast on a portion of Stonewall Bank to protect yelloweye rockfish, an overfished groundfish species. This closed area, called a "yelloweye rockfish conservation area," would be defined by connecting the following coordinates in the order listed:

(1) 44°37.46 N. lat.; 124°24.92 W. long.;

(2) 44°37.46 N. lat.; 124°23.63 W. long.;

(3) 44°28.71 N. lat.; 124°21.80 W. long.;

(4) 44°28.71 N. lat.; 124°24.10 W. long.;

(5) 44°31.42 N. lat.; 124°25.47 W. long.;

(6) and connecting back to 44°37.46 N. lat.; 124°24.92 W. long.

There is confusion over Pacific Council recommendation 16 (above) as to how it would apply to the Columbia River subarea, which is shared by Washington and Oregon. Therefore, NMFS has requested that the Pacific Council clarify this recommendation at the March 6–11, 2005, Pacific Council meeting in Sacramento, CA. The Council adopted a recommendation for "Sub-areas south of Leadbetter Point, Washington" that stated "No groundfish retention except sablefish allowed during the all-depth fishery if halibut are on-board the vessel except south of Humbug Mt." After the March meeting it became apparent that various Council participants were confused as to exactly where this prohibition would apply. Because of the introductory description (Sub-areas south of Leadbetter Point, Washington), some thought it applied in the entire Columbia River area and the Oregon Central Coast subarea. However, others thought this would only apply off Oregon because it was introduced by Oregon, it had not been discussed in Washington State meetings with Washington fishermen, and because one purpose was to allow dockside enforcement during the groundfish closure seaward of 40 fm (73 m), which only is in place off of Oregon. NMFS has concluded the two possible ways to implement this provision in the Columbia River subarea would be to

apply the groundfish retention prohibition to all halibut fishing in the Columbia River subarea or only to vessels that land in Oregon.

Therefore, the Pacific Council will clarify its recommendation at the March 2005 meeting, and the public comment period on this proposed rule will end on March 16, 2005.

#### Proposed Changes to the Plan

In addition to the Pacific Council's recommendations, NMFS is proposing to revise all coordinates in the Plan from degrees minutes seconds to degrees decimal minutes in order to conform with U.S. Coast Guard standards and the Pacific coast groundfish regulations. NMFS is proposing to approve the Pacific Council recommendations and to implement the above-described changes by making the following changes to the Plan:

In section (d) of the Plan, Treaty Indian Fisheries, revise the first sentence of the first paragraph to read as follows:

Except as provided above in (b)(2), 35 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°53.30' N. lat.) and east of 125°44.00' W. long.

In section (e) of the Plan, Non-Indian Commercial Fisheries, revise the third sentence of paragraph (2) to read as follows:

This fishery is confined to the area south of Subarea 2A–1 (south of Point Chehalis, WA; 46°53.30' N. lat.).

In section (f) of the Plan, Sport Fisheries, revise the second sentence of paragraph (1)(i) to read as follows:

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.

In section (f) of the Plan, Sport Fisheries, revise the second sentence of paragraph (1)(ii) to read as follows:

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°31.70' N. lat.).

In section (f) of the Plan, Sport Fisheries, revise the last sentence of paragraph (1)(ii) to read as follows:

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:

(1) 48°18.00' N. lat.; 125°18.00' W. long.;

(2) 48°18.00' N. lat.; 124°59.00' W. long.;

(3) 48°11.00' N. lat.; 124°59.00' W. long.;

(4) 48°11.00' N. lat.; 125°11.00' W. long.;

(5) 48°04.00' N. lat.; 125°11.00' W. long.;

(6) 48°04.00' N. lat.; 124°59.00' W. long.;

(7) 48°00.00' N. lat.; 124°59.00' W. long.;

(8) 48°00.00' N. lat.; 125°18.00' W. long.; and connecting back to 48°18.00' N. lat.; 125°18.00' W. long.

In section (f) of the Plan, Sport Fisheries, revise paragraph (1)(iii) from the second sentence to the end of the paragraph to read as follows:

This subarea is defined as waters south of the Queets River (47°31.70' N. lat.) and north of Leadbetter Point (46°38.17' 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 there is insufficient quota remaining to reopen the entire subarea for another fishing day, then any remaining quota may be used to accommodate incidental catch in the nearshore area from Queets River south to 47°00.00' N. lat. and east of 124°40.00' W. long. or 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.

In section (f) of the Plan, Sport Fisheries, revise paragraph (1)(iv) regarding the Columbia River subarea to read as follows:

This sport fishery subarea is allocated 2.0 percent of the first 130,845 lb (59.4 mt) allocated to the Washington sport fishery, and 4.0 percent of the Washington sport allocation between 130,845 lb (59.4 mt) and 224,110 lb (101.7 mt) (except as provided in section (e)(3) of this Plan). This subarea also is allocated from the Oregon/California sport allocation the number of pounds equal to the Washington contribution. Oregon's contribution will be 2.0 percent of the total Oregon/

ENFORCEMENT CONSULTANTS REPORT ON  
GROUNDFISH RETENTION IN THE COLUMBIA RIVER SUBAREA RECREATIONAL  
HALIBUT FISHERY

The Enforcement Consultants have reviewed this issue. Our recommendation is that Option 1, as stated in the Situation Summary, be selected. This gives enforcement the greatest ability to enforce this regulation at sea and at landing.

PFMC  
03/08/05

MOTION FOR  
GROUND FISH RETENTION IN THE COLUMBIA RIVER SUBAREA RECREATIONAL  
HALIBUT FISHERY

Burke/Anderson Moves:

On Agenda Item D1a Attachment 1, March 2005  
Federal Register Notice Volume 20 Number 24 February 7, 2005  
Page 6396 last full paragraph:

(6) Prohibit the **landing retention** of all groundfish except sablefish when allowed by groundfish regulation in the Columbia River fishery during all days and **prohibit the retention of all groundfish, except sablefish when allowed by groundfish regulation** in the Central Coast fisheries during "all-depth" days.

GROUNDFISH RETENTION IN THE COLUMBIA RIVER SUBAREA  
RECREATIONAL HALIBUT FISHERY

At its November 2004 meeting, the Council adopted proposed changes to the Pacific Halibut Catch Sharing Plan for Area 2A (CSP), which included prohibiting retention of groundfish except sablefish (when allowed by groundfish regulations) while sport fishing for halibut in the Columbia River subarea. Subsequent discussion of the Council intent revealed some confusion on how this regulation was to be implemented within the subarea. NMFS has filed a proposed rule (Agenda Item D.1.a, Attachment 1) with two options for implementation:

1. The restriction on groundfish retention would apply to the entire subarea (Leadbetter Point, Washington, to Cape Falcon, Oregon). This would restrict both Oregon and Washington anglers from retaining groundfish (except sablefish when permitted under groundfish regulations) while fishing for halibut. The regulation could be enforced either on water or shore, by both states.
2. The restriction would apply only to vessels landing in Oregon. Landing of groundfish in conjunction with halibut would be prohibited in Oregon ports between the state border and Cape Falcon. This would prohibit Oregon licensed anglers from retaining groundfish anywhere in the subarea and allow Washington licensed anglers to retain groundfish anywhere in the subarea, as long as they land north of the border. The regulation could be enforced either on water or shore, by both states.

The Council should clarify its intent by recommending one of the two options above for implementing the restriction on groundfish retention in the Columbia River subarea recreational halibut fishery.

**Council Action:**

- 1. Clarify recommended regulation for groundfish retention in the Columbia River recreational subarea halibut fishery.**

**Reference Materials:**

1. Agenda Item D.1.a, Attachment 1: excerpt from proposed rule to implement 2005 changes to the Catch Sharing Plan and partial domestic regulations for Pacific halibut in Area 2A -- February 7, 2005.

Agenda Order:

- a. Agenda Item Overview
- b. Agency and Tribal Reports and Comments
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Clarify Recommendations for Groundfish Retention Regulations

Chuck Tracy

PFMC  
02/16/05

# INTERNATIONAL PACIFIC HALIBUT COMMISSION

## *News Release*



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

January 24, 2005

### HALIBUT COMMISSION COMPLETES 2005 ANNUAL MEETING

The International Pacific Halibut Commission completed its Eighty-first Annual Meeting in Victoria, British Columbia, with Dr. Richard J. Beamish of Nanaimo, British Columbia presiding as Chair. The Commission is recommending to the governments of Canada and the United States, catch limits for 2005 totaling 73,820,000 pounds, a 3.5% decrease from the 2004 catch limit of 76,510,000 pounds.

The Commission staff reported on the 2004 assessment of the Pacific halibut stock which implemented only minor technical changes from the previous year. 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. The recruitment of the 1994 and 1995 year classes appears to be relatively strong in most areas, although Area 4B is showing a notably lower level of recruitment of these same year classes compared with other regulatory areas. Estimates of fishing rate, hence exploitable biomass, derived from mark-recapture analysis of PIT-tagged halibut are not yet used directly for determining recommended catch limits. The primary tagging took place in 2003 and there are not yet sufficient recoveries of tagged fish, particularly for the western areas, to determine mixing rates among and exploitable biomass within regulatory areas.

In 2004, Commission staff identified a 25% harvest rate as a candidate target rate for use with a new population assessment, pending its evaluation using the sex-specific population model. This updated evaluation was completed and indicated that a harvest rate less than 25% would result in a 50% lower probability that the stock biomass would reach a level requiring reductions in harvest rate. Accordingly, the Commission adopted a harvest rate of 22.5% as the baseline harvest rate for the central Gulf of Alaska and southward regulatory areas. For the western Gulf of Alaska (Area 3B) and the Bering Sea (Area 4), a 20% harvest rate is maintained due to concern that the long term productivity of these areas may not be as high as that in the central and southern areas of the stock.

### *Seasons and Catch Limits*

The Commission received regulatory proposals for 2005 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 2005 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):



## 2005 Catch Limits

Area	Catch Limit (pounds)
2A Non-treaty directed commercial (south of Point Chehalis)	226,203
2A Non-treaty incidental catch in salmon troll	39,918
2A Non-treaty incidental catch in sablefish longline fishery (north of Point Chehalis)	70,000
2A Treaty Indian commercial	452,500
2A Treaty Indian ceremonial and subsistence (year-round)	38,000
2A Sport – North of Columbia River	237,257
<u>2A Sport – South of Columbia River</u>	<u>266,122</u>
Area 2A total	1,330,000
2B (includes sport catch allocation)	13,250,000
2C	10,930,000
3A	25,470,000
3B	13,150,000
4A	3,440,000
4B	2,260,000
4C	1,815,000
4D	1,815,000
<u>4E</u>	<u>359,000</u>
Area 4 total	10,240,000
<b>Total</b>	<b>73,820,000</b>

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

The IPHC sets biologically-based catch limits for Areas 4A, 4B, and a combined Area 4C-D-E. The catch limits for Regulatory Areas 4C, 4D, and 4E reflect the catch-sharing plan implemented by the North Pacific Fishery Management Council (NPFMC). 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. In Area 2A, seven 10-hour fishing periods for the non-treaty directed commercial fishery are recommended: June 29, July 13, July 27, August 10, August 24, September 14, and September 28, 2005. 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.

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 by the 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).

The Commission continued its discussions on the season extension issue and received several industry proposals and public testimony. The Commission also received a staff report indicating very little difference between the size compositions of halibut landed in the first two weeks compared with that during the last two weeks of March in 2004. After reviewing staff information and proposals from the harvesting and processing sector, the Commission voted on a season similar to 2003 and 2004. Further, it was agreed to open the season on a Sunday to facilitate marketing. Therefore, seasons will commence at 12 noon local time on February 27 and terminate at 12 noon local time on November 15, 2005 for the following fisheries and areas: 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. In addition, the Commission formed a working group, composed of staff and members of its advisory bodies, to examine and report on the relative merits and expense of different research to understand the timing and extent of winter migratory movements of halibut among regulatory areas. The working group will consider both pop-up satellite and transponder tagging, as well as an experimental winter fishery, and make recommendations to the Commission prior to its next Annual Meeting.

#### Regulatory Changes and Issues

The Commission approved changes to the regulations that will allow Area 4C IFQ and CDQ fishing to occur in Areas 4C or 4D. This measure facilitates implementation of action approved by the U.S. NPFMC. A component of this measure is a modification of the IPHC clearance regulations that will allow a vessel to clear simultaneously into Areas 4C and 4D.

At the request of NOAA Enforcement, the Commission will clarify its regulations to ensure that halibut fillets are not allowed on board a commercial vessel. The clarification will change the wording and move the regulation paragraph from the size limit section to the receipt and possession section. This clarification will not change the current exceptions for cheeking of halibut in accordance with NMFS regulations, or for filleting of weighed and recorded IFQ fish (Section 13 (2) (a) and (b)).

#### *Other Actions*

The staff proposal to recognize First Nations' ceremonial and subsistence fishing in IPHC regulations was deferred, pending clarification of this regulation.

The Commission and its advisory bodies reviewed the request from the Alaska Food Coalition for a food bank donation program in the Gulf of Alaska, funded by retained halibut bycatch from trawl fisheries. Neither the Commission nor its advisory bodies approved of this proposal. While the Commission understood the intent of the proposal, it believed that this proposal would work against the Commission's agreement between the two countries to reduce halibut bycatch mortality in non-target fisheries. The advisory bodies also believed that other available sources of acceptable fish protein should be thoroughly evaluated.

The Commission honoured Mr. Casey Knight of Petersburg, Alaska as the third recipient of the IPHC Merit Scholarship. Mr. Knight was unable to attend the meeting because of academic commitments but has been 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 2004, and was at the lowest level since 1987, 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 2005 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 Bellingham or Seattle, Washington from January 17 to 20, 2006. The United States Government commissioner, Dr. James Balsiger, was elected Chair for the coming year. The Canadian Government commissioner, Dr. Richard Beamish, 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 -**

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REPORT ON INTERNATIONAL PACIFIC HALIBUT COMMISSION  
ANNUAL MEETING

Mr. Phil Anderson, Council representative to the International Pacific Halibut Commission (IPHC) attended the annual meeting of the IPHC in January, where the overall halibut harvest levels for 2005 were set, including that for Area 2A (Agenda Item D.2.a, Attachment 1). Mr. Anderson will provide a brief summary of the results of the meeting.

**Council Task:**

**1. Discuss information relative to Area 2A halibut fisheries.**

Reference Materials:

1. Agenda Item D.2.a, Attachment 1: IPHC News Release.

Agenda Order:

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

Chuck Tracy  
Phil Anderson

PFMC  
02/16/05

**SUMMARY OF PACIFIC HALIBUT INCIDENTAL CATCH MANAGEMENT**

**Salmon Troll Fishery**

The table below provides the number of licenses, allocation, harvest, and landing restrictions for the incidental halibut catch in the salmon troll fishery since the initial season in 1995.

Incidental Halibut Management in Area 2A Salmon Troll Fishery.

Year	Licenses Issued					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	74	212	11	47	344	44,554	29,174	42,798	1 + 1 per each 3	35
2005	-	-	-	-	-	39,918	-	-	-	-

**Commercial Sablefish Fishery North of Point Chehalis**

The table below provides the allocation, total harvest, landing restrictions, and season dates for the incidental halibut catch in the fixed-gear sablefish fishery north of Point Chehalis since the initial season began in 2001.

Incidental Halibut Management in the Area 2A Sablefish Fishery North of Point Chehalis, Washington.

Year	Pounds of Halibut		Restrictions	
	Allocation	Total Harvest	Halibut per Sablefish (dressed weight)	Season Dates
2001	47,946	26,945	2+80 lb per 1,000 lb	Aug. 15-Oct. 31
2002	88,389	66,599	2+150 lb per 1,000 lb	May1-Oct 31
2003	70,000	65,325	2+150 lb per 1,000 lb	May1-Oct 31
2004	70,000	67,837	2+100 lb per 1,000 lb	May1-Oct 31
2005	70,000	-	-	-

In 2004, thirty individual vessels made a total of 148 landings containing halibut in the directed sablefish fishery. The average amount of sablefish in these landings was 8,549 pounds, and the average amount of halibut was 521 pounds (both dressed, halibut with head on). This represents an average of approximately 60% of the amount of halibut that could have been legally retained under the regulation. Only 17 of the 148 landings contained incidental halibut at 90% or more of the amount allowed by regulation. Final landings for this fishery were 67,837 pounds, or 97% of the quota.

PFMC  
02/16/05

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 2004.

Thank you.

PUBLIC REVIEW OPTIONS FOR THE 2005 INCIDENTAL CATCH REGULATIONS IN  
THE SALMON TROLL AND FIXED GEAR SABLEFISH FISHERIES

Regulations governing incidental harvest of halibut in the salmon troll fishery and commercial sablefish fishery north of Point Chehalis require the Council to adopt recommended halibut landing restrictions to allow incidental harvest while assuring 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. Regulations (beginning in 2001) direct that the primary management objective is to harvest the incidental quota in the May/June salmon troll fishery with a secondary objective to harvest any remaining quota during July through September. The Council has successfully used landing ratios and a total trip limit to assure a manageable progression of the fishery in past years. A summary of management information for the incidental halibut fishery since the initial season in 1995 is provided in Agenda Item D.3.a, Attachment 1.

**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. In past years, the Council has successfully used landing restrictions to maintain the harvest within the allocation. A summary of management information for the incidental halibut fishery since the initial season in 2001 is provided in Agenda Item D.3.a, Attachment 1.

**Council Action:**

- 1. Adopt for public review a range of landing restrictions for halibut caught incidentally in the non-Indian commercial troll season that comport 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, including season dates for incidental halibut harvest in the commercial sablefish fishery north of Point Chehalis, Washington.**

**Reference Materials:**

1. Agenda Item D.3.a, Attachment 1: Summary of Pacific Halibut Incidental Catch Management.



Agenda Order:

- a. Agenda Item Overview
- b. State Proposals for the Salmon Troll Fishery
- c. State Proposals for the Fixed Gear Sablefish Fishery
- d. Tribal Comments
- e. Reports and Comments of Advisory Bodies
- f. Public Comment
- g. **Council Action:** Adopt Public Review Options for 2005

Chuck Tracy

Jim Harp

PFMC

012/27/12